

**WARRANT FOR THE  
MAY 6, 2019 ANNUAL TOWN MEETING  
AND  
MAY 20, 2019 ANNUAL TOWN ELECTION**

**COMMONWEALTH OF MASSACHUSETTS**

**Plymouth ss**

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

**A. WARRANT FOR THE  
MAY 6, 2019 ANNUAL TOWN MEETING**

[see below for warrant for annual election]

**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 sixth day of May next, 2019 at 7:00 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 the Board of Selectmen)

**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 non-tidal 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, or take any other action relative thereto.

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.

C) 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 the Board of Selectmen)

**ARTICLE 3:** 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)

**ARTICLE 4:** 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 the Board of Selectmen)

**ARTICLE 5:** 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 at the request of the Town Manager)

**ARTICLE 6:** 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 2020 for:

General Government  
Schools

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

**ARTICLE 6 (a):** 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)

**ARTICLE 6 (b):** 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)

**ARTICLE 6 (c):** To see if the Town will raise and appropriate or appropriate and transfer from available funds a sum of money to operate the Cable Television Public, Educational and Governmental Access Fund as a so-called enterprise account, or take any other action relative thereto. (Inserted at the request of the Town Manager)

**ARTICLE 7:** To see if the Town will raise and appropriate or appropriate and/or transfer from available funds a sum of money to pay unpaid bills incurred prior to July 1, 2018, or take any other action relative thereto.(Inserted at the request of the Town Manager)

**ARTICLE 8:** 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, 2019, as follows:

<u>Revolving Fund</u>	<u>Authorized to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY20 Spending Limit</u>	<u>Disposition of FY20 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	\$100,000	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	\$50,000	Balance available for expenditure

<u>Revolving Fund</u>	<u>Authorized to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY20 Spending Limit</u>	<u>Disposition of FY20 Fund Balance</u>
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	\$10,000	Balance available for expenditure
Parking Fund	Board of Selectmen	Sale of parking stickers, visitors stickers, visitor passes, and parking meters	Enforcement, signage, obtaining new parking areas and other parking related costs	\$100,000	Balance available for expenditure

<u>Revolving Fund</u>	<u>Authorized to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY20 Spending Limit</u>	<u>Disposition of FY20 Fund Balance</u>
Tax Title Legal Expenses	Treasurer/Collector	Legal fees charged to past due accounts	Tax Title legal services	\$15,000	Balance available for expenditure
Animal Control	Animal Control Officer	Fees and Fines Generated under Chapter 90	Animal Control Services	\$10,000	Balance available for expenditure
Library Fines	Library	Library Fines	Library Expenses	\$1,500	Balance available for expenditure

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

**ARTICLE 9A:** To see if the Town will vote to appropriate and/or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2020, with each item to be considered a separate appropriation:

From FY20 estimated revenues for Historic Resources Reserve	\$ 48,964 (10%)
From FY20 estimated revenues for Community Housing Reserve	\$ 48,964 (10%)
From FY20 estimated revenues for Open Space Reserves	\$ 48,964 (10%)
From FY20 estimated revenues for Committee Administrative Expenses	\$ 20,000

**ARTICLE 9B:** To see if the Town will vote to appropriate from the Community Preservation accounts in the amounts recommended by the Community Preservation Committee as follows:

- Appropriate **\$14,000** from the Community Preservation Community Housing Reserve to be used by the Hull Housing Authority for the purchase of an emergency power generator at McTighe Manor located at 6 Atlantic House Court;
- Appropriate **\$45,425** from the Community Preservation General Fund to a restricted Community Preservation Community Housing Reserve account for future applications;
- Appropriate **\$40,000** from the Community Preservation Historic Reserve and **\$60,000** from the Community Preservation General Fund (**total \$100,000**) to be used by the Town of Hull Historic Commission for the historic preservation and rehabilitation of the Fort Revere Water Tower at Farina Road;
- Appropriate **\$65,000** from the Community Preservation General Fund to be used by the Friends of Paragon Carousel to restore the exterior structure of the Paragon Carousel located at 205 Nantasket Avenue;



