

## Hull Board of Selectmen

### Minutes

November 30, 2017

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Thursday evening, November 30, 2017, at Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

Present: Kevin Richardson, Chair; Chris Mitchell, Vice-Chair; Domenic Sestito, Clerk; and Jennifer Constable, Member. Also present were Town Manager Phillip Lemnios and Town Counsel James Lampke. John Reilly, Member, was absent.

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### APPOINTMENTS

#### **Fire Chief Christopher Russo, regarding introduction of new firefighters**

Chief Russo introduced two new firefighters, Jake Williamson and Tyler Pari, to the board and commended them for their high performance in their training. The board expressed its welcome and congratulations.

Russo also updated the board on the Thanksgiving Day bonfire, which was a great success. He thanked all who were involved, and the companies that donated pallets.

#### **Assistant Assessor Katherine Rebell, regarding setting of tax rate**

Katherine Rebell and the Board of Assessors were present at the meeting to conduct the town's FY19 tax classification hearing. The following points were part of the presentation, and have been edited for this document.

The Board of Assessors annually asks the Board of Selectmen to vote to adopt the Tax Rate Policy as either:

- A single or unified tax rate
- A multiple or split tax rate
- Small commercial exemption
- Residential exemption

The overall percentage of classifications of property for FY18 is:

- Residential: 96%
- Commercial: 3%
- Personal: 1%

An overview of key changes assuming a unified tax rate included:

- The estimated tax rate will be \$13.42 per thousand.
- Based on an average single-family value of \$401,600, the average single family FY19 tax bill would be \$5,389.
- Based on an average commercial value of \$585,200, the average commercial tax bill would be \$7,853.

In addition, the board considered whether to shift to a split tax rate. This would have the following implications:

- In a 10% shift to the commercial side, the average residential taxpayer would save \$555 per year and the average commercial taxpayer would pay an additional \$778 per year.
- A 50% shift would result in the average residential taxpayer saving \$2,781 per year and the average commercial taxpayer paying an additional \$3,926 per year.

The Board of Assessors recommended that the Board of Selectmen adopt a unified tax rate, along with no residential, commercial, or small business exemptions.

Lemnios thanked Rebel and the Board of Assessors for their ongoing efforts and work for the town.

The selectmen voted as follows:

<b>Motion</b>	Sestito	Motion to set the residential factor for the fiscal year 2018 to “1”.
<b>Second</b>	Constable	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Sestito	Motion to not adopt a residential exemption for Fiscal year 2018.
<b>Second</b>	Constable	
<b>Vote</b>	Unanimous	

<b>Motion</b>	Sestito	Motion to not adopt a small business exemption for fiscal year 2018.
<b>Second</b>	Constable	
<b>Vote</b>	Unanimous	

The selectmen signed a document indicating thus.

There was a brief recess at this time.

**Police Chief John Dunn, regarding appointment of deputy chief**

Richardson stated that in the previous week’s Executive Session, the board voted to offer Police Chief John Dunn an extension on his contract and an increase in pay. This is a one-year extension on his initial three-year contract. The board voted as follows to ratify this in open session:

<b>Motion</b>	Sestito	Motion to ratify and approve an extension to Police Chief John Dunn’s contract by one year and an increase in compensation of \$15,000.
<b>Second</b>	Constable	

<b>Vote</b>	Unanimous	
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Richardson thanked the chief for the job that he has done.

Dunn then spoke of the vacancy opened by the retirement of Robert Sawtelle, and stated that he had sent to Lemnios a list of qualifications for Deputy Chief. This appointment would be in lieu of a captain. He stated that there were four qualified candidates; two put in letters of interest. He and a panel of experts spent a day interviewing the candidates and analyzing their responses. Based on this process and Dunn’s own workplace observations, he recommended Sergeant Neil Reilly for the position. He commended Reilly for his integrity, honesty, leadership ability, management style, and transparency.

The board voted as follows:

<b>Motion</b>	Sestito	Motion to appoint Neil Reilly as Deputy Chief of Police for the Hull Police Department, subject to negotiations and agreement on a contract.
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	

### LICENSING/APPROVALS

The board approved renewals for the following all alcohol licenses: all subject to completion of any inspections necessary and police review

<b>Motion</b>	Sestito	McDevitt Enterprises, Inc., dba Jo’s Nautical, Stephanie Aprea, Mgr., 125 Main St., for (A) All Alcohol General on Premise (annual); (B) Entertainment (Live, Jukebox, DJ, Karaoke)
<b>Second</b>	constable	
<b>Vote</b>	Passed 3-0-1	Mitchell abstained

