

**Hull Board of Selectmen
Final Minutes
September 18, 2021**

The meeting of the Hull Board of Selectmen was called to order at 8:00 a.m. on Saturday, September 18, 2021 at Hull Town Hall, 253 Atlantic Avenue, Hull, Massachusetts.

Present: Jennifer Constable, Chair; Greg Grey, Vice-Chair; Donna Pursel, Clerk; Domenico Sestito, Member; John Reilly, 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.

Constable explained that this is an annual Retreat Meeting that the Board has held every year for the past six years but that they also have Agenda items that were rescheduled from Tuesday's meeting.

Sunnyside Up LLC, dba The Nantascot Lodging House, 475 Nantasket Avenue re: Transfer of Lodging House License to Sunnyside Lodging LLC (Proposed); New England Property Rentals as agent for proposed new owner (new entity being formed); Dan Botwinick, Proposed Manager

Dan Botwinick's partner, Ian Hislop, was present. He said that he and Botwinick own about 800 apartments throughout New England as well as rooming houses in Quincy, Fall River, and Salem. They are hoping to purchase the Nantascot Lodging House and need to have the license transferred prior to purchasing the property as a condition of their loan. Lampke explained that since the entity is not yet created, he had recommended that either Botwinick or Hislop be the applicant for the license and said that it should be a new license rather than a transfer. Assuming the Board is comfortable with Hislop's presentation he would suggest a motion with some conditions: a satisfactory background check from the Police Department on the new owner; an inspection and signoff of the property by Inspectional Services; issuance of licenses upon the purchase of the premises by Hislop and/or an entity of which he is a principal; and verification that the current operator is up to date on all financial obligations to the Town. Lampke said that they will ultimately need to transfer this license from Hislop to the entity that is formed. Lemnios noted that it is standard for someone who wants to purchase an established business to confirm that the licenses can be obtained. Hislop said he is comfortable with the conditions that Lampke has stipulated.

Lemnios asked Hislop whether the property would require much in the way of capital improvements and if so, how quickly these would be addressed. Hislop said the property is in great shape but they are getting a construction loan that they will use to make some upgrades. Constable asked if there is onsite property management. Hislop said the current owner has an onsite manager and they are hoping to keep him in place but if not, they have local managers that they can use. Pursel asked if the population in their other rooming houses is transient. Hislop said that the tenants are usually more transient than in a normal apartment building, but definitely stay longer than a week or two. They seek to have tenants that need the affordable housing but are more stable. Both Constable and Pursel raised the issue of affordability. Hislop said they prefer not to put a deed restriction on affordability and that generally this type of housing is affordable based on the type of building it is. They have no plans on renovating it and turning it into apartments and are planning to continue operating it as is with the existing tenants in place.

Motion	Sestito	To approve the application from New England Property Rentals as agent for Ian Hislop, for a Lodging House License to be issued to Ian Hislop of 475 Nantasket Avenue, subject to the following conditions: 1. obtaining a satisfactory background check from the Hull Police Department; 2. satisfactory inspection and signoff of the premises by Inspectional Services; 3. Issuance of a license as conditioned in the actual purchase of the premises by Ian Hislop and/or an entity that of which he is a principal; 4. verification of the premises and current operator being current on all financial obligations to the Town or satisfactory arrangements, the same being approved by the Town
Second Vote	Grey Unanimous	

Town Counsel Report on 2021 Annual Town Meeting Attorney General Action Items

Lampke reviewed the Articles that passed at Town Meeting that require follow up action either by the Attorney General or the Legislature. The Attorney General's office generally reviews Town Meeting votes to adopt bylaws. He said that Article 6, which amended the Town Charter and bylaws to make it more gender neutral, needs follow up in a two-part process. The change in the bylaws has been approved by the Attorney General's office but the amendment to the Town Charter must be approved by the Legislature. Lampke said he has submitted a Home Rule Petition on this to Senator O'Connor and Representative Meschino and they have sent it to the Committee on Municipalities for review. He feels this should be fairly straightforward as many other communities have been making such changes. Lemnios noted that the Board of Selectmen's name cannot be officially changed until the Home Rule Petition is approved.

Article 7, the Petition for Special Legislation to issue additional alcohol licenses, has also been submitted and sent to the Committee on Municipalities. The Committee usually wants to look at how the issuance of additional licenses will be done and if it will be of some economic improvement to the Town. They look much more favorably on Home Rule Petitions that are used to stimulate the local economy. Lampke is hopeful that this will go through.