- e. Appropriate **\$70,000** from the Community Preservation General Fund to be used by the Hull Lifesaving Museum for the historic restoration of the south façade of the Windmill Point Boathouse located at 185 Main Street;
- f. Appropriate **\$13,900** from the Community Preservation Open Space Reserve to be used by the Hull Land Conservation Trust for the acquisition of property connected to the Weir River Woods located on Chatham Street at Map 47/Lot 194;
- g. Appropriate **\$26,100** from the Community Preservation Open Space Reserve and **\$93,900** from the Community Preservation General Fund (**total \$120,000**) to be used by the Town of Hull for the rehabilitation of the recreational area at the Kenberma Playground located on Nantasket Avenue at Map 28/Lot 025 and Map 51/Lot 030 (Inserted at the request of the Community Preservation Committee)

## **ARTICLE 10 – Section 90-15. Dangerous and Vicious Dogs**

### **(I) Impoundment.**

Any dog found running at large or in violation of this section shall be impounded by the Animal Control Officer and cannot be claimed until the provisions of the section are met. The impoundment fee is borne by the owner whether or not such dog is claimed. If such dog is not reclaimed within 7 days of such impoundment, the animal may be disposed of by adoption or euthanasia, dependent upon species and condition of the animal impounded, which determination shall be made by the Animal Control Officer.

### **Change to**

### **(I) Impoundment.**

Any dog found running at large or in violation of this section shall be impounded by the Animal Control Officer and cannot be claimed until the provisions of the section are met. The impoundment fee is borne by the owner whether or not such dog is claimed. **Disposition of dogs impounded and unclaimed shall be in accordance with the laws of the Commonwealth of Massachusetts.** The animal may be disposed of by adoption or euthanasia, dependent upon species and condition of the animal impounded, which determination shall be made by the Animal Control Officer. (Inserted at the request of the Animal Control Officer)

## **ARTICLE 11 - To see if the Town will amend:**

- A. Chapter 90 of the Code/Bylaws of the Town, Animal Control Laws, to comply with G.L. c. 140, section 173A, as amended by Chapter 219, Section 14 of the Acts of 2018, or any other applicable law, as follows:
  - i. Strike the existing language for fines, including that in 90-3L (nuisance), 90-7A. and 90-7B (violations and penalties), 90-8H (licenses and tags), 90-11.2 (unattended), 90-13C (dog waste), 90-13B (second section) (limit on dogs/cats), 90-15L (dangerous/vicious) and 90-16E (potentially dangerous), however the same may be listed or numbered.
  - ii. Amend Section 90-7 (Violations and Penalties) by striking its text and inserting the following language:

In addition to any other provision of this Chapter, the Animal Control Officer may bring a complaint, issue citations and or fines/penalties against the owner or keeper of a dog violating the provisions of this bylaw and/or by proceeding under the provisions of G.L. c. 140, section 173A or any other applicable law. In accordance with G.L. c. 140, section 173A as amended by Chapter 219, Section 14 of the Acts of 2018, the schedule of fines/penalties shall be: for the first offense committed by a person, \$50; for a second offense, \$100.; for a third offense, \$300; for a fourth or subsequent offense, \$500. The municipality may order the animal spayed or neutered. Payment shall be made only by money order or check.

- B. Amend Chapter 1 of the Code/Bylaws of the Town, Non-Criminal Disposition, as may be necessary to be in compliance and consistent with Chapter 90 of the Code/Bylaws of the Town (Animal Control Laws) and to set penalties for same. Or take any other action relative thereto. (Inserted at the request of the Animal Control Officer)

**ARTICLE 12** - To see if the Town will vote to approve an expenditure from available funds, including School Department revolving account funds, of an amount of money to be expended under the direction of the School Building Committee for a Repair Project Feasibility Study for the Memorial Middle School, 81 Central Avenue, Hull, Massachusetts, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, or take any other action relative thereto. (Inserted by the Board of Selectmen)

**ARTICLE 13** – To see if the Town will amend the Hull Zoning Bylaw by adding in Article 1 a new section as follows:

**Section 6 – Interpretative Guidance-**

In interpreting the intent and meaning of this bylaw, the appropriate Town representative or board, committee or commission may consider and use the intent, terms and meaning of the Massachusetts State Building Code or other relevant codes, or take any other action relative thereto. (Inserted at the request of Town Counsel.)

