

COMMONWEALTH OF MASSACHUSETTS

TOWN OF HULL, MASSACHUSETTS

Facsimile of the May 5, 2014

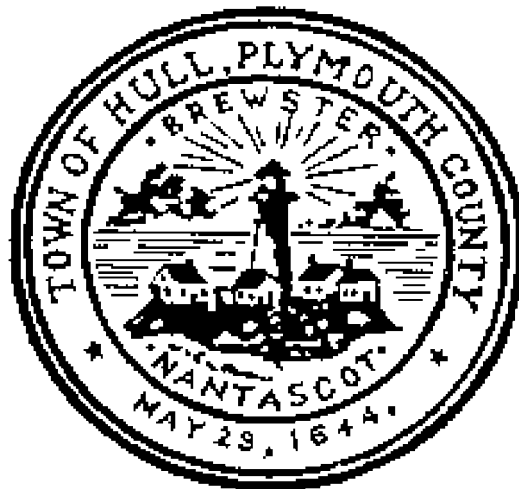
ANNUAL TOWN MEETING WARRANT

and

SPECIAL TOWN MEETING WARRANT

with

ADVISORY BOARD RECOMMENDATIONS



Monday, May 5, 2014 at 7:30 o'clock in the evening

**In the Hull High School situated at
180 Main Street, Hull, MA**

TOWN of HULL
MODERATOR'S MESSAGE

Welcome to the 2014 Hull Town Meeting. Welcome Spring! At this Town Meeting we have important business to attend to: budget review, bonding, and zoning articles highlight the warrant. Our local issues deserve our attention. Voter participation in Town Meeting is vital to Hull's character. At Town Meeting we get to legislate the business of our Town. For more than 300 years, New Englanders have been meeting to decide Town business. At Town Meeting decisions are made which affect each of us. Town policy and financial decisions are made at Town Meeting which affects everyone in Town. Town Meeting is the purest form of democracy. Each voter can stand up and speak their mind on any particular issue. The opportunity to speak on a given issue, and attempt to persuade your fellow voters is at the core of our democratic values. Our forefathers and foremothers fought many a battle for the right to be able to govern themselves. Immigrants from around the world still flock to America to live in a place governed by the people. Our Town Meeting is a direct expression of local governance. As we debate the articles at Town Meeting, remember that vigorous debate need not be disrespectful. Not everyone is going to agree with you and that is OK. Different opinions make Town Meeting interesting and useful. Remember to please be considerate and get to the point in your comments. This year, as usual, we have quite a bit of ground to cover. Clarity, brevity and respect for others are held in high regard at Town Meeting. Thank you in advance for your participation and cooperation.

Some frequently used Town Meeting procedural rules are set out below:

Quorum: In 1987 we abolished quorum requirements. Therefore, town meetings begin at the time designated by the Selectmen in the warrant (usually 7:30 p.m.).

Order of Articles: In 1980, we enacted a by-law providing, that the order of considering articles, except for the general budget articles, shall be determined by lottery. The moderator may declare certain articles, due to legal requirements, must be considered before or after other articles are considered.

Motions: After an article has been chosen by lottery, the moderator reads the motion pertaining to that article. The motion must be within the scope of the article as printed in the warrant and must be seconded. After a motion has been made, substitute motions and amendments may be offered, but no more than two (2) substitute motions or amendments may be before the meeting at any given time. Any substitute motion or amendment must also be within the scope of the article.

Discussion of articles: Persons wishing to speak should stand and remain standing until recognized by the moderator. They should begin their remarks by stating their name and address. We usually vote to limit first time comments on an article to ten (10) minutes. We have a bylaw limiting second time comments to five (5) minutes. Remember, often the most effective comments are succinct and to the point.

Point of order: May be used to raise a procedural question only. A point of order may be made at any time, requires no second and is not debatable.

Call for the question is a motion to terminate debate. It requires a two-thirds vote and is not debatable.

Voting by secret ballot shall occur when the Advisory Board so recommends in writing or when 15 voters so request, or when required by statute or town by-law.

Questioning the vote: When seven (7) voters question the moderator's calling of voice vote, a standing vote will be taken.

Motion to reconsider must be made on the same night that the vote to be reconsidered was taken; a two-thirds vote is required; a vote once reconsidered cannot be further reconsidered.

Resolutions may be offered without prior notice; are non-binding and not debatable.

Other procedural rules governing our meetings are spelled out in the book "Town Meeting Time", Little Brown, 1962, 2nd Ed. 1984

Michael S. Nuesse, Moderator

ADVISORY BOARD MESSAGE

Under our current form of Government, the Town Manager, with the guidance of the Board of Selectmen, prepares the Town Budget and presents it to the Board of Selectmen and the Advisory Board for their review. Through discussions with the Town Manager and Department Heads, the Advisory Board reviews the budgets and makes recommendations for changes. This process usually concludes with agreement between the Advisory Board and the Town Manager in terms of presenting the Budget to Town Meeting. The Advisory Board considers all Articles for the purpose of making recommendations with explanatory statements. While considering each Article many questions are considered such as: Is it necessary? Can the Town afford it? Is it in the Town's best interest? Is it fair to all? Does it affect the balance of power? Is it within legal and allowable guidelines?

