

**Hull Select Board
Final Minutes
May 10, 2023**

The meeting of the Hull Select Board was held at 7:30 p.m. on May 10, 2023 at Hull Town Hall, 253 Atlantic Avenue, Hull, Massachusetts.

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

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

APPOINTMENTS

Eileen White, Tax Collector/Treasurer re: DPW Equipment Vote (Useful Life).

White asked the Select Board for a vote to approve the departmental equipment that was approved for purchase at Town Meeting in May of 2022.

Motion	Nesoff	That the maximum useful life of the DPW equipment to be financed with the proceeds of the \$420,000.00 borrowing authorized by the vote of the Town passed on May 2, 2022 (Article 14) is hereby determined pursuant to G.L.c44, Sec. 7(1) to be 10 years.
Second Vote	Sestito Unanimous	

Celia Nolan, Democratic Town Committee re: Request to hold Democratic Committee Event on HRA property on Sunday, June 25, 2023 during the hours of 4:00 p.m. to 7:00 p.m.

Nolan said this would be a free community event on the HRA gazebo land that would not be political and would be open to everyone. The event will include music by local musicians and free pizza from a local restaurant. Nolan said she has spoken with the Police Department who had no concerns about parking or traffic but asked to be updated about the specific plans for the day. She said that they would be responsible for removal of all trash from the event.

Motion	Grey	To approve the request of the Democratic Town Committee to hold an event on HRA property on Sunday, June 25, 2023 from 4:00 p.m. to 7:00 p.m.
Second Vote	Sestito 3-0-1*	

*Nesoff recused himself as he is a member of the Democratic Town Committee

Approval of Minutes

Motion	Sestito	To approve the minutes of the meetings of the Select Board on November 9, 2022, November 16, 2022, November 30, 2022, December 14, 2022, February 1, 2023, February 15, 2023, March 1, 2023, March 7, 2023, March 15, 2023, March 22, 2023, March 28, 2023, April 12, 2023, April 24, 2023, and April 26, 2023
Second Vote	Grey Unanimous	

APPROVALS

Melissa Schneiderhan, Vice President, Hull Youth Football Association re: Request from the Hull Youth Football Association (HYFA) to hold their Annual Carnival fundraiser the week of July 26th to the 30th on the HRA property. Rockwell Amusements will be in Hull on the 24th to start setting up for the Carnival.

Motion	Grey	To approve the request of the Hull Youth Football Association (HYFA) to hold their Annual Carnival fundraiser the week of July 26 th to the 30 th on the HRA property with set up by Rockwell Amusements starting on July 24, 2023.
Second Vote	Nesoff 3-0-1*	

*Sestito recused himself from the vote as he is Treasurer of HYFA and is also on its Executive Board

Mikey Walker, President, The Kerr Jon Walker Fund, Helping Humanity (Sunset Point Camp, 2 10th Street) re: One Day Wine and Malt with Cordials License on Saturday, May 20, 2023 from 4:00 p.m. to 8:00 p.m. for a fundraiser for the Kerry Jon Walker Fund

Motion	Grey	To approve a One Day Wine and Malt with Cordials License for the Kerry Jon Walker Fund for a fundraiser on Saturday, May 20, 2023 from 4:00 p.m. to 8:00 p.m. at Sunset Point Camp
Second Vote	Sestito Unanimous	

Robert W. Kelly (Applicant) re: Parking Permit Request to park 500 cars to be parked at the HRA lots.

Henry Dunn spoke on behalf of the application. He said that, if possible, they would like to have cars park in the Phipps Street lot first and once that lot is full start parking in the large lot closest to the hotel, as it is more difficult to reach the beach from the large lot. He also questioned the increase in the cost of the permit, and why there is no increase in fees for DCR. He pointed out that the HRA pays the cost of police details at their parking lots.

Lemnios explained that under state law DCR has exemptions from any municipal fees. He said that the Town has raised the fees due to increased costs in their operations and noted that there are costs involved in having these lots in Hull that are not covered by the police details cost. Grey pointed out that everyone who operates a parking lot in the Town will have to pay an increased fee.