**ARTICLE 14** – To see if the Town will amend the Zoning By-law Section 22, Meaning of Words, 22-1 Home Occupation; and Section 31, 31-1d Permitted Uses for Single-Family Residence Districts A, B and C; (~~strike-out to be removed~~ / *underlined and italicized* represents language to be incorporated):

- 22-1. **Home Occupation:** An occupation conducted in a dwelling unit by persons residing therein and involving no change in the customary external appearance of the premises or other visible evidence of the conduct of such home occupation other than one announcement sign as provided in Paragraph 70-2a of this zoning bylaw. In connection with the conduct of such activity only customary home or hobby-type equipment shall be used and the sale of any articles shall be limited to those produced on the premises.  
*Parking of two motor vehicles associated with a home occupation is permitted, contingent upon compliance with the provisions of section 52-6 of this bylaw.*

- 31-1.d. Accessory uses customarily incidental to a permitted main use on the same premises, including the use of a room or rooms for customary home occupations conducted by

resident occupants, and involving no change in the customary external appearance of the premises or other visible evidence of the conduct of such home occupation other than one announcement sign as provided in Paragraph 70-2.a, and provided that (a) such office or studio is open to clients by appointment only, (b) no more than two (2) other persons are regularly employed on the premises in connection with such use (c) material, equipment, or products shall not be visible from the street, and (d) the sale of any articles is limited to those produced on the premises and related to the permitted home occupation, and (e) no home occupation activity shall result in offsite dust, electrical interference, fumes, gas, glare, light, noise, odor, smoke, toxic or hazardous materials, vibration or other hazards or nuisances. Said customary home occupations include, but are not limited to the following: Professional office or studio of a resident physician, dentist, attorney, architect, contractor, accountant, artist, engineer, real-estate or insurance broker, art dealer, interior decorator, appraiser, or member of another recognized profession. Parking of two motor vehicles associated with a home occupation is permitted, contingent upon compliance with the provisions of section 52-6 of this bylaw.

Or take any other action relative thereto. (Inserted at the request of the Planning Board)

**ARTICLE 15** – To see if the Town will vote to accept the provision of M.G.L. Chapter 32, section 103(j) inserted by section 19 of Chapter 188 of the Acts of 2010 to increase the maximum base amount on which the COLA adjustment is calculated from \$13,000.00 annually up to \$14,000.00 annually. (Inserted at the request of the Hull Contributory Retirement Board)

**ARTICLE 16** – To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise the property or an interest therein or a portion thereof, abutting easterly from the properties located at Assessors Parcels 21-006 (133 Beach Avenue); 21-007 (137 Beach Avenue); 21-008 (139 Beach Avenue); 19-163 (141 Beach Avenue); 19-164 (143 Beach Avenue) for general municipal purposes, and for all purposes and uses accessory thereto, including but not limited to construct, repair, maintain and improve a road, utilities, dune, and infrastructure system, to protect persons and property, to enable and facilitate public and municipal access to and use of the beach; and to accomplish same raise and appropriate and/or appropriate and/or transfer from available funds or borrow a sum of money; and to authorize the Town Manager to apply for and accept grants and gifts to accomplish said projects and purposes; and to authorize the Town to enter into agreements for said projects and purposes., or take any other action relative thereto. Nothing contained in this article or any action thereunder shall be construed to indicate that the Town does not already own or have sufficient interests in the property. Any action taken under this article is intended to remove any clouds on the Town's rights and/or to establish and affirm the Town's rights. (Inserted at the request of the Town Manager)

