

**Hull Select Board
Final Minutes
November 15, 2023**

The meeting of the Hull Select Board was held at 7:00 p.m. on November 15, 2023 at Hull Town Hall, 253 Atlantic Avenue, Hull, Massachusetts.

Present: Irwin Nesoff, Vice-Chair, Jason McCann, Clerk, Brian McCarthy, Member, Jerry Taverna, Member.
Member absent: Greg Grey, Chair. Also present was Town Counsel James Lampke.

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

APPOINTMENTS

Town Accountant Mike Buckley and the Board of Assessors re: Tax Rate Classification Hearing for FY24

Board of Assessors members Pamela Sinton-Coffman and Mario Grieco as well as Assistant Town Assessor, Kathleen Pizzella and Clerk, Lauren Koncius, were present to speak on the tax classifications for FY24. Sinton-Coffman said that the Select Board needs to decide whether Hull will have a single tax rate for all properties, which is what they currently have, or separate rates for residential and commercial properties, and whether they will adopt tax exemptions for either residential or commercial properties.

Sinton-Coffman noted that 95.93% of all properties in Hull are residential and that from FY23 to FY24 the tax assessment per thousand decreased from \$12.17 to \$11.65, but the average value of a single-family home increased 8% which caused the average tax to go up 3.4%. She said the average tax on commercial properties increased by 4.5%. Sinton-Coffman said that if the town were to establish a separate tax rate for commercial properties it would produce negligible savings for residential tax payers (a maximum average of \$154.95) and would have a highly negative impact on commercial property owners (up to an average of \$4,234.05).

Sinton-Coffman said the Board could also adopt a residential exemption of up to 20% of the average residential value, but the percent of the levy burden borne by the residential class must stay the same. She said this policy saves tax dollars for lower valued owner-occupied residences but places an additional tax burden on higher valued owner-occupied residences as well as on non-owner-occupied residences, apartments, and vacant land. She said that very few of the state's three hundred and fifty-one communities have adopted this exemption. Pizzella said she did not think this is a good idea for Hull because a number of Hull residents are elderly and on fixed incomes, but live in properties that are now assessed at a very high value. Koncius said that Hull does allow seniors to apply for a reduction of up to \$1,000 on their residential tax bill.

Sinton-Coffman said that Hull could adopt a 10% commercial exemption for properties that meet certain qualifications set by the Department of Labor and Workforce Development. She said that adopting this exemption could negatively impact non-qualifying businesses and small business owners who do not own the property on which their business is located. She said that very few communities in the state have adopted this exemption.

Sinton-Coffman said it is the recommendation of the Board of Assessors that the Select Board adopt a Residential Factor of "1" which means that the residential and commercial tax rates should not be split, and that it not adopt either the Residential or Small Commercial Exemptions.

Nesoff said the Board needs to vote on each recommendation separately.

Motion	Taverna	To select the Residential Factor for FY24 to be a factor of "1" meaning that the tax rate should not be split in order to shift more tax burden to the commercial class.
Second Vote	McCarthy Unanimous	

Motion	McCann	That Hull will not adopt a Residential Exemption as the Board of Assessors has consistently recommended that this exemption not be adopted
Second Vote	Taverna Unanimous	
Motion	McCarthy	That Hull will not adopt a Small Commercial Exemption as the Board of Assessors has consistently recommended that this exemption not be adopted.
Second Vote	Taverna Unanimous	

Public Hearing: California Underground, 257 Nantasket Avenue, Ozlem Martin (Proposed Manager) re:

- a) Change of Manager to Ozlem Martin on the All Alcohol, Common Victualer, and Entertainment Licenses; and**
- b) Amendment to the Entertainment License (add Karaoke) and change of hours**

Ozlem Martin said that she and her husband, Eo, have operated the California Underground for the past seven years and are hoping to change the name on the licenses to her name as Eo has disabilities that are making paperwork and computer work more difficult. She said there will be no other changes in ownership or management.

Martin said they would also like to extend the hours of their existing license and to be able to offer Karaoke in addition to the acoustic guitar type of entertainment they currently offer. She said that their current Entertainment license ends at 8:00 p.m. on weekdays and 10:00 p.m. on weekends and they would like to extend the closing time to 10:00 on weekdays and 12:00 a.m. on weekends. She said this request is primarily driven by the summer business when things tend to start and end later. Several area residents were present at the Hearing and said they are in favor of these changes as they have not experienced any problems with this establishment.