The following section includes a facsimile of the Town Warrant. It is called a facsimile because the actual warrant does not include the commentary and recommendations of the Advisory Board. Some confusion has been caused in the past when motions are read at town meeting and are differently worded than what you see here. Motions may be worded differently so long as they are worded within the scope of the printed article. Some people think of the printed warrant as an agenda of the Town Meeting. The legal warrant is printed, signed and posted by our Board of Selectmen.

Comments are in italicized print under the ARTICLES. The RECOMMENDATION precedes the commentary of the Advisory Board. Typical recommendations are as follows:

FAVORABLE ACTION - The Advisory Board is recommending a favorable vote on the Article.

UNFAVORABLE ACTION - The Advisory Board is recommending an unfavorable vote on the Article.

NO RECOMMENDATION - The Advisory Board does not wish to make a recommendation or there is insufficient information to support a recommendation.

RECOMMENDATION AT TOWN MEETING - The Advisory Board does not wish to make a recommendation prior to reviewing additional information or waiting for another committee to hold a public hearing.

NO ACTION - A no action motion or recommendation suggests that Town Meeting set aside and prevent any further action on this Article for the meeting.

THE ADVISORY BOARD:

D. Clinton, Chair

J. Schmid, Vice Chair

J. Dennard, Clerk

R. Kenney

P. Larsen

J. Polito

R. Carney

J. Canavan

J. Tiani

C. Carr

G. Boylen



**TOWN OF HULL
Advisory Board**

253 Atlantic Avenue
Hull, Massachusetts 02045

781-925 2000
Fax: 781-925-0224

To the Citizens of Hull,

Hull, like most towns in Massachusetts, continues to face some difficult decisions regarding the budget that supports all our Town's functions.

This warrant contains a Projected Revenue and Expenditure Summary for the year ending June 30, 2015. This summary reflects a balanced budget that was achieved by the diligent work of all town departments. This enables the Town to maintain services.

Free Cash in the amount of \$46,000 is being allocated to the Stabilization Fund this year. FY15 will be the second year allocations from Free Cash have occurred. In addition, FY15 will be the second year that Memorial School debt will be paid without using the Stabilization Fund.

There are two zoning Articles for your consideration. Article 22 is a housekeeping Article to correct the inclusion of a Section not adopted by Town Meeting. Article 23 is an amendment to the Zoning Bylaw pertaining to Short Term Rentals - Residential dwelling unit rentals.

There are three Bonding Articles. Article 14 in the amount of \$4,500,000 will pay for the repairs and reconstruction of the sewer treatment plant. Article 16 in the amount of \$850,000 will pay the costs of purchasing departmental equipment. Article 17 in the amount of \$500,000 will pay for the expansion of the Hull Village Cemetery.

Article 25 and Article 26 are Citizens' petitions.

Thank you, in advance, for your involvement and participation at this important time in Hull's history.

Sincerely,

David Clinton, Chairman
John Schmid, Vice Chairman
Jill Dennard, Clerk

Advisory Board Members:

Expire in 2014: James Canavan, Jill Dennard, Robert Carney

Expire in 2015: John Tiani, David Clinton, Peter Larsen, Christine Carr

Expire in 2016: John Schmid, Richard Kenney, Jay Polito, George Boylen

COMMONWEALTH OF MASSACHUSETTS

Plymouth ss

To any of the Constables of the Town of Hull in the County of Plymouth

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the Inhabitants of the Town of Hull qualified to vote on Town affairs and elections to meet at Hull High School situated at 180 Main Street in said Hull, on Monday, the Fifth day of May next, 2014 at 7:30 o'clock in the evening, then and there to act upon the following articles, namely:

ARTICLE 1. To hear and act upon the following:

- The Report of the Selectmen
- The Report of the School Committee
- The Report of the Fire Department
- The Report of the Police Department
- The Report of the Treasurer/Collector
- The Report of the Town Clerk
- The Report of the Board of Assessors
- The Report of the Municipal Light Board
- The Report of the Trustees of the Public Library
- The Report of the Town Counsel
- The Report of the Retirement Board
- The Report of the Committees
- The Report of the Town Accountant
- The Report of the Board of Health
- The Report of the Planning Board

or take any other action relative thereto. (Inserted by Board of Selectmen

***Recommendation: Favorable Action on Article 1.** The Advisory Board recommends acceptance of the Annual Town Reports as presented. (Unanimous)*

ARTICLE 2. A) To see if the Town will assume liability in the manner provided by section 29 of Chapter 91 of the General Laws and amendments thereto, for all damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts and/or the Massachusetts Department of Environmental Protection for the improvement, development, maintenance and protection of tidal and nontidal rivers and streams, harbors, tidewaters, foreshores and shores along the public beach outside of Boston Harbor and authorize the Selectmen or Town Manager to execute and deliver a bond of indemnity therefore to the Commonwealth; and further,

B) To see if the Town will authorize the Selectmen or Town Manager to enter into contracts with the Massachusetts Department of Public Works and/or County Commissioner

and/or Massachusetts Department of Environmental Protection for the construction or maintenance of seawalls and land areas bordering on tidal waters, for the ensuing year, or take any other action relative thereto. (Inserted by Board of Selectmen)

Recommendation: Favorable Action on Article 2. *Town Meeting approval is necessary to allow the Board of Selectmen to contract with the Commonwealth for work to be performed by the Commonwealth. (Unanimous)*