**ARTICLE 17** – To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise an easement in the property located at 17 T Street, for general municipal purposes and for all purposes and uses accessory thereto, including but not limited to the purpose of installing and maintaining a utility pole and to accomplish same raise and appropriate and/or appropriate and/or transfer from available funds or borrow a sum of money; and to authorize and/or reaffirm the authorization of the Town and/or Town Manager to apply for and accept grants and gifts to accomplish said projects and purposes; and to authorize the Town to enter into agreements for said projects and purposes. Any prior easement granted to the Town is hereby ratified, confirmed and adopted, or take any other action relative thereto. (Inserted at the request of the Town Counsel)



**ARTICLE 18** – To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise in the following property or rights or interests therein or a portion thereof, including fee title, permanent easement and/or temporary easement interests, and the street abutting said property, to wit: Atlantic Avenue and the property abutting Atlantic Avenue over the entire length of Atlantic Avenue and such other property or interests required, for general municipal purposes and for all purposes and uses accessory thereto, including but not limited to construct, re-construct, repair, maintain and improve roads, streets, highways, ways, sidewalks, other improvements, utilities, and infrastructure systems, or the like, to protect the public and for the convenience of persons and property and safe and convenient travel, under the Atlantic Avenue Rehabilitation Project construction and roadways safety improvements project or other projects; and to accomplish same raise and appropriate and/or appropriate and/or transfer from available funds or borrow a sum of money; and to authorize and/or reaffirm the authorization of the Town and/or Town Manager to apply for and accept grants and gifts to accomplish said projects and purposes; and to authorize the Town to enter into agreements for said projects and purposes; and further as part of said project to lay out, relocate or alter town or private ways and/or abandon and/or discontinue the same as may be necessary for said project. , or take any other action relative thereto. (Inserted at the request of the Town Manager)

**ARTICLE 19** - To see if the Town will lay out, relocate or alter and/or abandon and/or discontinue a portion of Cadish Avenue and V Street from the approximate intersection of Cadish Avenue and V Street, running to Nantasket Avenue through the parcel shown as Assessors Map 12, Lot 106; and to authorize Board of Selectmen to sell, transfer, grant an easement, convey or grant use of all or a portion of the Town's right, title and interest in same to such parties as approved by the Board of Selectmen, under such terms and conditions as the Board of Selectmen may deem prudent and beneficial to the Town; and further authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise the following property or rights or interests therein or a portion thereof, to wit: the bay/beach parcel shown as Assessors Map 12, Lot 110, at the approximate intersection of Nantasket Avenue and Fitzpatrick Way, for general municipal purposes and for all purposes and uses accessory thereto, including but not limited bay/beach, recreation and parking purposes, or take any other action relative thereto. (Inserted at the request of the Town Manager)

**ARTICLE 20** – To see if the Town will appropriate the sum of money to pay the costs of purchasing departmental equipment, including the payments 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 by the Board of Selectmen)

**ARTICLE 21** – To see if the Town will vote to appropriate a sum of \$5,600,000 for sewer and wastewater system improvements including planning, engineering costs, construction and all other costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Clean Water Trust or otherwise; or to take any other action relative thereto. (Inserted at the request of the Permanent Sewer Commission)

**ARTICLE 22** - To see if the Town will vote to appropriate the sum of \$1,000,000, received in insurance proceeds for the February 2013 storm damage to the Wastewater Treatment Facility to restore and/or replace the damaged property per the provisions of Massachusetts General Laws Chapter 44, Section 53, or take any other action relative thereto. (Inserted at the request of the Permanent Sewer Commission)

**ARTICLE 23** - To see if the Town will appropriate a sum of money to pay the costs of the Initial Site Assessment and Comprehensive Site Assessment related to the capping and closure of the Hull Landfill, including the payments 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 by the Board of Selectmen)

**ARTICLE 24** - To see if the Town will amend Chapter 83, of the Code/Bylaws of the Town of Hull, Conservation Bylaw, as follows:

**Strike the existing language which reads as follows:**

## **CHAPTER 83**

### **CONSERVATION BYLAW**

- Section 1. Any person or entity to whom an Enforcement Order has been issued by or on behalf of the Conservation Commission shall comply with same. Any person or entity who fails to comply to the terms of an Enforcement Order issued by or on behalf of the Conservation Commission by the date specified within the order shall be in violation of this bylaw and shall be subject to a fine of \$50.00 per day for each violation, provided, however, that the issuance of the Enforcement Order has been ratified by the Hull Conservation Commission if it has been issued on its behalf. Each day of non-compliance shall constitute a violation.
- Section 2. These regulations shall be administrated and enforced by the Hull Conservation Commission and/or the Conservation Agent/Administrator.
- Section 3. Fines imposed may be assessed in accordance with the non-criminal section of the Town of Hull Code/Bylaw or by complaint to the appropriate court.
- Section 4. Fines collected shall be deposited to the Conservation Fund 81, Trust and Investment Account.
- Section 5. Nothing in this section shall prevent any person or entity from exercising his or her right of appeal.

And insert in its place the following:

## **CHAPTER 83**

### **CONSERVATION BYLAW**

#### **Section 1. Purpose**

- A. The purpose of this bylaw is to make the public more aware of the Wetlands Protection Act, G.L. c. 131, § 40 and of the role of the Conservation Commission in protecting wetlands as defined in the Wetlands Protection Act.
- B. This bylaw seeks to protect wetlands by furthering the purpose embodied in the Wetlands Protection Act and regulations promulgated thereunder.

Section 2. General Provisions: Subjected to G.L. c. 131 § 40 and in accordance with applicable regulation and provisions, no person shall remove, fill, dredge, build upon, discharge onto or otherwise or alter any bank, freshwater wetland, coastal wetland, marsh, bog, wet meadow, swamp, vernal pool, creek, river, stream, pond or any land under said waters, or any land subject to tidal action, coastal storm flowage, flooding or inundation, or riverfront area, or any buffer zone other than in the course of maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and

other telecommunication services without first filing in accordance with G.L. c. 131 § 40 and applicable regulations and provisions either a request for a determination of applicability or a notice of intent to so remove, fill, dredge, build upon, discharge, or otherwise alter, including such plans as may be necessary to fully describe such proposed activity and its effect on the environment and without receiving and complying with a permit issued by the Conservation Commission. Said request for determination of applicability or notice of intent shall be sent by certified mail or hand delivered to the Conservation Commission. Each such notice of intent or request for a determination of applicability shall be accompanied by a filing fee to be established by the Conservation Commission in agreement with a fee schedule in accordance by 310CMR 4.08(n) unless amended and adopted by the Conservation Commission pursuant to G.L. c. 40, § 22F or other lawful authority, payable to the Town of Hull. The fee amounts for each category or project shall be listed in the "Hull Wetlands Bylaw Filing Fee Schedule", as amended, and as adopted pursuant to Section 4 of this Bylaw. Copies shall be available at the Conservation Office. The fee schedule shall apply and shall be used to calculate all fees (exclusive of design review fees by expert engineers and consultants) and shall be paid at the time that an application or other request for Commission approval is filed with the Commission.

Section 3. The Commission shall consist of not less than five nor more than seven members in accordance with The Wetlands Protection Act Regulations (310 CMR 10.05(2)). A particular action (except receipt of a request or notice) is to be taken by the Conservation Commission pursuant to G.L. c. 131, § 40, that action is to be taken by more than half the members present at a meeting of at least a quorum. A quorum is defined as a majority of the members then in office.

Section 4. Adoption of regulations and fee schedule.

- A. After public notice and public hearing, the Commission shall promulgate rules, regulations, performance standards, design specifications and policy guidelines to accomplish the purposes of this chapter. These regulations shall be consistent with the terms of this chapter. The Commission may amend the rules and regulations after public notice and public hearing. To the extent permitted by law, the Commission may adopt fees/charges schedule pursuant to G.L. c. 40, section 22F or any lawful authority.

