

**Hull Board of Selectmen  
Final Minutes  
June 23, 2021**

The meeting of the Hull Board of Selectmen was held at 7:00 p.m. on June 23, 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, Chair; Greg Grey, Vice-Chair; Donna Pursel, Clerk; Domenico Seditto, Member; John Reilly, Member. Members absent: Domenico Seditto, Member. Also present were Town Counsel James Lampke and Town Manager, Philip Lemnios.

Before calling the meeting to order Constable led everyone in the Pledge of Allegiance.

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**APPROVALS**

**Request for Board to approve lease between the Town and Hull Lifesaving Museum for Pemberton Boat House**

Lemnios explained that the Pemberton Lifesaving Boat House Station was acquired from the U.S. Government in 2005. The Museum has offered many successful educational programs for residents of Hull. He recommends finalizing a long-term (30 year) lease with minimal rent (\$1) as this will help the Museum when it applies for grants for capital improvements. The lease will be structured in such a way that the Town's control over the area will be preserved. Maintenance and rehabilitation of the building would be the responsibility of the Museum but they would be able to ask for assistance from the Town if needed.

<b>Motion</b>	Reilly	To approve the thirty-year lease between the Town and the Hull Lifesaving Museum for Pemberton Boat House as presented this evening
<b>Second</b>	Grey	
<b>Vote</b>	Unanimous	Reilly – Aye Grey – Aye Pursel – Aye Constable – Aye

**Renee Kiley, Hull Nantasket Chamber of Commerce re: Request to hold Endless Summer Waterfront Festival on September 25, 2021, with a possible rain date scheduled for September 26, 2021**

Lemnios said this is an event that has been held for many years and is a time for everyone to celebrate and show people what the Town has to offer. The Three Beach Marathon is scheduled for the same day but Lemnios said that is a very early morning event and should not conflict with this, although he will check with the Police Chief.

<b>Motion</b>	Grey	To approve the Hull Nantasket Chamber of Commerce's request to hold Endless Summer Waterfront Festival on September 25, 2021 with a possible rain date scheduled for September 26, 2021, subject to liability insurance and a sign-off by Public Safety
<b>Second</b>	Pursel	
<b>Vote</b>	Unanimous	Grey – Aye Pursel – Aye Reilly – Aye Constable – Aye

**Lisa Thornton, Council on Aging Director, re: Request for street closure for Senior Center Re-opening "Block Party" Event on Wednesday, July 14 from 1-3 pm, with a rain date of July 21 or 22**

The Council on Aging is planning to do a block party event to welcome people back. Parking will be at the Church. This event has been approved by Public Safety and has the approval of area residents.

<b>Motion</b>	Grey	To approve the request from the Council on Aging for a street closure for the Senior Center re-opening “Block Party” event on Wednesday, July 14 from 1-3 pm, with a rain date of July 21 or 22
<b>Second Vote</b>	Pursel Unanimous	Grey – Aye Pursel – Aye Reilly – Aye Constable – Aye

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**Chris Krahforst, Conservation Administrator and Bartley Kelly, Building Commissioner re: Request for Selectmen to Adopt Stormwater Regulations**

Krahforst said there is a new program under federal law called the Municipal Separate Storm Sewer System (MS4) that requires that anything that enters into a municipal wastewater system have a permit from both the federal government and the State. At Town Meeting in 2020 Hull voted to adopt a Stormwater Bylaw, which creates a Stormwater Authority, made up of a number of Town personnel including the Town Manager, Building Commissioner, Town Planner, and a member of the Conservation Commission. This group has put together a set of regulations to implement the bylaw and they are seeking a motion from the Board of Selectmen to adopt those regulations. One of the regulations gives the Authority the power to issue “Land Disturbance Permits” which will be required for land disturbances of greater than 12,500 feet and for all new commercial developments.

Reilly asked if the Town was required to adopt these regulations and Lemnios said it was. Reilly wanted to know how the land disturbance mandate would affect the average homeowner. Lemnios said there are not many lots in Hull that are 12,500 or larger so it would not have a major impact. Krahforst said this will add time and cost to permits, but it really can’t be avoided as Hull faces unique challenges due to its location and environmental vulnerabilities. Some of the activity is concurrent with building permit applications, but depending on the scope of the project, they could require major developers to provide information before applications are accepted.

Reilly asked if it would be possible to add a member of the public to the Authority. Lemnios said they would need to look at the bylaw as the work is very technical, but there would be nothing to prevent members of the public from attending meetings. Lampke said that if a permit is denied an applicant has twenty-one days to appeal the denial in court.

Constable asked what the consequences would be if the Town does not adopt these regulations. Krahforst said they need to have regulations as part of the bylaw. Lemnios said he hopes the Board would adopt the regulations as this was approved at Town Meeting over a year ago and they need to make a presentation to the regulatory agencies.

<b>Motion</b>	Grey	To adopt the Stormwater regulations as presented to the Board of Selectmen at this meeting with the stipulation that Town Counsel look into the possibility of adding a member(s) from the public to the Authority
<b>Second Vote</b>	Reilly Unanimous	Grey – Aye Reilly – Aye Pursel – Aye Constable - Aye

Constable said she wants to make sure that the necessary information is gotten out to the public as to what this entails. Krahforst said they will add something to the Town website with relevant information.

