

**Hull Board of Selectmen
Final Minutes
May 25, 2022**

The meeting of the Hull Select Board was called to order at 7:30 p.m. on Wednesday, May 25, 2022, at Hull Town Hall, 253 Atlantic Avenue, Hull, Massachusetts.

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

Before calling the meeting to order Constable spoke briefly about the recent shootings in Uvalde, Texas, and Buffalo, New York, and asked those present to keep the victims and their families in their thoughts and prayers. She then asked for a Motion from the Board that they would be willing to work with anyone in the community who comes forward with suggestions about ways to combat gun violence and racism. Sestito made a motion, seconded by Grey, which was approved by unanimous vote. She then led the Board in the Pledge of Allegiance.

Constable welcomed new Board member, Irwin Nesoff, and thanked former member, John Reilly, for his twenty-seven years of service on the Board.

Reorganization for Board Officers

Motion	Pursel	To appoint Jennifer Constable to a second term as Chair of the Select Board
Second	Grey	
Vote	Unanimous	
Motion	Grey	To appoint Donna Pursel to serve as Vice-Chair of the Select Board
Second	Sestito	
Vote	Unanimous	
Motion	Sestito	To appoint Irwin Nesoff to serve as Clerk of the Select Board
Second	Pursel	
Vote	Unanimous	

REQUEST FOR APPROVAL

James Lampke, Town Counsel re: Request to be reappointed

Constable read a letter from Lampke expressing his interest in continuing as Town Counsel and outlining his qualifications for the position. Constable said the Town was honored to have him serve and thanked him for his commitment to the community. These thoughts were echoed by other Board members as well as Town Manager Lemnios.

Motion	Sestito	To reappoint James Lampke as Town Counsel for a one-year term to expire in May of 2023
Second	Grey	
Vote	Unanimous	

Public Hearing: Lisa Powers, Manager re: Local 02045, LLC dba Local 02045, 2 A Street, re: (A) Common Victualer License; (B) Seasonal All Alcohol License; (C) Entertainment License – Amendments to operate second floor as a restaurant

Constable noted that she has a Disclosure on file with the Town Clerk on this matter so she will be recusing herself from this discussion and vote.

Attorney Jeffery Toccio and Lisa Powers were present to speak on the application. Toccio said that when they came before the Select Board in March to renew their licenses the Board realized that the license originally issued in 2010 stipulated that the second floor of the marina building was to be used for functions only and not as a restaurant. The licenses were renewed with the understanding that the owner of the marina would go before the Planning Board to request a modification of the approvals and Conditions for the property. Toccio said that the Planning Board has unanimously approved the changes and their vote has been forwarded to the Select Board. He said they would like to be able to amend all of their licenses to allow for the use of the second floor as a restaurant.

Grey said that since they issued a license to operate a restaurant on the second floor in 2017 things seem to have gone smoothly. There was a discussion of the closing hours on the license, and Nesoff asked if they would consider earlier closing times during the week as this is in a residential area. Powers said they are normally closed by 11:00 p.m. during the week but would like the option of staying open later if necessary. She pointed out that they have discontinued full-time entertainment and have renovated the space to make it quieter. She also said they monitor guests as they leave in order to limit noise. Pursel noted that their hours are in line with other establishments in the Town. Toccio said they feel it is best to continue their current hours but will continue to listen to the concerns of the neighbors.

Motion	Grey	To approve the amendments to the current Common Victualer, Seasonal All Alcohol, and Entertainment Licenses for Local 02045, LLC, as listed on their application, to allow operation of the second floor as a restaurant
Second Vote	Sestito 3-1-0 (Nesoff opposed)	

Discussion: Select Board to review and vote on final version of the Town's Home Rule Petition requesting additional five liquor licenses for the Town.

Constable said that the Town's Home Rule Petition for five additional liquor licenses in the Town is currently in Committee. She noted that the Committee has made a number of revisions to their Petition that must be approved by the Select Board before it can be advanced to the full House of Representatives for a vote. She pointed out that the Town currently has no licenses available to issue.

Lampke said that the Committee is approving the five additional licenses but that a number of restrictions are being put in place. He said that the five new licenses will only be allowed in the Nantasket Beach Overlay District (NBOD) and that at least one of the licenses must be issued to a hotel. He said that a major change made by the Committee is that any license issued under this law cannot be transferred to a new owner should the establishment close. The Board expressed concern that this provision could impact potential new business if the owner was unable to transfer a license in the event of a sale. Lampke also noted that the licenses would have to be authorized within three years of the date that the Legislature passed the law and any license not issued within that period would be lost. The Board felt that in terms of planning and development three years might not be enough time to issue five licenses, particularly given the current economic climate.