Section 5. Enforcement

- A. Any person or entity to whom an Enforcement Order has been issued by or on behalf of the Conservation Commission shall comply with same. Any person or entity who fails to comply to the terms of an Enforcement Order issued by or on behalf of the Conservation Commission by the date specified within the order shall be in violation of this bylaw and shall be subject to a fine of \$50.00 per day for each violation, provided, however, that the issuance of the Enforcement Order has been ratified by the Hull Conservation Commission if it has been issued on its behalf. Each day of non-compliance shall constitute a violation.
- B. These regulations shall be administrated and enforced by the Hull Conservation Commission and/or the Conservation Agent/Administrator.
- C. Fines imposed may be assessed in accordance with the non-criminal section of the Town of Hull Code/Bylaw or by complaint to the appropriate court.
- D. Fines collected shall be deposited to the Conservation Fund 81, Trust and Investment Account.
- E. Nothing in this section shall prevent any person or entity from exercising his or her right of appeal or the Town from seeking enforcement through any lawful means

or take any other action relative there to. (Inserted at the request of the Conservation Administrator)

**ARTICLE 25** - To see if the Town will amend Chapter 46 of the Code/Bylaws of the Town, being The Classification and Salary Plan, so called, by:

- A. Striking in Section 46.3.7 part C, which reads "C. Fire Chief, in one (1) rate step, being the ratio of 2.0 of step 3 of F.1. (4/8/85)" and insert in its place the following:  
"C. Fire Chief and Deputy Fire Chief shall receive salary adjustments from their salary in effect as of July 1, 2020 at the same time and in the same manner as other employees of the general government not covered by collective bargaining agreements, namely they shall receive a cost of living adjustment each year, subject to approval of the Annual Town Meeting, equal to a weighted average of the cost of living adjustments received for the preceding year by employees covered by Collective Bargaining agreements negotiated and signed by the Board of Selectmen, or take any other action relative thereto. (Inserted at the request of the Town Manager)

**ARTICLE 26** – To see if the Town will station a second ambulance and staff at the Hull Village Fire Station during the hour of 8AM to 6PM. Funding for this will be taken from a revolving account that will be established from revenues collected from its use or take any action there to. (Inserted at the request of Randall P. Gould and others)

**ARTICLE 27** – To see if the Town will accept and enact the recommendations of the 1991 Railroad Bed Right of Way Study Committee or take any action there to. (Inserted at the request of Randall P. Gould and others)

**ARTICLE 28** – To see if the Town of Hull will:

- A. raise, appropriate and/or transfer from General Funds, free cash, or any appropriate funding that requires not greater than a majority vote at town meeting, a sum of money, not to exceed \$40,000, to retain an independent, qualified educational consulting firm ("the consulting firm" to conduct a Best Use of Educational Facilities Study of the Hull Public School District; and
- B. direct the Board of Selectmen (Select Board) to form a Committee to draft a Request for Pricing (RFP) for such Best Use of Educational Facilities Study, which RFP should require the Study to include the following:
  - (a) a long-range (through 2025) enrollment forecast,
  - (b) a survey of existing buildings used to calculate the district's capacities in relation to the planned educational program,
  - (c) a recommendation for consolidation versus non-consolidation of buildings, that includes a cost analysis of the options, and
  - (d) a recommendation for an appropriate timeline for consolidation, if consolidation is recommended, and
  - (e) Best Use of Educational Facilities Study to be completed no later than March 31, 2020; and
- C. direct the Selectmen (Select Board) to appoint a Committee composed of one member of the Board of Selectmen (Select Board), one member of the School Committee, and three citizens at large to review the responses to the RFP and make the final selection of the consulting firm no later than November 1, 2019 and to regularly monitor the progress of the study. (Inserted at the request of Robin C. Hull and others)