Article 11 to amend the zoning regarding flat roofs in the NBOD was approved by the Attorney General's office and is presently in effect. Article 12, which was a Planning Board initiative to adopt what is called Green Buildings which have energy-efficient designs, is under further review. Article 16, the Citizen's Petition to amend the zoning bylaw for certain parcels in a defined area of the Town to go from Single Family B to Single Family A, was approved. The Planning Board was required to hold a Public Hearing on this proposed bylaw change and the effective date of this change is retroactive to the date that the Planning Board first advertised the hearing. The zoning articles have been approved and are currently in effect.

Update on FY23 Town CPA Projects

Lemnios said they are getting ready to submit the preliminary applications to the CPA, several of which are related to playgrounds. They are hoping to secure funding for design and planning for the Village playground and Jones Park and they are doing site work on the Jones Park playground as it is not ADA compliant and has some problems with parking. They will be going back and requesting additional funds for Gunrock and Hampden Circle as some costs have increased on these projects. Work on the Gunrock playground may be affected by construction on the Atlantic Avenue project.

Lemnios said they have funds in place for an architectural firm to identify the needs and projected costs related to the Village Fire Station. The Beach Management Committee has put forward a project related to signage on the openings along the length of the beach. He also said that there has been a lot of conversation over the course of the last several years about Fort Revere but he feels it would be better to make this a separate issue and not tie into the CPA, primarily because the cost of this project would consume almost one-third of the CPA allocation from the state and there is nothing that would prevent them from applying for CPA funding for this at a later date. Depending on what the cost projection is for the Village Fire Station they might roll that into a bond. Reilly asked what percentage of the costs of these projects is covered by the CPA and said he feels this information should be made public.

Lemnios said that the bid date for the Atlantic Avenue project is now open and that construction will begin in earnest next spring. Constable said she has received questions as to why road work appears to be slower than usual and she noted that costs and supply chain problems have been a factor. Lemnios explained that this summer they spent a lot of time up on Point Allerton hill repairing drains and that this slowed things down and that they also have to wait on work by utility crews. He also noted that evaluation of gas mains in the Kenberma area has impacted the painting of the crosswalk that was approved by the Board. Reilly said he hears many questions about the condition of Kenberma Street and Lemnios said he hopes that they will be able to do something with that intersection fairly soon. Pursel asked if there is still time for submission of proposals for projects on Town property but Lemnios said they would have to be submitted very soon. The deadline for preliminary applications for projects not involving Town property is September 29th.

Armando Aguilar, Hull Knights of Columbus, re: One Day Liquor License on October 3, 2021 from 1:00 pm – 5:00 pm for Birthday Party

Motion	Reilly	To approve the request from Armando Aguilar, Hull Knights of Columbus, for a One Day Liquor License on October 3, 2021 from 1:00 pm – 5:00 pm for a birthday party
Second Vote	Sestito Unanimous	

Constable said that she hopes that members of the Board take this annual Retreat as an opportunity to touch base with each other and increase their motivation. She then played a brief video of a TED Talk by Stanley Alan McChrystal, a retired US Army General, entitled “Listen, Learn, then Lead.”

Year in Review

Constable said she had asked Lemnios to do a review of the accomplishments and challenges from the past year and had also asked Board members to send in topics that they would like included for discussion.

Lemnios said that obviously the last year and a half has been difficult due to Covid but he feels they successfully navigated the challenge of delivering services to the public. He noted that Covid has created challenges in terms of recruiting personnel and this may be a continuing problem but generally feels that day to day operations are solid. He said that one of the big challenges for the community is going to be climate change and the addition of the necessary infrastructure to deal with this. He noted that the Town has applied for and received a number of grants to work on projects such as the Fitzpatrick Way seawall and the Front Beach area and said that from FY14 to this current fiscal year 32% of the capital work they have done (\$42million) has been funded through grants. This does not include the \$10million grant they are receiving for the Atlantic Avenue project. He said that climate change and infrastructure will be issues going forward as will be school consolidation.

Lemnios said that in the past year they have brought on some new department heads, including Lisa Thornton at the Senior Center and Diane Costigliola at the Library, who are bringing a fresh perspective to their departments. He said that Parks and Recreation is in the middle of a renovation period of facilities funded almost exclusively by the CPA and that is allowing them to meet some traditional needs but has also allowed them to add a pickleball court, which services the older demographic.

