

**Hull Board of Selectmen
Final Minutes
January 20, 2021**

The meeting of the Hull Board of Selectmen was held at 7:00 p.m. on January 20, 2021 via the GoToMeeting platform as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts dated March 12, 2020 Suspending Certain Provisions of the Open Meeting Law.

Present: Jennifer Constable, Chairwoman; Greg Grey, Vice-Chair; Donna Pursel, Clerk; John Reilly, Member; Domenico Sestito, Member. Also present were Town Counsel James Lampke and Town Manager Philip Lemnios.

Constable called the meeting to Order and led the members in a Pledge of Allegiance.

Open Space and Recreation Plan

Constable noted that the Planning Board was at this meeting for a further discussion of the Open Space and Recreation Plan. Members of the Planning Board present were: Steven White, Chair; Nathan Peyton; Irwin Nesoff; Jeanne Paquin; and Joe Duffy.

Chris DiIorio, Director of Community Development and Planning, said that at the last joint meeting of the Boards they had decided to take more time to review the document and submit any edits/suggestions. He said that he had received a few comments and had forwarded them to Courtenay Lewis from the Metropolitan Area Planning Council (MAPC) who made some edits and he has circulated the edited version of the Plan. He noted that they had deleted some references to Paragon Boardwalk as it is not clear what is happening in this area, but they left in the part relating to a community discussion of the skate park. DiIorio said it is unclear at this point if Paragon Boardwalk will be providing land for this use. Other edits included clarification regarding who is in control of certain land parcels in the Town, and expansion on a few items related to seniors. There was also clarification as to the location of boat ramps as well as requirements regarding the purchasing of open space in the Town.

Motion	Reilly	To approve and adopt the Open Space and Recreation Plan as presented at this meeting
Second	Grey	
Vote	Unanimous	Reilly – Aye Grey – Aye Pursel – Aye Sestito – Aye Constable – Aye

Since there was a quorum of the Planning Board present at the meeting, they made a motion on this matter.

Motion	Paquin	To approve the Open Space and Recreation Plan as presented at this meeting
Second	Peyton	
Vote	Unanimous	Paquin - Aye Peyton – Aye Nesoff – Aye Duffy – Aye White – Aye

On a motion by Nesoff, seconded by Peyton, the Planning Board voted unanimously by roll call to adjourn their meeting.

Minutes for Approval

Motion	Grey	To approve the minutes of the Board of Selectmen meetings on November 18, 2020, with a correction on page 8 of NPO to MPO, and the minutes of December 16, 2020
Second Vote	Sestito Unanimous	Grey – Aye Sestito – Aye Pursel – Aye Reilly – Aye Constable – Aye

Peter Booras, West Corner Auto, Inc., 5 Elm Avenue re: Public Hearing for Class II Wholesale License (Change of Location)

Peter Booras was on the call and was sworn in by Constable prior to the opening of the Public Hearing.

Booras said that he has had a license for motor vehicle purchase and sale since 2007 and was originally located on Nantasket Avenue out of the Pizza Box, but that location was closed in March of 2020 due to the pandemic. Since he is not sure when he will be able to reopen he feels it would be best to have his license moved to his home at 5 Elm Avenue. Other than his personal vehicle there are no cars being stored at this location and when he does purchase or service a vehicle it is stored at a garage in Cohasset. Lampke noted that on his application Booras had not completed the section relating to having an agreement or contract with a place to do repairs for warranty work and suggested that he send a letter to the Board as to where this is being done. Booras said that he would send an email to the Board with this information.

Motion	Reilly	To approve the transfer of the location of the Class II Wholesale License for West Corner Auto, Inc. to 5 Elm Avenue with all of the stipulations in effect for the original location regarding no on-site storage or repair of vehicles and that repair and storage will be through Robbins Garage in Cohasset
Second Vote	Sestito Unanimous	Reilly – Aye Sestito – Aye Grey – Aye Pursel – Aye Constable – Aye

PF Hospitality, Inc. dba The Sandbar, 297 Nantasket Avenue, Lillian Parker, Mgr. re: Public Hearing for All Alcohol, Common Victualer, and Entertainment License (New)

Lillian Parker was on the call and was sworn in by Constable prior to the Opening of a Public Hearing.

Parker said she was applying for a full liquor license, Common Victualer, and Entertainment license for 297 Nantasket Avenue, which was formerly operating as The Beach Front. She said she is an owner as well as a manager of the operation and is a resident of Hull. Her intent is to operate a family restaurant that will include a bar and noted that they are renovating the entire facility. She said that she has extensive experience in both the hospitality and financial industries and added that she managed Cheers in Faneuil Hall for about three years.