## **ARTICLE 29 –**

WHEREAS: Hull is already feeling the negative impacts of climate change and rising temperatures in increased public health concerns, stress on local fisheries, more intense and frequent storms, rising sea level and increased risk of flooding and resulting rise in flood insurance premiums; and

WHEREAS: Hull is significantly reliant on energy that comes from fossil fuels that pollute our air and water and alter our climate; and

WHEREAS: A Massachusetts coalition of leading environmental and community development organizations, clean energy businesses, faith groups, and neighborhood health and safety advocates has called upon Hull to support its platform to accelerate the transition to 100% clean, renewable energy by reducing dependence on fossil fuels; and

WHEREAS: The Oct. 2018 Special Report on Global Warming of 1.5° C from the United Nations Intergovernmental Panel on Climate Change (IPCC), the Nov. 2018 Summary Findings of the federal U.S. Fourth National Climate Assessment and the June 2016 Coastal Climate Change Vulnerability Assessment and Adaptation Study, Hull, MA, combined show that the faster we reduce carbon dioxide emissions, the greater chance we have to reduce the effects of worsening climate disasters and irreversible environmental changes including loss of land, homes and businesses from sea level rise and flooding in Hull; and

WHEREAS: The Hull Municipal Light Company is working to reduce Hull's carbon emissions and to promote clean energy, including operating two wind turbines that provide 11% of Hull's electricity, buying another 7% of Hull's electricity from renewable sources, establishing a Net Energy Metering policy for solar panels on privately owned buildings, and converting to LED streetlights; and

WHEREAS: The community of Hull can source 100% of its energy from clean, renewable sources by harnessing its abundant solar and wind resources, and taking advantage of innovations in energy efficiency, green transportation, and energy storage; and

WHEREAS: The transition to 100% renewable energy will enhance real estate values and promote economic growth in Hull, and facilitate local control and ownership over energy options; now therefore be it

RESOLVED: That the Town of Hull will establish a 100% renewable energy climate action committee to develop and make publicly available an operational plan on how to achieve the goal of using 100% clean and renewable energy by 2030 for all public, residential, and commercial energy uses in Hull, including heating and transportation, and report quarterly to the Selectboard on its progress; and be it

ORDERED: That the Town Manager will report to each annual Town Meeting on progress made on this matter. (Inserted at the request of Judeth Van Hamm and others)

## **ARTICLE 30 - REDUCTION OF SINGLE USE PLASTIC BAGS IN HULL**

To see if the Town of Hull will vote to amend the General Bylaws by adopting a bylaw entitled "Reduction of Single-Use Plastic Bags" as follows:

### **SECTION 1 – FINDINGS AND INTENT**

FINDINGS: The production and use of thin film single use plastic checkout bags have significant impacts on the environment, including, but not limited to: contributing to the potential death of marine animals through ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for



their manufacture. The purpose of this Ordinance is to eliminate the usage of thin-film single-use plastic bags by all retail establishments in the Town of Hull. Currently over 80 Massachusetts cities and towns, including Plymouth, Duxbury, Marshfield, Bridgewater, and much of Cape Cod have passed plastic bag bans, and more have bylaws pending.

INTENT: The Town of Hull hereby enacts this bylaw to help reduce the deterioration of the environment and the ensuing potential health risks by eliminating the use of the thin plastic carryout bags at the point of sale and promoting the use of reusable bags.

## SECTION 2 – DEFINITIONS

**PLASTIC CARRYOUT BAG:** A plastic carryout bag is a thin film plastic bag with handles provided to a customer by an establishment and used to transport merchandise from the establishment. Plastic carryout bags do not include those plastic bags typically without handles used to contain dry cleaning, newspapers, or small bags used to contain fish, meat, produce or other products provided to the consumer, free of charge, to deliver the items to the point of sale.

**REUSABLE CARRYOUT BAG:** A bag with stitched on handles that is made solely of or in a combination of natural cloths, synthetic fibers, or other washable material and is specifically designed for multiple reuse. These bags are generally sold to the customer for a reasonable cost.