Motion	McCann	To approve the Change of Manager for California Underground, 257 Nantasket Avenue, to Ozlem Martin for the All Alcohol, Common Victualer, and Entertainment licenses, including an amendment to the Entertainment license to add karaoke and change the hours thereof
Second Vote	McCarthy Unanimous	

APPROVALS

California Underground, 257 Nantasket Avenue, Ozlem Martin, Proposed Manager, All Alcohol, Common Victualer, Entertainment

McDevitt Enterprises, Inc. dba Jo's Nautical, 125 Main Street, Stephanie Aprea, Manager, All Alcohol General on Premise, Entertainment (Live, Jukebox, DJ, Karaoke)

Ric-Ray, Inc. dba Schooners, 157 Nantasket Avenue, Jacqueline Chase, Manager, All Alcohol, Common Victualer, Entertainment (Jukebox)

C Note LLC dba The C Note, 159 Nantasket Avenue, Charles J. Fruzzetti, Manager, All Alcohol as a General on Premise, Entertainment (Jukebox, DJ, Live Karaoke), Automatic Amusement (Pool Table)

G&S Beverage, Inc. dba West Corner Liquors, 18 Nantasket Avenue, George Duncan, Manager, All Alcohol as a Package Store

Breadbasket Bakery LLC dba Breadbasket Bakery and Café, 307 Nantasket Avenue, Michael Lyons, Manager, Common Victualer

Michael Ashe dba Seaside Transport, 88 Edgewater Road, Michael Ashe, Owner, Livery License for Vehicle (2021 Toyota Sienna) and Livery Badge; Tara Ashe, 88 Edgewater Road, Livery Badge for Seaside Transport.

Motion	McCann	To approve the renewal of the Annual licenses as listed on the Meeting and Agenda Notice for November 15, 2023 meeting subject to approval of all Inspectional services and any other applicable requirements
Second Vote	McCarthy Unanimous	

DISCUSSION

Governance Policy

Nesoff said he would like to hold off on a discussion of the Board's Governance Policy since Greg Gray, the Chair of the Board, was not present. The other members of the Board agreed.

Bench Donation Policy

Since several Board members have received inquiries about the donation and dedication of benches, it was the feeling that the Board should begin formulating a policy that could be in place by the spring, which is typically the time when most requests of this nature are received. Town Manager, Jennifer Constable, had distributed a memorandum to the Board with some recommendations for discussion.

Among the items included in Constable's memo were questions related to who would be responsible for approving or denying requests for a bench dedication, the location and type of benches to be dedicated, whether they should be uniform or could vary from location to location, to whom they could be dedicated, and who would be responsible for their installation and maintenance. Since there are so many variables involved, Nesoff suggested that perhaps Constable, in conjunction with DPW Director, Chris Gardner, could develop a policy for the Board's review and approval. Lampke said this would be possible but suggested that the Board at least review the parts of the memo related to contract considerations.

After extensive discussion the Board arrived at the following consensus:

- The Town Manager or his/her designee reserves the right to deny an application for a specific bench location if, in their opinion, there is a public safety or similar concern.
- Bench locations are reserved for current or former Hull residents.
- The full cost of the bench shall be borne by the donor.
- The Town reserves the right to relocate or remove the bench at any time for any reason.
- The Town is not obligated to repair or replace the bench if it is damaged or no longer sound. If the donor of a bench that is deemed unsafe fails to make repairs within a reasonable time the Town reserves the right to remove it.
- The Town is not obligated to replace a bench once it has reached the end of its useful life.
- The Town reserves the right to require a particular manufacturing style of bench and has final editorial control on any plaque or engraving on a bench.

Lampke said that Constable can review these contract considerations and come back with a policy for the Board to review and approve. He said this does not need to be finalized at their next meeting, but it is good for them to start on a policy now so that it can be in place by the spring.

BOARD UPDATES

McCann reminded everyone that the Saturday after Thanksgiving is the Hull Nantasket Chamber of Commerce's annual Holiday Showcase. He also said that on Friday, December 8th, Hull Pride will be holding an event at the C Note and that all of the money raised will go to a scholarship fund for Hull High School students.