ARTICLE 3. To see if the Town will authorize the Board of Selectmen to enter into contracts with the Commonwealth of Massachusetts, its divisions, commissions and agencies, including the Department of Public Works and/or the County Commissioners for the construction and maintenance of public highways for the ensuing year, or take any other action relative thereto. (Inserted by Board of Selectmen)

Recommendation: Favorable Action on Article 3. *This is an annual housekeeping Article, which allows the Town to enter contracts with the Commonwealth, which provides funds for highways and roads. (Unanimous)*

ARTICLE 4. To see if the Town will authorize the Treasurer/Collector to enter into compensating balance agreements, as permitted by M.G.L. Chapter 44, section 53F, or take any other action relative thereto. (Inserted at the request of the Treasurer/Collector)

Recommendation: Favorable Action on Article 4. *This is an annual housekeeping Article, which enables the Treasurer to gain services or benefits from banking institutions with which we have funds on deposit. (Unanimous)*

ARTICLE 5. To see if the Town will vote that all income from sales of electricity to private consumers or for electrical supplies to municipal buildings or for municipal power, and for sales of appliances and jobbing during the next fiscal year, be appropriated for the Municipal Light Department, the whole to be expended by the Town Manager for the expenses of the plant for the next fiscal year, as defined in section 57 of Chapter 164 of the General Laws and Chapter 8 of the Acts of 1989, as amended, or take any other action relative thereto. (Inserted by Board of Selectmen)

Recommendation: Favorable Action on Article 5. *This Article reaffirms that operating income from the Light Plant sales and activities will be used to meet the expenses of the Light Plant. In addition, it stipulates the Town Manager will see that the funds are expended as specified by the laws of the Commonwealth. (Unanimous)*

ARTICLE 6. To see if the Town will fix the salaries of the following Town Officers, viz;

Selectmen
Moderator
Town Clerk

Assessors
Municipal Light Board

or take any other action relative thereto. (Inserted by Town Manager)

Recommendation: Favorable Action on Article 6. *This is an annual housekeeping Article that provides compensation for the above-mentioned board members. (Unanimous)*
Salaries are set as follows:

Selectmen	\$3,000.00 Chair
	\$2,500.00 Members
Moderator	\$420.00
Town Clerk	\$18,000.00
Assessors	\$400.00
Municipal Light Board	\$600.00 Chair
	\$450.00 Members

ARTICLE 7. To see if the Town will raise and appropriate or appropriate and transfer from available funds a sum of money to operate the Harbormaster's Department as a so-called enterprise account, or take any other action relative thereto. (Inserted at the request of the Harbormaster)

Recommendation: Favorable Action on Article 7. *This Article fulfills the State requirement that the Town appropriate sufficient funds to operate the Harbormaster Enterprise Account. (Unanimous)*

ARTICLE 8. To see if the Town will raise and appropriate or appropriate and transfer from available funds a sum of money to operate the Sewer Department as a so-called Enterprise Account, including appropriating retained earning/surplus revenue for repairs, maintenance and capital improvements, or take any other, action relative thereto. (Inserted at the request of the Permanent Sewer Commission)

Recommendation: Favorable Action on Article 8. *This Article fulfills the State requirement that the Town appropriate sufficient funds to operate the Sewer Enterprise Account. (Unanimous)*

ARTICLE 9. To see if the Town will raise and appropriate or appropriate and transfer from available funds a sum of money to defray the expenses of Fiscal Year 2015 for:

General Government
Schools

or take any other action relative thereto. (Inserted by Board of Selectmen)

Recommendation: Favorable Action on Article 9. *The Advisory Board recommends favorable action on the Fiscal Year 2015 Town Budget. We recognize the work that the Town Manager, the Board of Selectmen,*

School Committee and the various department heads have invested to structure a budget that funds our various general government and school priorities. This budget represents the collaborative efforts of these various stakeholders, and we acknowledge the sacrifices that are being made by all as we work together to meet the needs of our community. (Unanimous)

ARTICLE 10. To see if the Town will vote to authorize revolving funds for certain Town Departments under Massachusetts General Laws Chapter 44, §53E1/2 for the fiscal year beginning July 1, 2014, as follows:

<u>Revolving Fund</u>	<u>Authorized to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY15 Spending Limit</u>	<u>Disposition of FY15 Fund Balance</u>
Zoning Board of Appeals	Board of Appeals	Application fees charged for special permits, variances and appeals on orders or decisions of the Building Commissioner	Expenses and fees of the Zoning Board of Appeals	\$10,000	Balance available for expenditure
Inspectional Services	Building Commissioner	Receipts for plumbing, gas and electrical permits and inspections	Salaries and expenses for the plumbing, gas and electrical inspectors, and for the related proportion of support staff expenses related thereto	\$80,000	Balance available for expenditure
Vaccination Clinics	Board of Health, Director of Public Health	Fees and billings for vaccination clinics	Expenses related to vaccination clinics, including nursing services and related proportion of support staff expenses related thereto	\$35,000	Balance available for expenditure
Inspectional Services	Board of Health, Director of Public Health	Receipts for rental housing unit inspections and housing and residential swimming pool inspections	Salaries and expenses for the health inspector(s) and any other required inspector, and for the related proportion of support staff expenses related thereto.	\$100,000	Balance available for expenditure