<b>Motion</b>	Sestito	Ric-Ray, Inc. dba Schooners, Jacqueline Chase, Mgr., 157 Nantasket Ave. (A) Common Victualer; (B) All Alcohol Restaurant; (C) Entertainment (Jukebox)  C Note LLC dba The C Note, Charles J. Fruzzetti, Mgr., 159 Nantasket Ave. (A) All Alcohol as a General on Premise Licensee; (B) Entertainment (Jukebox, DJ, Live Karaoke; (C) Automatic Amusement (Video Game, Pool Table)
<b>Second</b>	Mitchell	

<b>Vote</b>	Unanimous	
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The board approved one package store license renewal as follows:

<b>Motion</b>	Sestito	Porta Bella Beverage, Inc. dba West Corner Liquors, 18 Nantasket Avenue, George Duncan, Manager – re: All Alcohol as a Package Store
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	

The board approved common victualler renewals as follows:

<b>Motion</b>	Sestito	L Street Pizza, Maroun Habchy, Mgr. 754 Nantasket Ave.  Nantasket Beach Café, dba Saltwater Diner, Richard Bornstein, Mgr., 512 Nantasket Ave.  William Dwyer, dba Pemberton Bait & Tackle, William Dwyer, Mgr., 173 Main St.  Surf and Scoops, LLC, dba Surf and Scoops Ice Cream Parlor, John P. McInerney, Jr. Mgr. 540 Nantasket Ave.  Michael Lyon, dba Bread Basket Bakery, 307 Nantasket Ave.  Placido & Gaetano Treviso dba Nantasket Seafood, 533B Nantasket Ave.
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	

The board approved livery badge renewals as follows:

<b>Motion</b>	Sestito	David B. Kenyon, 214 Atlantic Ave, Unit #7, for Livery Badge for Seaport Livery Service  Richard J. McKenna, 9 Massasoit Ave, for Livery Badge for Seaport Livery Service
<b>Second</b>	Mitchell	

<b>Vote</b>	Unanimous	
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The board approved lodging house renewals as follows:

<b>Motion</b>	Sestito	Bermaken Hotel LLC., Steve Wilkins, Mgr., 102 Revere St.  Sandpiper Inn., Steven Austin, 165 Nantasket Ave.  NeighborWorks Southern MA dba NHS of the South Shore, 422 Washington St., Quincy, Donna Ackerman, Mgr. for Lodging House at 24 Park Ave (Easy Living)
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	

## APPOINTMENTS, CONTINUED

### Parking Committee update

Selectman Mitchell provided the board with an update on the Parking Committee. He stated that the committee will be reviewing commuter parking at Pemberton, looking into ride sharing and carpooling, and looking at seasonal parking issues and seeking Police Department input on same.

Board members suggested that the committee might looking into the following issues as well:

- Oceanside parking on Nantasket Avenue during the summer
- Summer parking on Samoset and its cross streets in the summer
- Businesses providing all-day rentals of equipment that might need longer parking for customers
- Exploring increasing meter fees and year-round meters
- Adding a level to the lower municipal lot in Kenberma

Lemnios also suggested that the committee might want to consider how the eventual development of the HRA property will change parking in town.

Resident Rhoda Kanet suggested investigating the use of the back lots behind the old Paragon Park area. Another resident suggested that the town provide trash receptacles for any expanded parking areas and possibly a public bathroom.

### Public Hearing: Deborah Beckett, regarding wholesale Class II license

Potential witnesses were sworn in. Beckett is asking for a license to buy, repair, and resell used cars at 410 Nantasket Avenue. She stated that there are two office areas in front and a car bay in back. A friend of hers is interested in doing the repairs on the premises. Beckett had requested a 15-car limit. Lampke said that there was a limit on the number of cars with the prior operator but he was not sure what it had been previously.

John McGaffigan, 29 Samoset Avenue, stated that he wishes her success, but is concerned about the use of the property, parking, and tow trucks dropping vehicles off at night. He also stated that there is a dumpster and no containment around it. He would like to have plans for hours of operation, servicing cars, material storage, oil changes, environment, and runoff.

Susan Namdar, 25 Samoset Avenue, was concerned about lighting, hours of operation, and upkeep of the property.

Lemnios suggested that the board continue the hearing so that the applicant can create a plan showing the layout of the site and operations for various activities. Richardson added that they also need the hours of operation proposed. Lemnios asked her to also write up a narrative about how they intend to run the operation, including how it will be lit. He suggested that she meet with the abutters present at this meeting to discuss their concerns. He also pointed out that this is a new business for her and that there are times when the board will authorize a smaller operation until it sees how things go. He said that he would meet with her on what the plan should include.

Richardson asked for a motion to continue the hearing to next week.

<b>Motion</b>	Sestito	So moved
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	

**Town Counsel, regarding marijuana retail implementation**

Town Counsel Lampke addressed the board on the implementation of retail sales of marijuana. He stated that the nature of the law and industry in Massachusetts is still very much in flux. The law was passed in November 2016 as a citizens initiative and the state legislature made amendments this summer which have now been signed into law, however there still is a lack of clarity on some issues of implementation. The new consensus is that any laws the town wants to implement should be in place by April 1, which is the date that applications can begin being filed with the state.

