

COMMONWEALTH OF MASSACHUSETTS

TOWN OF HULL, MASSACHUSETTS

Facsimile of the August 28, 2018

SPECIAL TOWN MEETING WARRANT

with

ADVISORY BOARD RECOMMENDATIONS



**Special Town Meeting
Tuesday, August 28, 2018 at 7:00 o'clock in the evening**

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

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.

REFER TO STUDY – This motion refers (commits) a matter to a committee for additional investigation and report or carry out substantive action.

THE ADVISORY BOARD:

D. Clinton, Chair

P. Cormier

G. Boylen

J. Polito, Vice Chair

J. Dennard

D. Sullivan

J. Frady, Clerk

R. Healey

R. Carney

P. Larsen



**TOWN OF HULL
Advisory Board**

253 Atlantic Avenue
Hull, Massachusetts 02045

781 925 2000

To the Citizens of Hull,

The focus of this Special Town Meeting (STM) is to amend the Animal Control By-law to allow dogs walking on the beach for specified times during the peak summer use. The sole reason this meeting was called is a direct result of a petition brought forth by a group of Hull citizens. The petitioner garnered the requisite number of signatures to add a Special Town Meeting at this time. Where two hundred signatures are required to be certified to compel the Select Board (Board of Selectmen) to call for this Special Town Meeting under state statute, the petitioner gathered approximately three hundred.

While this topic has been before town meeting in recent years, this article has some new language dealing with the time allowed for dog walking and how to pay for its implementation.

Sincerely,

David Clinton, Chairman
Jay Polito, Vice Chairman
Jason Frady, Clerk

Advisory Board Members:

Expire in 2019: Patricia Cormier, Robyn Healey, Jay Polito, George Boylen

Expire in 2020: Dan Sullivan, Jill Dennard, Robert Carney

Expire in 2021: David Clinton, Peter Larsen, Jason Frady, Vacant

TOWN of HULL MODERATOR'S MESSAGE

Welcome to the August 28, 2018 Hull Special Town Meeting. Our local issues deserve our attention. Voter participation in Town Meeting is vital to Hull's character. For more than 300 years, Hullonian's have been meeting to decide Town business. 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 forbearers fought many a battle for the right to be able to govern themselves. 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. 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 7:00 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, 2001 Ed.

John A. Silva, Moderator

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 Tuesday, the Twenty Eighth day of August, next 2018 at 7:00 o'clock in the evening, then and there to act upon the following articles, namely:

ARTICLE 1: To see if the Town of Hull will amend the code/bylaw of the Town of Hull Chapter 90 as follows: 90-3 paragraph 1 sub paragraph H by adding at the end of that sub-paragraph:

“Provided however, that residents of the Town of Hull who have licensed their dog with the Town of Hull as otherwise set forth in Chapter 90, and who have paid an annual fee of Fourteen (\$14.00) Dollars to the Town of Hull shall be issued a dog beach pass in a format that is determined by the Town Clerk of the Town of Hull and those residents shall be permitted to have their leashed dog on any such beach during the hours of 7:00pm to 8:00am during the months of June 1 to September 15. (Inserted on Petition of Chesley Oriel and others).

Recommendation: Unfavorable Action on Article 1: Majority: *The majority of the Advisory Board recommends unfavorable action on this article. Similar articles have been brought forward at Town Meeting in recent years and each time these efforts have been denied by the voters. While it is always possible that opinion is swayed with different approaches and the passage of time, this board feels uncomfortable with the use of Special Town Meeting statute. Also of concern is the enforceability of this article as written. The time and effort of the Animal Control Officer (ACO) and others to police the beach in order to determine those properly permitted is unrealistic and untenable. Additionally, a new and important development now exists on our beach. The threatened Piping Plovers have settled and established multiple successful pairs in recent years. They have had an exceptionally tough go of it this summer and need protection now more than ever. We join with Mass Audubon in their opinion that dogs on the beach, particularly during these otherwise quiet hours, are a clear and obvious danger to these fragile sea birds. Please join us in voting no on this article.*

Minority: The members of the Advisory Board that voted in favor of this article strongly agree with the proponents of this article that responsible dog owners should be allowed to walk their dogs on the beach during the hours specified in the article. This article will allow only licensed dogs that have paid the proposed fee access to the beach with the requirement that the dog be leashed. The manner of identifying licensed dogs is to be determined by the Town Clerk and Animal Control Officer (ACO). Enforcement of the article will be done by the ACO and seasonal police officers. It should be noted that the ACO stated, during a hearing on this article, to date, this year, he has received only 20 complaints regarding dogs on the beach. We believe that this demonstrates that the majority of dog owners are responsible and have obeyed current regulations. Increasing the number of responsible dog owners on the beach during the allowed time, we believe will set an example to others and discourage the irresponsible dog owners who do not leash or pick up after their pets. Unfortunately, whether this bylaw passes or not there will always be those dog owners who ignore the current bylaw and allow their dogs on the beach. Passage of this bylaw will allow responsible dog owners access to the beach during very limited hours therefore providing greater fairness and enjoyment of our great beach resources to all. The Board is encouraged with the actions of our new Animal Control Officer and increased patrols by seasonal officers helping this effort. (4-3)

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 fourteen 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 9th day of August, 2018.

BOARD OF SELECTMEN

Plymouth ss

Date: _____

By virtue of the above warrant, I have this day notified and warned as therein directed, the Inhabitants of the Town of Hull qualified to vote in elections and town affairs, to meet at the time and place for the purpose therein stated by posting in at least 5 public locations: Town Hall Main Lobby, Town of Hull Police Department, Hull Public Library, Town of Hull Post Office (Allerton), and Town of Hull Main Post Office.

Constable, Town of Hull

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

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

**Residential Customer
Hull, MA 02045**