Sestito asked Lampke if all of the criteria from the existing license (e.g. hours, etc.) remain the same or if Parker is requesting anything different. Lampke said he does not have the prior license as they ceased operations before the end of the year and the application that they have is what they should go by. He said that the license for The Beach

Front expired on December 31, 2020 so it no longer exists, which means that this is an application for a new license and not the transfer of an existing license.

Reilly asked what type of food and entertainment Parker was proposing. Parker said she was planning on pub food, American fare, with some specialty items that are unique to the area. She said the target opening date is May 1, 2021 but this is an aggressive timeline. She would like to open no later than Memorial Day weekend. Parker said all of the seating would be indoors as they do not have an outdoor space. Constable asked if she would anticipate requesting outdoor seating if the Covid restrictions were still in place and Parker said there is parking behind the building so there would be space for that and they would consider that option if necessary. She said they are also planning around other Covid restrictions such as distancing. She said they had requested 82 seats but would probably come in around 77 seats as she would like it to be a bit more open.

Constable asked about entertainment. Parker said they plan to have TouchTunes, as well as jazz brunches and acoustic music and would have DJs for special events only as she does not want this to be a club. Lemnios said it appears that most of the seating is bar-type seating as opposed to dining-related but Parker explained that there were high top tables in the bar area that are standard seating and stated that she is focusing on serving food and not just alcohol. She said that they had actually reduced the number of seats at the bar because they wanted to make the bathrooms ADA compliant which reduced the bar area. She said that the proposed hours for the kitchen would be until 10 and after that there would be a reduced menu until about 12 am but food would be available until closing. Reilly pointed out that if they are open until 1 a.m. the “family diners” are gone and the atmosphere changes, and asked how she would manage that type of crowd. She said that she will make sure that everyone who is working will know how to deal with any customer who is having too much to drink. Reilly said he would like to see more of the menu to see how invested she is in the food side of things. Parker said she would be happy to share her menu as well as the design for the restaurant so they could see more of the type of atmosphere she is hoping to create and would be able to send this to the Board immediately after the meeting.

Motion	Reilly	To approve the Common Victualer license as presented this evening, with the hours as presented, with the stipulations that the applicant supply information regarding the menu, what will be offered for a night menu, the decorating scheme, and what the proposed theme of the establishment will be, and that this information be attached to the license.
---------------	--------	---

Second Vote	Grey Unanimous	Reilly – Aye Grey – Aye Sestito – Aye Pursel – Aye Constable – Aye
------------------------	-------------------	--

Motion	Reilly	To further approve the All Alcohol license as presented this evening with the hours as presented with the same stipulations as specified for the Common Victualer license.
---------------	--------	--

Second Vote	Sestito Unanimous	Reilly – Aye Sestito – Aye Pursel – Aye Grey – Aye Constable – Aye
------------------------	----------------------	--

Before approval of the Entertainment license there was discussion as to the definition of acoustic music and Parker said that her expectation is that it would be a single person probably with a guitar but no amplification. Reilly said that at this point they are approving guitar and brass instruments but that Parker might want to list a few more instruments to allow some leeway.

Motion	Reilly	To approve an Entertainment license as requested this evening from 11 a.m.
---------------	--------	--

to 1 a.m. except on Sunday when entertainment will be from 2 p.m. to 1 a.m. as mandated by the State and the applicant is able to amend the types of instruments that will be used for live performances.

Second Vote	Sestito Unanimous	Reilly – Aye Sestito – Aye Grey – Aye Pursel – Aye Constable - Aye
------------------------	----------------------	--

Kenny Corporation, EZ Smoke Shop, 527 A Nantasket Avenue, Bhavesh Patel, Owner re: Public Hearing for Annual Wine and Malt License (New)

Bhavesh Patel, his Manager, Jennifer Rose Bailey, and Attorney James DiFazio were on the call. Constable swore them in prior to the opening of the Public Hearing.

Atty. DiFazio said he represented the applicant, Bhavesh Patel, a resident of Hull, who is the President of Kenny Corporation and has operated a convenience store known as Quick Pick in Hull since 2013. He sells beer and wine at that location and has had no problems. For the last two years he has operated EZ Smoke Shop at 527 A Nantasket Avenue where he sells cigarettes and cigars. He has had no adverse issues with the operation of this store and would now like to obtain a beer and wine license. He proposes to have Hull resident Jennifer Rose Bailey as the manager. His application includes signatures from 85 residents who support the issuance of a license for beer and wine at this location.