Integrated Preschool	School Committee	Preschool class tuition	Salaries, expenses and fees for three (3) integrated preschool classes for children ages three to five identified as having a disability to provide a nurturing, caring and supportive environment that fosters the development of self-esteem	\$90,000	Balance available for expenditure
Council on Aging Activities	Director of Council on Aging	Fees for programs sponsored by the COA, other fees for services	Salaries and expenses to provide additional services to senior citizens, payment of program fees	\$10,000	Balance available for expenditure
Hazardous Materials Clean Up	Fire Chief	Insurance claims, clean-up fees, receipts for use of personnel and equipment for hazardous material clean-up	Salaries, equipment and supply replacement, and other expenses related to clean up and disposal	\$25,000	Balance available for expenditure
Parking Fund	Board of Selectmen	Sale of parking stickers, visitors passes and parking meters	Enforcement, signage, obtaining new parking areas and other parking related costs	\$80,000	Balance available for expenditure
Tax Title Legal Expenses	Treasurer/Collector	Legal fees charged to past due accounts	Tax Title legal services	\$10,000	Available for expenditure

or take any other action relative thereto. (Inserted by Board of Selectmen)

Recommendation: Favorable Action on Article 10: *This is an annual housekeeping Article that is required to re-establish revolving funds for various uses in FY 2015. The revolving funds ensure that the funding of these departments is generated by these departments. (Unanimous)*

ARTICLE 11. To see if the Town will amend the Personnel Bylaw, Salary Plan, of the town, by striking in Exhibit B-3, X 1, (Assistant Harbormaster) the figure therein, and inserting in its place the figure of \$10.00, or take any other action relative thereto. (Inserted at the request of the Town Manager)

Recommendation: Favorable Action on Article 11. *The Advisory Board recommends favorable action on this Article. The Assistant Harbormaster per hour salary has not changed in many years. Currently they receive \$9.00 per hour and the added dollar will not impact our current budget in any significant manner. (Unanimous)*

ARTICLE 12. To see if the Town will accept the provisions of G.L. c. 71, sec. 71E which provides that funds received for adult education and continuing education programs and for the use of school property shall be held as separate accounts with the Treasurer of the town available for use by the School Committee for the purposes of said programs and for making school property available for use, or take any other action relative thereto. (Inserted at the request of the School Committee.

***Recommendation: Favorable Action on Article 12.** The Advisory Board recommends favorable action on this Article. This Article can be characterized as a housekeeping Article as it codifies an existing practice as it related to the receipt of funds by the School Department received as fees for building use. In adopting the provisions of this section of the general laws the school will be reflecting existing practice. The acceptance is needed for purposes of audits and formalizing the acceptable accounting practice. (Unanimous)*

ARTICLE 13. To see if the Town will appropriate a sum of money to pay the costs of replacing the Harbormaster Department patrol boat, including the payment of all costs incidental and related thereto; and to fund this appropriation, transfer a sum of money from the amounts previously authorized and borrowed under Article 8 of the May 3, 2010 Annual Town Meeting (Nantasket Pier Area Dredging), which project is complete and no liability remains, or take any other action relative thereto. (Inserted at the request of the Harbormaster)

***Recommendation: Favorable Action on Article 13.** This Article will allow replacement of the HarborMaster patrol boat. The current patrol boat is fourteen (14) years old and the cost to repair and refit the current boat will surpass the fair market value. The current boat does not meet the HarborMaster's needs due its size, speed and lack of updated electronics. The projected cost of the new boat (\$80,000-\$100,000) will not be funded from the general fund. Funding will be drawn from money remaining in the bond issue for the Nantasket Pier Dredging Project which is under the HarborMaster enterprise fund, the waterways fund and any residual trade value. (Unanimous)*

ARTICLE 14. To see if the Town will appropriate a sum of money to pay the costs of sewer treatment plant reconstruction, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise; to authorize the Board of Selectmen and Town Manager to contract for any state or federal aid available for the project, or take any other action relative thereto. (Inserted at the request of the Town Manager)

***Recommendation: Recommendation at Town Meeting on Article 14.** At the time of this printing, the estimated remaining costs of the sewer*

treatment plant repair and reconstruction are \$4.5 million. The Advisory Board is continuing to review the total project cost with the Town Manager, Sewer Plant Personnel, and the Hull Permanent Sewer Commission. (Unanimous)

ARTICLE 15. To see if the Town will appropriate or transfer from funds received from insurance carriers and/or other parties or sources a sum or sums of money for the restoration or replacement of damage suffered by the wastewater treatment plant and facility, or take any other action relative thereto. (Inserted at the request of the Town Manager)

Recommendation: Favorable action on Article 15. This Article allows the Town to release, pay-over and/or transfer to the Sewer Department any insurance proceeds received in connection with the damage to the wastewater treatment plant as a result of the flood and related damage last year. Without this Article's passage, any such insurance proceeds would go into the Town's general fund(s), rather than directly to the Sewer Department for restoration or reimbursement for restoration of the affected Sewer Department resource. (Unanimous)

ARTICLE 16. To see if the Town will appropriate a sum of money to pay the costs of purchasing departmental equipment, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise; to authorize the Board of Selectmen and Town Manager to contract for any state or federal aid available for the project, or take any other action relative thereto. (Inserted at the request of the Town Manager)