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**Chris Krahforst, Conservation Administrator re: FEMA Community Rating System annual update**

Krahforst said that FEMA has a Community Rating System (CRS) which allows for a discount on flood insurance. Hull is now at a Class VII, which is the highest rating and reflects the good work that many people in the Town are doing. This rating gives an immediate financial benefit to the residents of the Town. Krahforst said one requirement of the CRS system is that every five years they evaluate hazards in terms of frequency and severity (Massachusetts Hazard Mitigation Plan) and they are required to report to the Select Board on an annual basis. The Plan addresses what people see as the real problems faced by the Town and the mitigation of these hazards is prioritized. Krahforst said they are looking at flooding in different areas and are making improvements at getting into areas with high water problems and alerting people to potential hazards. Reilly said they are doing a great job on managing all of the new regulations but as these issues become more significant and more and more regulations come down they need to focus on helping people navigate it all. Lemnios said he feels the Town does a great job of helping people get through these regulations.

**Lori West, Town Clerk re: Request to make the Town website the official Open Meeting Law posting location**

West said that in March of 2020 when Town Hall was closed to the public due to Covid, the Board voted for the Town website to be the official site for the posting of Open Meeting Law notices. She is now asking the Board to adopt, confirm, and ratify this decision. West said that the process for posting will not change. She said she will also post a paper notice on the bulletin board outside of her office as people do check this, but the website will be the official site. If the website goes down beyond six hours, a meeting would need to be cancelled. Lampke confirmed that the website is the official posting site and in case of any disputes or issues what is on the website will be final. That is state law.

<b>Motion</b>	Grey	to make the Town website the official Open Meeting Law posting site
<b>Second</b>	Pursel	
<b>Vote</b>	Unanimous	Grey – Aye Pursel – Aye Reilly – Aye Constable – Aye

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**William Horne, 21 Berkley Road re: Parking Permit Application for 35 cars at 36 Rockland House Road (New)**

William Horne said he is seeking a permit to charge for parking at 36 Rockland House Road. He had Competitive Seal Coating draw the lines with all of the specifications that the Building Commissioner had given him. He said that this area has been used for overflow parking for years. Constable asked if there has been outreach to the neighbors as she feels this is a relatively narrow road and she is not sure a parking lot is a good fit. Horne said all of the neighbors are grateful as they do not want a big condominium complex put on the site. After discussion it was decided that the hours would be 9 am – 4 pm for the period from June 24, 2021 to September 30, 2021.

<b>Motion</b>	Reilly	To grant a parking permit for 35 cars at 36 Rockland House Road from June 24, 2021 to September 30, 2021 from the hours of 9 am to 4 pm with the stipulation that there is signage on site regarding trash disposal as well as a barrel in place and that an attendant be in place while they are charging for parking.
<b>Second</b>	Grey	
<b>Vote</b>	3-1-0	Reilly – Aye Grey – Aye Pursel – Aye Constable - No

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**Casey Mahoney, Owner of Crave re: Proposed additional Common Victualer License for secondary location at 45 Hull Shore Drive**

Casey Mahoney said she is applying for a Common Victualer License at the Hotel just for the summer months as the Hotel was unable to secure a restaurant to go in the space and had asked her to come in for the summer.

<b>Motion</b>	Reilly	To approve a Common Victualer license for Crave, for 29 seats inside and 20 outside seats from 7 a.m. – 5 p.m.
<b>Second Vote</b>	Grey Unanimous	Reilly – Aye Grey – Aye Pursel – Aye Constable – Aye

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**My Starfish, LLC dba Shipwreck'd, 173 Main Street, Adrian Muir, Manager re: Change of Hours for Alcohol and Common Victualer License**

Muir said they would like to add an hour each day in the evening beyond what they are currently licensed for and would like their common victualer hours to match the alcohol hours. The new “off season” closing hours would be 4 pm from Monday to Thursday, 7:00 pm on Friday and Saturday, and 5:00 pm on Sunday. Peak season closing hours would be 8:00 pm Monday – Thursday, 9:00 pm Friday and Saturday and 8:00 pm on Sunday.

<b>Motion</b>	Reilly	That the Board approve the seasonal license for My Starfish, LLC dba Shipwreck'd, from April 1st through November 30th for the hours of 6:30 am to 4:00 pm Monday through Thursday, 6:30 am to 7:00 pm on Friday, 8:00 am to 7:00 pm on Saturday and 8:00 am to 5:00 pm on Sunday with the exception that from the Friday of Memorial Day weekend to the end of Labor Day the hours would be 6:30 am to 8:00 pm Monday through Thursday, 6:30 am – 9:00 pm on Friday, 8:00 am – 9:00 pm on Saturday, and 8:00 am to 8:00 pm on Sunday
<b>Second Vote</b>	Grey Unanimous	Reilly – Aye Grey – Aye Pursel – Aye Constable – Aye

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**Open Meeting Law Requirements under new state law (open vs. remote)**

Lampke said that as of June 15<sup>th</sup> the Emergency Declaration was lifted which ended the ability to have remote meetings but on the 16<sup>th</sup> the Governor signed a law that was passed by the Legislature which allowed for remote meetings or remote participation in meetings as long as the public is given timely and effective access (i.e. by telephone, internet, audio or video conferencing, etc.) to the deliberations of the body. What this means in practical terms is that Boards have three choices: they can have only in-person meetings, remote meetings, or hybrids. It can be decided on a meeting by meeting basis but it probably works better if they choose one of the three options. Special care must be taken with the technology issues involved in hybrid meetings. These changes will be in effect until April 1, 2022.