Pursel recapped that there would be a total of 500 paid parking spots with a maximum of 300 spots in the large lot on Hull Shore Drive Extension and 200 spots in the Phipps Street lot, with hours of operation from 8:00 a.m. to 5:00 p.m. Hull residents with a resident permit will be able to park in the Phipps Street lot and there will also be 50 spaces available for Hull residents with stickers in the triangle-shaped lot accessed by Water Street. The Phipps Street lot will be filled first and after that cars will be directed to the large lot closest to the hotel.

Motion	Grey	To approve Robert W. Kelly's application for a Parking Permit for 500 cars to be parked at the HRA lots with the provision that 200 paid vehicles be parked in the Phipps lot first and then up to 300 paid cars in the Hull Shore Drive Extension lot closest to the hotel
Second Vote	Nesoff Unanimous	

James B. Lampke, Town Counsel re: Request for reappointment of Town Counsel.

Motion	Sestito	To reappoint James B. Lampke as Town Counsel for the Town of Hull
Second Vote	Pursel Unanimous	

DISCUSSION

Review of Select Board's Rules and Regulations

Pursel said this item was added to the Agenda because there has been a great deal of discussion regarding opening Select Board meetings up for public comment. She noted that they will not be finalizing a policy on this as it is possible that there will be three new members of the Board.

Lemnios noted that there was a recent Massachusetts Supreme Judicial Court decision that has limited the ability of the Chair of a Select Board to curtail comments by the public and that for this reason many communities have moved away from a "general public speak" policy at their Select Board meetings as allowing public comments can, in rare cases, open a Town up to some legal liability. Lampke said that if specific items are going to be opened up to public comment that should be noted on the Agenda for the meeting. He said that the court decision allows speech within constitutional guidelines but that more guidance is needed on the issue. He said that he has a meeting coming up with the Executive Board of the State Bar of the Municipal Attorneys Association and he will try to get further clarification on how public comments should be handled.

It was the feeling of the Board that public input is important but that going forward Board members should have clear guidance on how public comments can be regulated. Lampke said that the Board's current rules and regulations will need to be carefully reviewed and updated so that they are in line with current Massachusetts law.

UPDATES

Nesoff said that Hull's No Place for Hate Committee had hosted a very successful event on April 19th that was attended by about eighty people including representatives from the Police Department and Wellspring. He said the event encouraged frank conversations in small groups, and Pursel, who had also attended, said she was extremely impressed by the feedback in her group.

Sestito reminded everyone that the Town election is on Monday. He said he is grateful that he has been able to serve on the Select Board for the past fifteen years and thanked everyone for the honor of serving with them. The Board thanked Sestito for his many years of service.

EXECUTIVE SESSION

Motion	Sestito	Move to go into Executive Session to discuss strategy with respect to litigation and that the Chair declares 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 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. Possible Executive Session to discuss strategy relative to litigation concerning a personnel claim against the Town, where an open session may have a detrimental effect on the litigation position of the Town, and possible Executive Session to discuss strategy relative to litigation concerning a property damage claim (Waste Water Treatment Plant case, Hull v. United Waters/Suez), where an open session may have a detrimental effect on the litigating position of the Town.
Second Vote	Nesoff Unanimous	Nesoff – Aye Sestito – Aye Pursel – Aye Grey – Aye

The open meeting 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 Select Board's office upon request:

- Agenda and Added Agenda for Select Board meeting on May 10, 2023
- Materials related to the vote on the Maximum Useful Life for DPW equipment
- Materials related to the request from the Democratic Town Committee to hold an event on the HRA gazebo property
- HRA parking lot application and conditions
- Memo regarding Hull Youth Football Association Carnival
- Application for One Day Liquor License for the Kerry Jon Walker Fund event on May 20, 2023
- Letter from Town Counsel, James Lampke, regarding reappointment
- Town of Hull Board of Selectmen Policies and Procedures, adopted in October 1996, as amended in 2002 and 2012