Recommendation: Favorable Action on Article 16. The estimated cost of new equipment and vehicles is \$850,000 to replace an aging fleet. The purchases include one dump truck (purchased in 1999), trackless multi-use tractor (purchased in 1997), Truck with plow and sander (purchased in 1997), F750 Ford Cab and Chassis with sewer jet (purchased in 1984), an Ambulance, and Fire Department Command Vehicle. (Unanimous)

ARTICLE 17. To see if the Town will appropriate a sum of money to pay the costs of expanding the Hull Village Cemetery, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise; to authorize the Board of Selectmen and Town Manager to contract for any state or federal aid available for the project, or take any other action relative thereto. (Inserted at the request of the Town Manager)

Recommendation: Recommendation at Town Meeting on Article 17. The Advisory Board does not wish to make a recommendation on Article 17 prior to receiving a projection of the number of additional burial plots and how the principal and interest for the \$500,000 twenty year Bond will be repaid from the Hull Village Cemetery Fund. Annual

payments commence at \$47,500 and decrease annually thereafter. The current plot fee is \$400.00. (Unanimous)

ARTICLE 18. To see if the Town will appropriate a sum of money to pay the costs of repairing and maintaining the town's parking meters, or take any other action relative thereto. (Inserted at the request of the Town Accountant)

Recommendation: Favorable Action on Article 18. This Article allows for the expenditure of \$5,000 from parking meter receipts for the repair and maintenance of parking meters in FY 2015. (Unanimous)

ARTICLE 19. To see if the Town will amend Chapter 100 of the Code/Bylaws of the Town by striking the second and third sentences (which presently read: "Further, said candidates shall possess, at the time of employment, a valid State of Massachusetts Emergency Medical Technician-Paramedic certificate. Failure to maintain a current and valid Emergency Technician-Paramedic certificate for the duration of their employment shall result in the following action:") and replace it with the following: "As determined by the Chief or appointing authority, candidates may be required as a condition of employment to possess and maintain a valid Commonwealth of Massachusetts Emergency Medical Technician-Paramedic certificate. If so required, and the employee subsequently fails to maintain same, unless excused by the Chief or appointing authority, such failure shall result in the following action:", or take any other action relative thereto. (Inserted at the request of the Town Manager)

Recommendation: Favorable Action on Article 19.

This Article seeks to reverse a Town Meeting decision from 2003 mandating all firefighters be certified paramedics. Favorable Action on this Article would eliminate that mandate and vest with the Fire Chief the power to determine what percentage of the force should have this certification. The Fire Chief may choose to maintain this status quo or may reduce that percentage. This type of decision should be the responsibility of the town hired expert, in this case, the Fire Chief. Redundant training and certification beyond what the Fire Chief deems necessary could be eliminated. In addition, if that percentage were to be reduced, there would be a financial benefit to the Town.
(Unanimous)

ARTICLE 20. To see if the Town will raise and appropriate and/or appropriate and transfer from available funds a sum or sums of money to finance or implement an award issued by the Joint Labor Management Committee in the case of Hull Firefighters Local 1657 and the Town of Hull, No. JLMC 12-02F, or take any other action relative thereto. (Inserted at the request of the Town Manager)

Recommendation: Recommendation at Town Meeting on Article 20. *The Advisory Board does not wish to make a recommendation on Article 20 before the Town is notified by the Joint Labor Management Committee of any award amount on the current case of Hull Firefighters Local 1657. (Unanimous)*

ARTICLE 21. To see if the Town will petition the Legislature to amend Chapter 8 of the Acts of 1989, as amended, the Town of Hull Charter, by deleting in Section 2 of the position of Town Clerk as an elected position, so that said position will become on the expiration of the term of the incumbent or the next vacancy, an appointed position, or take any other action relative thereto. (Inserted at the request of the Town Manager)

Recommendation: Favorable Action on Article 21. *This Article changes the Town Clerk's position from an elected position to one appointed by the Town Manager, similar to the way Town department heads are appointed currently (e.g., typically a one-year appointment subject to review, etc.). This has no immediate impact on our current Town Clerk, who in fact supports this Article (and the Advisory Board recognizes the important multiple roles she has so ably and professionally performed over her years of Town service, and continues to perform). Moving from an elected to an appointed position is not a decision made lightly. This Article reflects the trend of other municipalities to change from an elected to an appointed Town Clerk to ensure that the holder of the office enters and performs in the office with the required highly specialized skill-set, including elections laws, licensing requirements, records administration and general municipal management. Popular elections may not be the most effective process to select an experienced professional to carry out the important technical, administrative and statutory duties of Town Clerk. Our conclusion is that if appointments are made diligently and appropriately, with a focus on professionalism, experience and merit, our future Town Clerks will continue to serve the Town in a professional and effective manner and with greater flexibility. (Unanimous)*

ARTICLE 22. To see if the Town will amend the Zoning Bylaws of the Town by striking the following section which was inadvertently included in the last codification but had not been adopted by town meeting:

A. Article III, Section 40-Arts Overlay District
or take any other action relative thereto. (Inserted at the request of the Building Commissioner)

Recommendation: Favorable Action on Article 22. *This is housekeeping: deleting the inadvertent codification in last year's Town Warrant. (Unanimous)*