Lemnios noted that the Town’s annual growth rate hovers in the 2-3% range, which drives what happens with their expenditures. He said that the three main revenue sources for the Town are property taxes, estimated local receipts, and state aid, and noted that the largest driver of state aid is student enrollment, which is declining in Hull. They are as creative as they can be with expenditures but the bottom line is that 55% of the budget goes to the School Department. The only options are to change the taxable amount of monies that are coming in to the Town in property taxes, either through an override or a debt exclusion, to adjust fee schedules (which does not generate a huge amount of money), or to rely on increased state aid which is unlikely given the current formula for state aid. There may be some possibility for reducing staffing budgets, but there is a critical need to add staff in the public works area and there is currently a lack of applicants.

Member Items

Open Space and Recreation Plan, Unified Work Plan, Pemberton Plan.

Constable said that the Unified Work Plan continues to move along but it appears there are still open questions on the Pemberton Plan. She said they are trying to work with DCR on this. She said that questions had been raised about what the goals are for the Open Space and Recreation Plan and how they hope to achieve them. Lemnios suggested that they invite in Chris DiIorio and someone from Park and Recreation to give the Board a public briefing on the status of the plan and open it up to questions. He feels that all three of these topics should be scheduled for a meeting in the near future.

DCR

There was an extensive discussion of the Town's relationship with DCR and the status of numerous Town projects including Fort Revere, the HRA property, the Carousel, the Point Allerton seawall, and the Hull Artists Group's attempt to acquire the old police station for a coop. Reilly said he feels that Hull is at the bottom of DCR's list of priorities in spite of the fact that it is one of the more heavily used DCR resources in the area and thinks they should pressure DCR for information and input as to the amount of money in the Trust Fund and how it is being spent. Constable said they have had a number of meetings with DCR and have been trying pressure them so they do not ignore the needs of the Town. She said that the time for patience has passed and feels that they should have a designated person to deal with DCR and she thinks that Lemnios is the obvious choice for this. Lemnios noted that the DCR Commissioner was due to have come to Hull for a meeting but canceled and has not rescheduled. Constable said they should push him on rescheduling as this meeting was to focus on some economic development work that requires the cooperation of DCR. She said that DCR has indicated that they prioritize projects based on a new climate resiliency scoring process but she feels that since Hull is a coastal community DCR should be doing what they need to preserve and make their sites resilient.

Sestito asked Lampke if there were any legal avenues that they could pursue in terms of oversight. Lampke said that the Attorney General would not become involved in this situation but since the Governor's office appoints the DCR Commissioners, they should call his office to put pressure on them. He said that sometimes the Legislature can exert pressure through the budgetary process but this might make it more difficult for them to deal with DCR. He also said they could possibly look at having the courts order action through a "Mandamus Action" lawsuit. He feels it would be good to develop a strategy/plan to try to force DCR to do what they are supposed to do. Constable noted that Representative Meschino and Senator O'Connor have been tremendously responsive and diligent in this area.

Reilly noted that Hull seems to have been eliminated from DCR's publicity about the Harbor Islands and he feels that Hull should receive some recognition in their brochures. Grey asked if they have ever thought about forming a Committee/Board and giving them goals and objectives with regard to DCR. Constable said she feels everything should funnel through Lemnios. She said maybe they can discuss that when they get to the plans as identifying stakeholders and representatives is one of the things that the United Work Plan calls for.

Board Committees

Constable said there were a variety of topics submitted on this. Reilly suggested that unless it is an emergency situation, they should designate the month of June for all committee reappointments. Lemnios said he is not sure it is necessary to interview everyone as it is too time-consuming and that perhaps they should reappoint everyone unless there is a clear reason not to. He said the bigger issue is attracting new people. Constable asked Lemnios where they stand on the online software as she feels this will help with transparency and communication by tracking board members along with their term and expiration date and would inform the public as to where the openings are. Lemnios said it is about six months out. Pursel suggested that perhaps they should require reports from the committees as to what they do and what they need but Sestito said it has always been a challenge to do this on a scheduled basis. There was a discussion as to the frequency and scheduling of committee updates and the fact that some committees are much busier than others and there are some core committees that have an effect on Town Meeting. Reilly noted that some committees were established by bylaw at Town Meeting and some of these may need to be updated. Lampke suggested that they might look at the existing bylaws that created committees to see if they need to be updated as this would require action at Town Meeting. Constable said she feels they should start by determining which committees are bylaw committees and which are Board committees and asked Lemnios to go through the various committees to see where they fall. She said that this might be a topic for an upcoming Agenda.