Taverna said he wanted to recognize the great success of the Hull Youth Football teams, two of whom were Superbowl champions, as well as the Hull Girls Cheerleaders who were also quite successful.

Taverna said he feels there has been a lack of communication from the School Committee relative to the repairs at the Middle School and that he thinks it would be beneficial for the Select Board to receive periodic updates from Town boards and committees as a way of staying informed about what is happening in Hull. McCann noted that Nesoff had suggested the possibility of having Select Board liaisons on the various committees who could occasionally attend meetings. He pointed out that it is not always easy or possible to find time on Select Board agendas for updates and said he feels this might help improve relationships with the various boards and committees.

Lampke said that the School Department is moving forward with a contractor to complete temporary repairs at the Memorial School, but that this is not something that requires approval from the Select Board. He said that the Board will be meeting with the School Committee in the near future for an Executive Session but suggested that before that Open Session is adjourned, they could ask that an update on the Memorial School, or any other issues of concern, be placed on a future Select Board agenda.

McCarthy said the Nantasket Beach Saltwater Club is holding their Meat and Seafood Raffle on Saturday, November 18th, from 2:00 p.m. to 5:00 p.m. and this is open to the public. He said this is always a great event.

Nesoff said the Massachusetts Select Board Association is holding a Leadership Conference in Stow on December 8th from 8:00 a.m. to 2:00 p.m. if any Board members are able or interested in attending. He reminded everyone that the Massachusetts Municipal Association Annual Conference will be held at the Hynes Convention Center on January 19th and 20th and said this is a good opportunity to attend workshops, meet people, and become informed. He also said the new MMA Select Board Manual will be introduced on December 8th.

Nesoff read a letter that the Select Board had received from Alternative Compassion Services (ACS) stating that they would like to come before the Board to present their plans relative to expanding their operation to include adult recreational use marijuana. There was a discussion as to whether the Board was required to respond to ACS within a set timeframe, whether the regulations regarding Host Community Agreements for medical marijuana will apply to a license for adult use marijuana, and how they can ensure that the two licenses that Hull is allowed for marijuana establishments are issued in a fair and transparent manner. Lampke said the Board should respond to ACS in a timely manner, but pointed out that this topic was not listed on the agenda for this meeting and suggested that they curtail this discussion and place it on the agenda for an upcoming meeting of the Board.

Lampke said that Constable had asked him to mention that historically the town has given town employees the day before Thanksgiving off and if the Select Board authorizes her to do that, she will work out a Memorandum of Understanding with the unions that this is not a past practice and will not be something that will be raised in any complaint. He said that this affects employees who are under Constable's jurisdiction such as the staff at Town Hall and the Senior Center, but does not affect public safety employees such as Police and Fire.

Motion	McCarthy	To authorize the Town Manager to allow employees to be off on Wednesday, November 22, 2023 as long as it shall not be a past practice or raised in any Hearing
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Second Vote	McCann Unanimous
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McCarthy asked about the Alcohol License from Nantasket Flatts, which has been closed for about ten months. Lampke said the Board had authorized him to send them a letter stating that they needed to use, sell, or transfer the license within six months, which they have not done. They were advised that if they fail to do so, the Board would schedule a hearing after the six months to consider cancelling or revoking the license due to non-use. He said that if they do not file to renew the license in the month of November it will be a "dead license" and will come back to the Town. Licenses are automatically renewed in December if filed for renewal in November, unless turned in or

cancelled. He said that if they do submit an application to renew, it could be denied for non-use but that would require a hearing. If it is renewed automatically that does not prevent the Board from still holding a hearing to revoke or cancel the license. He said that the ABCC frowns on a town cancelling a license within the first six months of an establishment's closing.

On a motion by Taverna, seconded by McCann, 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 November 15, 2023
- Materials related to FY24 Tax Classifications
- Materials related to Change of Manager, Change of Hours, and Entertainment License for California Underground
- Application materials for Annual renewals for California Underground, Joe's Nautical, Schooners, The C Note (All Alcohol); West Corner Liquors (Package Store); Breadbasket Bakery and Café (Common Victualer); Seaside Transport (Vehicle and Livery Badge); and Tara Ashe (Livery Badge)