There are four types of marijuana businesses that can be licensed under the state law. These are:

- Marijuana retailers
- Licensed marijuana testing facilities
- Marijuana cultivators
- Marijuana product manufacturers

In addition, there are marijuana accessory businesses.

Lemnios noted that the Planning Board had presented a zoning bylaw concerning retail marijuana. Lampke said that the proposed zoning bylaw addresses all four types of marijuana establishments. He said that communities are waiting for advice from the Secretary of State’s office regarding how they can format referendums on prohibiting or limiting the various commercial activities.

Lemnios said that the board will participate in the zoning action via input into the proposed bylaw and by calling a Special Town Meeting. It is also the only body that can decide whether to call for a referendum. He said that there

are many questions about what a referendum can decide. Lampke said that it can prohibit or permit the four category levels.

Constable pointed out that Lampke’s memo says that the town cannot prohibit recreational retail if it is permitting the sale of medical marijuana. Lampke said that the regulations currently seem to say that if a medical establishment is licensed to operate in any area, the town can’t prohibit any of the others under zoning bylaw, but can still have a referendum that prohibits it altogether. There is also a limit of 20% of the number of package store licenses. For Hull this would be one, because the town has six liquor store licenses, unless the 20%, which is 1.2, is rounded up to 2. The town can also vote to limit the number of sales locations to fewer than 20% of package store licenses in town by way of a ballot question at an election. It can also be limited to fewer than the number of medical marijuana facilities in town. Lampke said that it is recommended that this be done through a general bylaw. He said that absent residents can vote on the referendum via absentee ballot.

Lemnios suggested that the board come back next week with a proposed date for a referendum and for a Special Town Meeting so that these can be prepared for. The board can then discuss what should be included in a referendum and what input they want to have regarding the zoning.

Sestito addressed the issue of public information, via scheduled public sessions covering general questions, legal issues, and pretown meeting overview.

Constable asked Police Chief Dunn if he had any suggestions or advisements. Dunn said that he is concerned about the proximity to schools. He also pointed out that in Hull there is a limited amount of space where children can play and the proposed overlay is in an area where children are active.

Lemnios said that he has been gathering host agreements from other communities in order to be prepared for a potential agreement with a medical marijuana business. The host agreement will need to be voted on by the board. He asked if the board wanted him to enter into discussions with Evergreen about a host agreement so he could bring something back to the board. He would ask Evergreen to give him a proposal so that he could see what their first offer would be. He stated that he would not make any statements to Evergreen about what the town would want. He said that he would make it abundantly clear that he was not implying acceptance or approval.

The board voted as follows to authorize the Town Manager to have a conversation with Evergreen and to bring any staff that he deems appropriate.

<b>Motion</b>	Sestito	So moved
<b>Second</b>	Mitchell	
<b>Vote</b>	Unanimous	

### **NEW BUSINESS**

Richardson noted that there is a new MBTA bus in town.

Kanet invited the community to attend a community menorah lighting on December 17 at the gazebo at 3 p.m.

She also asked, regarding the recent electricity outage, if there is any way to bypass the Hingham lines. Lemnios said that it is prohibitively expensive, but the light plant is looking into other options. He also pointed out that there

were 500,000 people in Massachusetts who were without electricity in the storm, some of them for far longer than Hull.

**The open meeting was adjourned at 10:10 p.m. The board is scheduled to meet next at 7:30 p.m. on Thursday, November 30, 2017.**

*Recorded by Catherine Goldhammer*

Approved by:

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## **Documents**

The following documents were included in the Board of Selectmen's packets or were presented during the meeting and are available in the Board of Selectmen's office upon request:

- Board of Selectmen's agenda and added agenda for November 30, 2017
- Property classification hearing packet
- Memo from Chief Dunn regarding deputy chief position
- License renewal application from McDevitt Enterprises, Inc. dba Jo's Nautical
- License renewal application from Ric-Ray, Inc. dba Schooners
- License renewal application from C Note LLC dba The C Note
- License renewal application from Porta Bella Beverage, Inc. dba West Corner Liquors
- License renewal application from L Street Pizza
- License renewal application from Nantasket Beach Café DbA Saltwater Diner
- License renewal application from William Dwyer dba Pemberton Bait & Tackle
- License renewal application from Surf and Scoops, LLC dba Surf and Scoops Ice Cream Parlor
- License renewal application from Michael Lyon dba Bread Basket Bakery
- License renewal application from Placido & Gaetano Treviso dba Nantasket Seafood
- License renewal application from David B. Kenyon
- License renewal application from Richard J. McKenna
- License renewal application from Bermaken Hotel LLC.
- License renewal application from Sandpiper Inn
- License renewal application from NeighborWorks Southern MA dba NHS of the South Shore