**RECYCLABLE PAPER BAG:** A paper bag that is 100% recyclable and contains at least 40% post-consumer recycled paper content and is provided free of charge to the customer.

**ESTABLISHMENT:** Any establishment includes businesses selling or distributing food, goods, articles, or personal services to the public.

**SECTION 3 – PLASTIC CARRYOUT BAG PROHIBITION** No establishment in the town of Hull, as defined in Section 2, shall provide plastic carryout bags, as defined in Section 2. Establishments in the town of Hull, as defined in Section 2, shall only provide reusable carryout bags that comply with the definition in Section 2, or recyclable paper bags, as defined in Section 2, at the point of sale.

**SECTION 4 – ENFORCEMENT:** All of the requirements set forth in this bylaw shall take effect on January 1, 2020. However, if a retail establishment cannot comply with the effective date of this bylaw due to economic hardship, the establishment may petition the Board of Health for an extension of six months. This Bylaw may be enforced by any agent of the Board of Health by:

1. Inspection and investigation
2. The issuance of violation notices and administrative orders
3. Civil court actions

Whoever, himself or by his servant or agent or as the servant or agent of any other person or firm or corporation, violates any of the provisions of these regulations, may be penalized by a non-criminal disposition process as provided in M.G.L. c. 40, 21D. Each day of violation after written notice, is a separate violation.

The following penalties shall apply:

1. First Offense – Written Warning
2. Second Offense - \$50 Fine
3. Third Offense - \$100 Fine
4. Subsequent Offenses - \$200 Fine

**SECTION 5 – SEVERABILITY** If any provision of this bylaw shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this bylaw, which shall remain in full force and effect.

(Inserted at the request of Jason Frady and others)

**B. Warrant for Annual Town Election**

**[See above for warrant for Annual Town Meeting]**


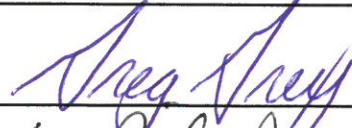
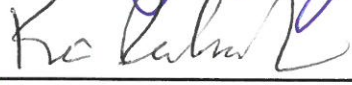
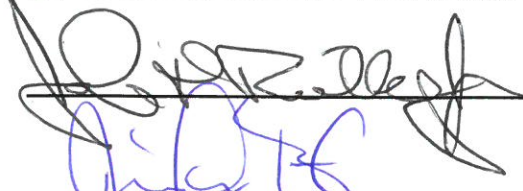

You are hereby directed to serve this Warrant(s) by causing attested copies thereof to be posted in the hallway at the main entrance to the Municipal Building and at least three other public places in said town thirty days at least before the time of holding said meeting, as directed by vote of the town.

And you are further directed to notify and warn the Inhabitants of the Town of Hull qualified to vote on Town affairs and elections to meet at the Memorial Middle School, situated at 81 Central Avenue in said Hull, on Monday, the Twentieth (20<sup>th</sup>) day of May next, 2019 at 7:00 a.m. to 8:00 p.m., and then there to give in their votes on the official ballot for:

- Two Members of the Board of Selectmen to serve for the term of three years.
- One Member of the Board of Assessors to serve for the term of three years.
- Town Clerk to serve for the term of three years
- Moderator to serve for the term of three years
- Two Members of the Municipal Light Board to serve for the term of three years
- One Member of the Planning Board to serve for the term of five years.
- A Member of the Redevelopment Authority to serve for the term of five years.
- Two Members of the School Committee to serve for the term of three years
- Two Trustees of the Public Library to serve for the term of three years.
- One Trustee of the Public Library to serve for the term of one year.
- One Member of the Hull Housing Authority to serve for the term of five years.

Hereof fail not and make due return of this Warrant(s) with your doings thereof to the Town Clerk at the time and place of meeting aforesaid.

Given under our hands this 21<sup>st</sup> day of March, 2019.

  
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**BOARD OF SELECTMEN**

Plymouth, ss

Date: March 28, 2019

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.

  
Constable, Town of Hull