Constable asked what the Board needs to do in light of this new law. Lampke said the only requirement is that whatever type of meeting they decide to have must be specified in the notice of the meeting. Constable asked Lemnios if they had the capacity to do hybrid meetings. Lemnios said they are currently working on the technology for this. The next meeting of the Board is in two weeks and at this point the plan is to have an in-person meeting that will be cablecast by Peter Seitz.

Grey and Reilly said they are both in favor of in-person meetings. Pursel agreed but pointed out that the remote meetings have encouraged a great deal of participation and it would be great to be able to continue that through hybrid meetings. The consensus was that the next meeting would be in-person and it was decided to continue meeting on Wednesdays at 7:30 p.m.

<b>Motion</b>	Grey	To have in-person Select Board meetings on Wednesdays starting at 7:30 p.m. as of the next meeting of the Board on July 14, 2021
<b>Second Vote</b>	Reilly Unanimous	Grey – Aye Reilly – Aye Pursel – Aye Constable – Aye

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#### **Approval of easements/uses for Atlantic Avenue Project on Town-related property**

As part of the process of realignment of the roadway on Atlantic Avenue there are easements required from property owners along the roadway. The Town of Hull is one of the property owners and the Board of Selectmen needs to approve the gift of the easement back to the Town and authorize the Town Manager to execute the necessary documents.

<b>Motion</b>	Grey	To approve the easements and uses on Town property as shown on the certificates of donations and plans relative to the Atlantic Avenue Project presented this evening and authorize the Town Manager to sign all necessary forms to effectuate the same
<b>Second Vote</b>	Reilly Unanimous	Grey – Aye Reilly – Aye Pursel – Aye Constable – Aye

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#### **The Struzziery Family, 8 Warren Street, re: Annual Struzz's 5k Home Run, in honor of the late Danielle Struzziery, on Saturday, September 25, 2021 at 10:00 am**

<b>Motion</b>	Grey	To approve the Annual Struzz's 5k Home Run on September 25, 2021 at 10:00 am
<b>Second Vote</b>	Reilly Unanimous	Grey – Aye Reilly – Aye Pursel – Aye Constable – Aye

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#### **UPDATES**

There was a discussion initiated by Grey regarding the A Street pier and the timely installation of the floats. Regarding parking in that area, Reilly said they cleared out the lot near the condo and put up some roping and barrels. It seems as if they are trying to get a handle on the situation but it is hard to get workers. Constable said the lots have been well-staffed and they have added signage.

Pursel said the numbers of people coming out of Milkshakes and Munchies and waiting to pick up orders has created some problems at the crosswalk at Park Avenue and Nantasket Avenue. Constable said perhaps Bart Kelly or the Police Chief could take a look at this.

Constable said that on June 29<sup>th</sup> at 6 pm a draft plan is being presented for the grant they received through the American Recovery Plan Act and she encouraged any local businesses to participate in this meeting. She also asked Lemnios if he could present some information on Harbor funding at the July 14<sup>th</sup> meeting including amounts, time frames and where they expect the money will be spent as she feels they need to have a discussion about setting some priorities and goals. Lemnios said the various Town departments will be meeting to plan for 4<sup>th</sup> of July weekend. DCR is coming to the meeting and they should be increasing staffing for that weekend but that there is a shortage of summer help.

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### **EXECUTIVE SESSION**

<b>Motion</b>	Constable	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. Move to go into Executive Session to comply with, or act under the authority of the Privacy Laws, including G.L. c. 214, sec. 1B. Move to go into Executive Session to comply with or act under the authority of the Attorney-Client privilege. Move to go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege and not to reconvene in Open Session. The following subject matter will be discussed in Executive Session: Graves Light & Fog Station, LLC v. Town of Hull and personnel and medical-related claims
<b>Second Vote</b>	Grey Unanimous	Constable – Aye Grey – Aye Reilly – Aye** Pursel – Aye

\*\*Reilly said he would abstain from the discussion on personnel and medical-related claims.

The open meeting was adjourned.

Recorded by Kathleen Fanning

Approved by:

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### **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, Added Agenda and Revised Added Agenda for Board of Selectmen Meeting on June 23, 2021
- Crave Common Victualer Application
- Request from Hull Chamber of Commerce for approval of Endless Summer Event
- William Horne parking lot application
- Hull Stormwater Management Regulations
- Senior Center request for approval of Block Party
- Town Easements Donation Plan
- My Starfish LLC dba Shipwreck'd application
- Letter from Struzziery family regarding approval for 9/25/2021 5k Home Run