Lampke noted that Mr. Patel is not a U.S. citizen and it is a State law that a Director of a corporation owning a package store license has to be a U.S. citizen, although the owner of the stock does not need to be. Reilly suggested that they table this issue until the next meeting in order to give Lampke and DiFazio time to discuss the issue and possibly come up with a resolution. Atty. DiFazio said this would be fine with them and that he would work with Lampke to resolve the issues and if necessary will change the corporate structure. Reilly asked if a change of the corporate structure would require the filing of a new application but Lampke did not believe this type of change would. DiFazio said that before the next meeting they will make sure that all Directors of Kenny Corporation are citizens. Lampke said he wanted it to be clear that they are not taking any action at this point to approve or disapprove of the application.

Motion	Reilly	To table the application for an Annual Wine and Malt License for EZ Smoke Shop until the next meeting of the Board in order to allow Town Counsel and the owner's attorney time to resolve outstanding issues.
Second Vote	Constable Unanimous	Reilly – Aye Sestito – Aye Grey – Aye Pursel – Aye Constable – Aye

Discussion on May 3, 2021 Annual Town Meeting Warrant

Constable said that she had asked Board members to think of possible items they would like to submit for the 2021 Annual Town Meeting Warrant. Lemnios said that at the last meeting they had talked about the possibility of submitting a Warrant Article changing the name of the Board of Selectmen and that in the next couple of weeks they will have some draft language on possible options. Constable noted that Celia Nolan from the League of Women Voters had reached out to the Board on this issue and she thought it might be a good idea to have someone from the

League come speak to the Board. Reilly said he thought it would be best to change to a gender neutral name that would be in line with other Boards and Committees in the Town and would not need to be changed every few years. Constable said she would be in favor of "Select Board" and noted that this name has been adopted by the Massachusetts Municipal Association (MMA). No other Board members had thoughts on this potential Article.

Grey asked if the Town is in a position to look at more road work and infrastructure as this is a good time to borrow. Lemnios said the Town does not have the latitude to do bonding Articles at this time but they are beginning to look at this through a debt exclusion mechanism because bond rates are extremely low and there is a lot of road work that still needs to be done. They are looking at the Town's existing roadway plan and he will probably be presenting something to the Board in February. Pursel asked if the Fort Revere plan that was presented would fall under debt exclusion as well. Lemnios said it could but feels that if they are going to the public for tax increases they would be more likely to put forward items related to safety such as seawall and drainage work. Pursel said she would like to have another meeting on this plan which would include the Historical Committee. She also raised the issue of the railroad bed study and Lemnios said that Lampke is working with a land specialist on this and would have a memo to the Board in the next few weeks. Pursel said she just wanted to ensure that there is further discussion on these topics before the Warrant closes. Grey said he thinks they need to see how much of a priority the Fort Revere plan is with the townspeople and should find out if the people want infrastructure or repair projects or if they want to move forward with the Tower. Constable agreed that they need to gauge the interest of the Town in this project because they still have a lot of capital needs and it would be good to know where the Tower falls in the Town's priorities.

Sestito asked if the proposed two-way street design between Mezzo and Phipps was part of the Town's street plan. Lemnios said this was an initiative by the HRA that the Board of Selectmen supported contingent on it going through a State grant program. The State provided the funding for the engineering costs but will not give a grant until the HRA has hired a developer. Sestito said that if they do look at capital improvements they should look at that part of Town. Lemnios said the price tag for this was about 2.5 million and Constable noted that without a developer and development plan they were not very competitive in terms of receiving grants.

Reilly said that at the presentation on the Tower it was indicated that there would be some investigation to see if the State Architectural Board could waive some requirements regarding ADA accessibility in order to bring the price down. Lemnios said that there were several major issues. In order to make it handicap accessible you could install an elevator in the interior of the structure or install an exterior shaft. Another option was to forego access to the top and install a small museum at the base of the Tower. He noted that the stairs on the inside of the Tower are not code compliant for public use and would have to be modified in order to access the top of the Tower. Dennis Riley from the Hull Historical Commission said they had been in touch with the Architectural Access Board on these issues and Constable said it would be helpful if he could present this information to the Board so they could review it.

Lemnios gave an update on Conservation Preservation Committee (CPC) Town projects. He said they met with the CPC Committee last week. He was very impressed with the presentations and felt that everyone had an opportunity to fully describe their project.