Lemnios said that Representative Meschino has indicated that the Board should take a vote on this no later than the meeting on June 8th so that there would be time for the full Legislature to vote on it in this session. Lampke said that before the next meeting he would seek clarification regarding the transfer of licenses and the three-year time limit on the issuance of licenses. The consensus of the Board was that they would hold off on a vote until they had further clarification from Lampke. Lemnios stressed that if the Board does not approve the Committee's changes it will not be sent to the House for a vote and the Town will lose the chance for more licenses.

Constable said the Board needs to appoint a Select Person to replace John Reilly as their representative on the Plymouth County Advisory Board. Pursel said that she was Reilly's alternate on the Board and would be willing to fill the position at this time.

Motion	Grey	To appoint Donna Pursel as the Select Board's representative to the Plymouth County Advisory Board
Second	Sestito	
Vote	Unanimous	

UPDATES

Lemnios said everyone is working hard to make Monday's Memorial Day ceremonies successful and that Paul Sordillo has done a great job coordinating the event. He said the street paving program is continuing and the Atlantic Avenue project is progressing. He said that due to last weekend's weather many people came to the area and were looking for bathroom facilities. DCR is hoping to have some of their bathrooms open by Memorial Day but they are having trouble with staffing. He noted that starting June 1st the Town has hired three people for ticket and parking enforcement because police reform has eliminated the model of seasonal officers. He also said that they received reports that people may have been violating the fenced-in area for the plovers so he has asked the Conservation Commission to work with Mass Audubon to create more effective signage.

Lampke said that Paragon Boardwalk has requested an amendment to their Entertainment license to allow outside live entertainment and said that the Board should hold a public hearing on this request. The law does not require notice of a hearing on the amendment of an existing license but given the concerns raised by neighbors in the area the feeling of the Board was that they should give notice to the abutters and place a notice in the newspaper. The hearing will be held on June 15th.

Pursel asked for an update on the painting of the crosswalks, particularly the crosswalk at Edgewater Road. Lemnios said the established crosswalks should be painted fairly soon, but the one at Edgewater will take longer because they may need a traffic engineer to help with the design to ensure safety given the speed with which cars approach this area. Pursel noted that DCR seems to be rebuilding its sidewalks but Lemnios said they have not provided any documentation in terms of conservation, which is important because the drainage system for the parking lot ultimately drains to the Nantasket Pier area, which is of critical environmental concern and has cost the Town hundreds of thousands of dollars in dredging costs due to oil and gas waste. He said to date they have received no documentation that the drainage being installed meets federal standards.

Pursel asked about committee appointments. Lemnios said that they are still down a staff person in the Select Board's office and until they are fully staffed routine procedural items will be delayed. Constable asked if they would be able to make these appointments by the end of July. Lemnios said they will try but he cannot promise anything until they are fully staffed.

Constable said that Paul Sordillo would welcome help with flag placement at the cemetery this Friday. She said the Board had received an email regarding ice cream trucks and said that Chief Dunn will have a Safety Officer contact the two currently licensed trucks to have them add a flashing amber dome light to the top of their trucks and will have them stop past the dune entrances and not at the openings. Constable asked about the possibility of Beach Avenue becoming one way. Lemnios said he thinks the Board would be in a position to consider this in July and it would be appropriate to have a public hearing. Constable also said they are hearing concerns about A Street and she feels there is a need for a Stop sign at the marina where A Street meets Cadish.

Constable informed the Board that she was elected as an officer to the Metropolitan Area Planning Council (MAPC). She also gave an update on the most recent meeting with DCR, which she feels went well and focused on moving forward with the Business Improvement District (BID) and the fact that DCR needs to commit to being a partner in the BID. She said that DCR has become more responsive to the concerns of the Town and has committed to coming before the Board for an update on June 8th. She asked that any questions Board members might have be funneled either through her or Lemnios. There was a brief discussion as to whether questions from the public should be allowed. Sestito felt it is important that the residents of Hull, who have been affected by DCR's decisions,

be given an opportunity to speak. Constable recommended that the public be asked to submit their questions to the Board beforehand as DCR has indicated that they do not usually hold such public meetings and she does not want to jeopardize this one as she would like to keep the lines of communication open. Lemnios said that dealing with DCR may be a little uncertain for the next six months or so until the new Governor is elected and a new Commissioner is in place. He thinks they should keep the focus of the meeting on the 8th relatively narrow but they should emphasize the importance of having regular communication channels. He emphasized that it would be good for DCR to become involved in the BID so that they can have some way in how things develop in the district.

On a motion by Sestito, seconded by Grey, the Board voted unanimously to adjourn.

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 Select Board's office upon request:

- Agenda for Select Board Meeting on May 25, 2022
- Application materials from Local 02045 regarding Amendment to their Common Victualer, Seasonal All Alcohol, and Entertainment Licenses
- Committee changes to Hull's Home Rule Petition requesting additional five liquor licenses for the Town
- Letter from James Lampke requesting one-year reappointment as Town Counsel