ARTICLE 23. SEASONAL RENTALS

A. To see if the Town will amend the Zoning Bylaw by adding the following, to be effective September 1, 2015, but nothing shall prevent voluntary compliance prior to then:
Article IV, Use Regulations Section 49 , - Short Term Rentals- Residential dwelling unit rentals: Rentals of dwelling units of seven (7) days or more shall be permitted in accordance with the provisions of this bylaw in all residential zoning districts (i.e. Single-Family Residence Districts A, B & C; Townhouse Residence District; Multi-Family Residence Districts A and B; and Mixed Use Residence District). Unless otherwise lawfully licensed or otherwise a lawful use, rentals of less than seven (7) days are not presently a permitted use in any zoning district and shall remain prohibited under this bylaw. The use of a new or existing structure for a residential rental of seven (7) days or more is hereby permitted provided that it shall comply with the provisions of this bylaw and all standards applicable to the construction and/or use of a residence within the zoning district that the residential rental is proposed or located. For the purpose of this bylaw section “dwelling unit” shall mean a detached single unit providing complete, independent residential living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Only one dwelling unit on a property may be rented during a rental period under this bylaw. An accessory unit with separate living space in the same structure (commonly known as an “in-law or relatives’ unit”) shall not be rented or utilized in connection with the rental of the primary unit under this bylaw. The use of residential property as a residential rental shall comply with the following standards.

a. Purpose. The purpose of this bylaw is to help protect the health, safety and welfare of the citizens by minimizing adverse impacts from short term or other residential rentals in areas permitting residential use and to promote and support property ownership and the community’s tourist economy. Further, the intent of this Bylaw is to protect property values, neighborhood integrity and Town’s resources by establishing a set of regulations applicable to residential rentals that ensure their compatibility with existing residential uses. These regulations are in addition to all other provisions of applicable law. The Town determines that in the absence of such a bylaw, short term or other residential rentals have the potential to be incompatible with surrounding residential uses and the character of residential neighborhoods, thereby having the potential for a deleterious effect on the adjacent properties and occupants.

b. Permit requirements. All properties must comply with all applicable laws, rules and regulations, including but not limited to applying for and obtaining a Certificate of Occupancy from the Board of Health (Chapter 113 Town of Hull Bylaws) and a Short Term Residential Rental Permit in accordance with the general bylaws of the Town for each residential rental dwelling unit. No owner, manager or tenant shall rent, lease, license or offer for rent, lease or license any building or portion thereof to be used for human habitation without first having applied for and having been issued a Certificate of Occupancy as required under Chapter 113 of the bylaws of the Town and complying with all other applicable laws, rules and regulations. This shall not prevent the advertising and/or showing of a dwelling unit to possible renters or tenants.

c. Short term residential rentals prohibited. The renting, letting or licensing for any form of compensation by the owner or occupant of a residential dwelling unit to another party for the

exclusive use of said dwelling unit for a period of less than seven (7) days is prohibited. No additional rental is permitted within the seven (7) day period

d. Number of occupants allowed. The maximum number of occupants allowed in an individual dwelling unit shall not exceed the number of occupants permitted under the State Sanitary Code. The Health Department shall determine the maximum number of occupants allowed in each individual dwelling unit in accordance with the State Sanitary Code.

e. Signs. There shall be no exterior signage advertising the availability of the dwelling unit to the public.

f. Parking required. All parking associated with a dwelling unit shall be regulated as per the applicable parking regulations for the Town of Hull.

g. No grandfathering or legal non-conformity created. Rental of property for residential occupancy for a period of less than thirty (30) days is not a permitted use in any zoning districts under the zoning bylaw in effect prior to the enactment and effective date of this bylaw amendment unless otherwise lawfully licensed. Any such use for less than thirty (30) days that may have predated this section shall not be grandfathered or become legally non-conforming by the adoption of this bylaw unless otherwise lawfully licensed. Rentals of thirty (30) days or more remain legally permitted subject to any applicable law, rule or regulation.

h. Applicability

If any provision of this Bylaw imposes greater restrictions or obligations than those imposed by any general law, special law, regulation, rule, ordinance, order or policy, the provisions of this Bylaw shall control.

i. Severability

If any provision of this Bylaw is held to be invalid by a Court of competent jurisdiction, then such provisions shall be considered separately and apart from this Bylaw and the remaining provisions, which shall remain in full force and effect.

j. Penalties

A failure to comply with the provisions of this bylaw shall be subject to a fine of \$300.00 for each day of non-compliance. These provisions may also be enforced under the town's non-criminal disposition bylaw and/or by any other enforcement method under the law. Nothing contained herein shall serve as a limit on other lawful enforcement mechanism, nor shall the same excuse compliance with any other laws, rules or regulations.

B. And further to amend Chapter 1 of the Code/Bylaw of the Town by inserting the following in the Table "Provisions Subject to Non-Criminal Disposition":

Cite Chapter _____	(Enforcing Person)	Penalty	
Short Term Rentals (Zoning)	Code Enforcement Agents	First offense- warning Second and Subsequent Offense \$100.00 each	

and

C. To see if the Town will amend the Code/Bylaws of the Town as follows, to be effective September 1, 2015, but nothing shall prevent voluntary compliance prior to then:

(1) Amend c. 113 by adding the following to section 113-5, Violations and Penalties

A Certificate of Occupancy so issued may be suspended or revoked following a hearing with at least ten (10) days' notice upon a finding by the Board of Health based on evidence from inspectional services and others that this bylaw has been or is being violated, and/or the premises or portion of the premises does not meet the requirements of the State Sanitary Code and any other applicable laws, rules and regulations and/or is found to have been operated in a manner that does not (a) protect members of the public from disruptive conduct, from criminal activity, or from health, safety or fire hazards; (b) prevent an unreasonable level of noise in the area caused by activity on the premises or caused by persons entering or leaving the premises; or (c) prevent an unreasonable level of pedestrian or vehicular traffic in the area of the premises or an unreasonable number of vehicles to be parked in the area of the premises. A finding that the aforementioned conditions occurred at the premises or as a result of the rental of the premises shall be grounds for the suspension or revocation of the Certificate of Occupancy. Any appeal from such a decision shall be in as provided for under applicable Massachusetts General Laws. Nothing contained herein shall preclude enforcement of applicable laws, rules and regulations.