Transparency/Communication

Grey suggested that they had already discussed this issue. Constable agreed but said that she would like to see the Town's Facebook page more actively used and to have things that are a bit more engaging. She also noted that the Town website, which is usually the first place that people will go to when they are exploring the Town, needs to be built out and would be helpful.

Parking

Constable said when they instituted the town-wide restriction earlier in the spring they had talked about looking at what worked and didn't work in terms of parking and unresolved issues once they had some data in the fall. She feels this is a necessary discussion. Reilly said that one item is town-wide restricted parking for a one-year trial, extended from the year before. He feels that one thing that has helped a lot of businesses is 15-minute pickup zones. He thinks they have recently addressed the ticketing and the fee schedules. He said Sestito has suggested dropoff/pickup areas for Uber/Lyft drivers to keep cars out of the residential areas and feels this is important. Sestito said they should look at enforcement and parking lots in general. Reilly said the police details at Phipps and Nantasket Avenues and Samoset have eased the burden for residents. He said if they are going to continue this and if HRA is going out to bid again for parking they should tell them very early that they should figure these details in to their RFP.

Constable said she would like to see discussion about the use of traffic details and other resources as there may be a strain on police details in terms of personnel. Reilly said this is something they might need to talk to the Union about. Reilly also said that with respect to parking they might want to charge a higher rate for larger lots because it is more burden on the community when you have a large number of cars. Lemnios said if they were to do this they should let the HRA know ahead of time. Constable asked Lemnios about increasing license fees to help with issues that they hear a lot about such as signage. Lemnios said that the current fees have been in place for many years and their total does not even break \$10,000 so they are due for an adjustment. Pursel suggested the use of meter maids for parking enforcement and said that perhaps they could combine this position with another position in order to attract more applicants.

Transportation

Reilly said he would love to see some sort of water taxi or ferry coming into Paragon and also feels there should be some link between the Town and the Harbor islands. Lemnios feels that due to Covid low ridership on the ferries will continue for a while longer and thinks it is likely that the MBTA will be talking about consolidating ferry service and it would be difficult to convince an operator to establish new service. Constable said there is a lot of talk in the transportation world about adding shuttle services to supplement. She said they have the funding to at least begin exploring the idea and she thinks they should keep transportation front and center. Reilly said that right now a lot of people don't want to take public transportation for health reasons and that will probably be the case for a while. He did note that they seem to be increasing the fleet for The Ride. Constable said that Representative Meschino has convened a good regional group and that the South Shore Chamber of Commerce has also convened a Transportation Committee.

Residential Quality of Life

Sestito asked if this could be added to items that the Board addresses. Reilly feels that this issue underlies every decision they make but sometimes they need to verbalize it more. He feels that Hull as a Town has made the choice to become more of a bedroom/retirement community than an amusement community and that has factored into a lot of the decisions they have made, for example the addition of a pickleboard court. Lemnios said that economically, the biggest single economic issue in the last twenty-five years has centered around housing, and more and more people are converting cottages into year-round houses and want to make Hull a permanent home. Reilly said there are very few parcels of land in the Town available for development and the only way they will get a significant bump in the population is if there are changes in zoning that allow people to build higher. Constable said she agrees that every decision they make affects the quality of life of the residents and feels it is important to formulate a master plan now so they can have a broader discussion around what direction the Town would like to go.

It was decided to place Annual Goal Setting on the Agenda for the next meeting.

EXECUTIVE SESSION

Motion	Reilly	To go into Executive Session to consider the purchase, exchange, lease or
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value of real property, and that the Chair declare that an open meeting may have a detrimental effect on the negotiating position of the body; 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 will be discussed in Executive Session: Aquarium building property, DCR property and Town leases.

Second Vote	Sestito Unanimous	Reilly – Aye Sestito – Aye Constable – Aye Pursel – Aye
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*Grey was not present for this vote

The Board voted unanimously to adjourn the Open Session.

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:

- Agendas for Board of Selectmen Meetings on September 14, 2021 and September 18, 2021
- Application for Lodging House License for Sunnyside Lodging
- Letter from Attorney General Maura Healy regarding extension of the 90-day review period of Article 12 from the Hull Annual Town Meeting
- Letter from Attorney General Maura Healy regarding Articles 6, 11, and 16 from the Hull Annual Town Meeting