CORRESPONDENCE

Lauren Durham, Hull Contributory Retirement Board re: Retirement Board Election Results

Constable noted that they had correspondence dated January 5, 2021 from Lauren Dunham advising that at the meeting of the Hull Retirement Board held on Tuesday, November 17, 2020 Bartley Kelly and Jason Harris were elected to positions on the Hull Retirement Board. Their terms will commence on 12/31/2020 and expire on 12/30/2023.

UPDATES/NEW BUSINESS

Pursel said that she had an interest in sitting on the Citizens' Advisory Committee for the Weir River Water System. Constable noted that the Weir River Water System, formerly Aquarion, had agreed to have two local representatives on their Citizens' Advisory Committee. This appointment would fill one of the seats.

Motion	Reilly	To appoint Donna Pursel to a position on the Citizens' Advisory Committee for the Weir River
---------------	--------	--

Second Vote	Grey Unanimous	Reilly – Aye Grey – Aye Sestito – Aye Pursel – Aye Constable – Aye
------------------------	-------------------	--

Motion	Reilly	To appoint John Struzziery, in his role as Chief Facilities Manager of Wastewater Treatment, to represent the Town on the Citizens' Advisory Committee for the Weir River Water System
---------------	--------	--

Second Vote	Grey Unanimous	Reilly – Aye Grey – Aye Sestito – Aye Pursel – Aye Constable – Aye
------------------------	-------------------	--

Grey noted that residents of Hull need to sign up on Weir River Water System's website in order to receive alerts. Lemnios said he would add this information to the Town's website. Grey said on behalf of Parks and Recreation that bike racks are on the way and will be installed in about two to three months, once the weather becomes warmer.

Reilly said he had been getting a lot of questions from residents regarding a timeframe for the vaccine. Lemnios noted that the State has control of when the vaccines will be distributed and at this point there is no clear indication when there might be availability of vaccine to allow for local clinics. He hopes that with the new Administration things will move more quickly.

Sestito said that the Hull Youth Football Association had a very successful year for Christmas tree sales. He thanked the Park and Recreation Department and DPW for their help and also the Firefighters Association for a generous donation to purchase trees for families in need.

Constable stated that they may need an additional meeting in February which would be scheduled on February 10th if needed. She also noted that they had established an Affordable Housing Committee that consisted of a member of the Board and if everyone agrees she would like to represent the Board on that Committee.

Motion	Reilly	To appoint Jennifer Constable the Board of Selectmen's representative on the Housing Committee
---------------	--------	--

Second Vote	Grey Unanimous	Reilly – Aye Grey – Aye Sestito – Aye Pursel – Aye Constable – Aye
------------------------	-------------------	--

Constable also noted that January 21, 2021 was the annual Massachusetts Municipal Association (MMA) conference which is being held virtually if anyone is available to attend.

EXECUTIVE SESSION

Motion	Constable	<p>To move to go into Executive Session to discuss strategy with respect to collective bargaining and that the Chair declare that an open meeting may have a detrimental effect on the bargaining position of the body;</p> <p>To move to go into Executive Session to discuss strategy with respect to litigation, and that the Chair declare that an open meeting may have a detrimental effect on the litigating position of the body;</p> <p>To move to go into Executive Session to comply with, or act under the authority of the Attorney-Client privilege;</p> <p>To move to go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege and to not reconvene in Open Session;</p> <p>The following subjects will be discussed in the Executive Session: Negotiations with all bargaining units/Extenet v. Hull and Green, et al v. ExteNet & Hull/sale, lease, and disposition of real property, specifically Saltwater Club and the Hull Yacht Club and Mezzo Mare.</p>
Second Vote	Grey Unanimous	<p>Constable – Aye</p> <p>Reilly – Aye</p> <p>Grey – Aye</p> <p>Sestito – Aye</p> <p>Pursel – Aye</p>

The Open Meeting of the Board was adjourned.

Recorded by Kathleen Fanning

Approved by: _____

Documents

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

- Agenda and Added Agenda for the Board of Selectmen meeting on January 20, 2021
- Materials related to request from Peter Booras, West Corner Auto, Inc. for change of location for Class II Wholesale License
- Materials related to All Alcohol, Common Victualer, and Entertainment License (New) for PF Hospitality, Inc. dba The Sandbar
- Materials related to Annual Wine and Malt License (New) for Kenny Corporation, EZ Smoke Shop
- Correspondence from Lauren Durham of the Hull Contributory Retirement Board regarding the election of Bartley Kelly and Jason Harris