(2) By adding a new section as follows:
Section 113.7. Owner and local contact person.

- A. All owners of dwelling units offered or used for lease, license or rent shall designate a local contact person available to respond in person within two (2) hours. The local contact person shall be available 24 hours a day to respond to Town, tenant and neighborhood questions or concerns. Property owners may designate themselves as the local contact person if they can respond in person within two (2) hours. All the requirements enumerated in this section shall continue to apply.
- B. The name, address and telephone number(s) providing for 24 hour contact capability of the owner and local contact person shall be submitted to the Health Department as part of the application for a Certificate of Occupancy. The name, address and telephone number(s) of the owner and local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the ownership or local contact person's address or telephone number shall be promptly furnished to the

Health Department. The owner of the property shall also promptly provide immediate abutters and abutters to immediate abutters the owner's and local contact person's name, address and telephone numbers, and promptly update such information if changed.

C. The Town encourages people to contact the local contact person or owner if there are any issues or concerns. If the local contact person is not known to the complaining party, is unavailable or fails to respond, the complaining party should contact the Police Department. The Police Department will attempt to reach the owner or local contact person. It shall be a violation of this Bylaw for the owner or local contact person to fail to respond to a call from the Police Department or other Town departments within 2 hours as directed. Nothing contained herein is intended to prevent or interfere with anyone contacting the Police Department at any time for any reason.

(3) By adding a new section as follows:

Section 113.8. Short Term Residential Rental Permit

SHORT TERM RESIDENTIAL RENTAL PERMIT

- A. Purpose. The purpose of this provision is to help protect the health, safety and welfare of the citizens by minimizing adverse impacts from short term or other residential rentals in areas permitting residential use and to promote and support property ownership and the community's tourist economy. Further, the intent of this Bylaw is to protect property values, neighborhood integrity and Town's resources by establishing a set of regulations applicable to residential rentals that ensure their compatibility with existing residential uses. These regulations are in addition to all other provisions of applicable law. The Town determines that in the absence of such a bylaw, short term or other residential rentals have the potential to be incompatible with surrounding residential uses and the character of residential neighborhoods, thereby having the potential for a deleterious effect on the adjacent properties and occupants.
- B. Any person or entity wishing to permit the occupancy of any property for dwelling purposes for lodging of guests, renters, lessees, licensees or invitees, for periods of at least seven (7) days up to twenty-nine (29) days, must first obtain a Short Term Residential Rental Permit from the Board of Selectmen or its designees, upon such application, process and fee as said board shall establish. Said permits shall only be issued for occupancies of at least seven (7) days. Said permit shall be valid for two years and may be limited to a time less than two years. Renewals shall be permitted in accordance with the process established by the board. The board may grant said permit if it is satisfied that the short term residential rental will be in harmony with the general purpose of the zoning district and shall not be substantially more detrimental to the established or future character of the neighborhood and town than a rental for thirty (30) days or more. The board may impose such reasonable terms and conditions to the permit to minimize or eliminate any impacts on the neighborhood and town. All other provisions of law, including but not limited to the zoning law, state sanitary code, other local laws, rules and regulations, shall remain applicable. No such occupancy shall be permitted without a permit having been first issued.

C. Severability

If any provision of this Bylaw is held to be invalid by a Court of competent jurisdiction, then such provisions shall be considered separately and apart from this Bylaw and the remaining provisions, which shall remain in full force and effect.

D. Enforcement

A Short Term Residential Rental Permit so issued may be suspended or revoked following a hearing with at least ten (10) days' notice upon a finding by the board based on evidence from inspectional services and others that this bylaw has been or is being violated, and/or the premises or portion of the premises does not meet the requirements of the State Sanitary Code and any other applicable laws, rules and regulations and/or is found to have been operated in a manner that does not (a) protect members of the public from disruptive conduct, from criminal activity, or from health, safety or fire hazards; (b) prevent an unreasonable level of noise in the area caused by activity on the premises or caused by persons entering or leaving the premises; or (c) prevent an unreasonable level of pedestrian or vehicular traffic in the area of the premises or an unreasonable number of vehicles to be parked in the area of the premises. A finding that the aforementioned conditions occurred at the premises or as a result of the rental of the premises shall be grounds for the suspension or revocation of the Short Term Residential Rental Permit. Any appeal from such a decision shall be in as provided for under applicable Massachusetts General Laws. Nothing contained herein shall preclude enforcement of applicable laws, rules and regulations.

E. Penalties

A failure to comply with the provisions of this bylaw shall be subject to a fine of \$300.00 for each day of non-compliance. These provisions may also be enforced under the town's non-criminal disposition bylaw and/or by any other enforcement method under the law. Nothing contained herein shall serve as a limit on other lawful enforcement mechanism, nor shall the same excuse compliance with any other laws, rules or regulations.

D. And further to amend Chapter 1 of the Code/Bylaw of the Town by inserting the following in the Table "Provisions Subject to Non-Criminal Disposition":

Cite Chapter _____	(Enforcing Person) Code Enforcement Agents	Penalty	
Short Term Residential Rental Permit (General Bylaw)		First offense- warning Second and Subsequent Offense \$100.00 each	

Or take any other action relative thereto, including but not limited to motions that may address less than or more than the thirty (30) or seven (7) day periods, changing of districts, issuance of permits, effective dates or any other terms and conditions of this article. (Inserted by the Board of Selectmen)

Recommendation: Recommendation at Town Meeting on Article 23. *At the time of this printing, there continues to be Town-wide discussion of this Article. (Unanimous)*

ARTICLE 24. To see if the Town will vote to authorize the Board of Selectmen to convey an historic preservation restriction encumbering up to in perpetuity the town property at 1117 Nantasket Avenue, being the present Hull Lifesaving Museum building and property to the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission, on such terms and conditions, and for such consideration as the Board of Selectmen deems appropriate, or take any other action relative thereto. (Inserted at the request of the Town Manager)

Recommendation: Favorable Action on Article 24. *This Article seeks to add restrictions to the property for historic preservation. This will allow the Town to enter into a long term lease with this goal in mind. This would solidify the presence of the Hull Lifesaving Museum on this property for the long term and allow their organization to make much needed repairs to the building without cost to the Town. The Town has consistently recognized the deep connection of our rich lifesaving heritage that continues to this day. Voting Favorable action will further cement that commitment. (Unanimous)*

ARTICLE 25. To see if the Town will vote requiring that the Board of Selectmen seeks proposals for Town Counsel Services effective July 1, 2015 and that interested firms/applicants should meet or exceed proposal qualifications and be experienced in municipal law and related fields; adhere to standards of professional conduct and ethics and be committed to rendering sound legal advice with suitable objectivity and professional detachment. (Inserted on petition of Kenneth L. Kaplan and others)

Recommendation: Unfavorable Action on Article 25. *This Article is non-binding as the Town Charter clearly rests the Town Counsel employment decisions with the Board of Selectmen annually. No action of Town Meeting, save for a change to the Town Charter, can require the Board of Selectmen to seek proposals for Town Counsel services. (Unanimous)*

ARTICLE 26. To ask the Town of Hull to vote to raise or appropriate or transfer from available funds, the sum of \$3,000 to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents. (Inserted on petition of Denise Whitfield and others)

***Recommendation: No Action on Article 26.** The Town was previously notified by the Massachusetts Department of Revenue indicating that municipalities are not legally allowed to make grant payments to private entities. (Unanimous)*

And you are hereby directed to serve this Warrant by causing attested copies thereof to be posted at the main entrance to the Municipal Building and at least three other public places in said town thirty days at least before the time of holding said meeting, as directed by vote of the town.

Hereof fail not and make due return of this Warrant with your doings thereof to the Town Clerk at the time and place of meeting aforesaid. Given under our hands this 25th day of March 2014.

COMMONWEALTH OF MASSACHUSETTS

Plymouth ss

To any of the Constable of the Town of Hull in the County of Plymouth

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the Inhabitants of the Town of Hull qualified to vote on town affairs and elections to meet in the Auditorium of Hull High School situated at 180 Main Street in said Hull, on Monday, the fifth day of May next, 2014 at 8:00 o'clock in the evening, then and there to act upon the following articles, namely:

ARTICLE 1. To see if the Town will vote to appropriate and/or transfer from available funds to pay the following unpaid bills incurred prior to July 1, 2013:

Vendor	Amount	Department
Aquarion Water Co.	\$4,963.92	Townwide
Commonwealth of Mass.	\$ 250.00	Sewer Department
Billtrust	\$ 229.56	Treasurer/Collector

or take any other action relative thereto. (Inserted at the request of the Town Accountant)

Recommendation: Favorable Action on Article 1. *Primarily a housekeeping item, this Article provides for the payment of the three listed bills received this fiscal year but relating to the prior fiscal year. Town Meeting approval is required to make these expenditures. (Unanimous)*

ARTICLE 2. To see if the Town will vote to appropriate and/or transfer from available funds a sum of money to be added to the amounts voted for Veterans Benefits under Article 9 of the May 6, 2013 Annual Town Meeting, or take any other action relative thereto. (Inserted at the request of the Town Accountant)

Recommendation: Favorable Action on Article 2. *Due to the continuing increase in cases the Town incurred an additional \$32,000 over the \$425,000 appropriated in FY2014. The recommended appropriation for FY2015 is \$450,000. (Unanimous)*

ARTICLE 3. To see if the Town will appropriate a sum of money to pay the costs of repairing and maintaining the town's parking meters, or take any other action relative thereto. (Inserted at the request of the Town Accountant)

Recommendation: Favorable Action on Article 3. *This Article allows for the expenditure of \$5,000 from parking meter receipts for the repair and maintenance of parking meters in FY 2014 (Unanimous)*

**Advisory Board
Municipal Building
Hull, MA 02045**

**Presorted Standard
CRRT
US Postage Paid
Permit #17
Hull, MA 02045**

**Residential Customer
Hull, MA 02045**