

COMMONWEALTH OF MASSACHUSETTS

TOWN OF HULL, MASSACHUSETTS

THIS MAILING CONTAINS IMPORTANT INFORMATION REGARDING:

- 1. THE 2020 ANNUAL TOWN MEETING (NOW BEING RECESSED AND CONTINUED TO SATURDAY, JUNE 13, 2020 AT 3:00 P.M.)***
- 2. NOTICE OF CHANGE OF DATE FOR ANNUAL TOWN ELECTION AND CHANGE IN POLLING LOCATION FOR HULL ELECTIONS, NOW TO BE HULL HIGH SCHOOL ON JUNE 23, 2020, AND OTHER INFORMATION REGARDING VOTING***
- 3. A FACSIMILE OF THE ANNUAL TOWN MEETING WARRANT WITH THE RECOMMENDATIONS OF THE ADVISORY BOARD***



**Annual Town Meeting
Saturday, June 13, 2020 at 3:00 o'clock in the afternoon**

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

***PLEASE BRING THIS DOCUMENT WITH YOU
TO TOWN MEETING.***

TOWN OF HULL
MODERATOR'S MESSAGE

MODERATOR'S RENEWED DECLARATION OF
RECESS AND CONTINUANCE OF THE
June 1, 2020 ANNUAL TOWN MEETING

In accordance with the authority granted to me as Moderator of the Town of Hull under G.L. c. 39, section 10A, as amended by Sections 2, 3 and 4 of c. 53 of the Acts of 2020, after consultation with the appropriate Town public safety or public health officials and the Board of Selectmen, I issue this Renewed Declaration of Recess and Continuance of the Annual Town Meeting originally scheduled for Monday, May 4, 2020 and previously recessed and continued to Monday, 7:00 p.m., June 1, 2020, at Hull High School, 180 Main Street, Hull, MA **to Saturday, June 13, 2020, 3:00 p.m.**, at the Hull High School, 180 Main Street, Hull, MA.

This recess and continuance is necessary due to the public health emergency declared by the President of the United States, the Governor of the Commonwealth of Massachusetts and the Hull Board of Selectmen arising from the Covid-19 pandemic, so that the protocols called for to protect the public can best be observed. This action is in the best interest of the public as well as all employees and officials of the Town.

In accordance with said law, I further direct that this Notice of Declaration be posted by a Constable in the same manner as notices for Town Meetings are posted.

Please note that due to the on-going health emergency it may be necessary to further recess and continue the Annual Town Meeting. In the event that becomes necessary, a further Declaration of Recess and continuance will be issued, and the public notified. The Public is advised to check with the Town's website **<https://www.town.hull.ma.us>**, cable television and other news outlets as to any further changes to the Annual Town Meeting.

This Notice of Declaration is made and announced on May 19, 2020 at 10 AM.

Questions regarding the recessing and continuance of the Annual Town Meeting can be directed to the Town Clerk's Office, 781-925-2262, lwest@town.hull.ma.us or to the Town Moderator at gboylan@town.hull.ma.us

s/s *George Boylen, Hull Town Moderator*
George Boylen
Hull Town Moderator

TOWN OF HULL MODERATOR'S MESSAGE

The last few months have been challenging for us all as we go about our daily life in a manner that none of us could have envisioned at the end of 2019. The coronavirus has changed how we approach many things and that will also be true for our annual town meeting now scheduled for Saturday June 13, 2020 at the Hull High School field beginning at 3 PM, with a rain date for June 14th. Holding Town Meeting at the field was not an easy decision to reach. Maintaining appropriate social distancing and sanitation protocols was a major factor during the deliberations on how and where to hold Town Meeting. With proper social distancing applied, we can fit only 26 people in the auditorium, 67 in the gym and 29 in the cafeteria. A grand total of 122 people. That may be all who plan to attend but we are obligated to plan for more to ensure that anyone who wants to attend can do so and be in a safe environment.

Considering all these factors we decided to utilize the high school field as the best solution for ensuring proper social distancing.

If you are a registered voter in Hull, I urge you to attend Town Meeting and make your voice heard as we gather to decide the future direction of the Town of Hull.

The warrant you have received describes the Articles that will be discussed and voted on at town meeting. The actual vote will be on the motion presented and not necessarily on the warrant article as written. However, the motion must basically adhere to the scope presented in the warrant or it will be ruled out of order.

One of the major items considered at each year's Town Meeting is the annual budget and Town Meeting has the right to propose changes to the budget and any warrant article by offering amendments to any motion presented. The budget and other warrant articles presented to you for consideration go through a detailed process before being presented for your consideration. Here's a brief explanation of what happens before Town Meeting: Beginning in the fall, Department heads in both the School Department and Town Hall submit their preliminary budgetary and other requests to the School Superintendent and the Town Manager. These professionals spend months reviewing, revising and inevitably reducing the requests. They are then presented to the elected School Committee and the elected Board of Selectmen for another close review and revision. These budgets are then forwarded to the Advisory Board, a group of volunteers (appointed by avote of the Chairman of the Board of Selectmen, the Town Moderator, and Chairman of the Advisory Board),who then spend two to three months reviewing the budgets department by department. The Town Manager, the School Superintendent, the School Committee, and each department head appears before the Advisory Board to once again, explain and justify their budget requests. Things like zoning changes and Community Preservation Committee requests etc., also come before the Advisory Board. Finally, the Advisory Board votes on each warrant article and makes a recommendation for your consideration at town meeting. Much of this process this year was done via video conferencing, but the same level of review has taken place.

The rules at town meeting are relatively straightforward and are geared to providing each of you the opportunity to speak and vote on each of the motions presented at town meeting. The detailed procedure for running Town Meeting can be found in *Town Meeting Times* and a link to a Citizens Guide to Town Meeting can be found at the following link:

https://www.town.hull.ma.us/sites/hullma/files/uploads/citizens_guide_to_town_meeting.pdf

I will briefly explain the rules at the beginning of town meeting. I hope you will all take the opportunity to review the Warrant prior to Town Meeting and join me at the Annual Town Meeting at the high school field at 3 PM on June 13, 2020.

George Boylen
Town Moderator

**LEGAL NOTICE
OF
CHANGE OF VOTING LOCATION**

Please be advised in accordance with MGL, Ch. 54, Section 24, and any other applicable law that the Town of Hull Board of Selectmen voted unanimously at a meeting on May 13, 2020 to change the Town of Hull Election polling location. Massachusetts General Laws Chapter 54, Section 24 requires that the Board of Selectmen shall give notice by mail to each resident of one or more registered voters whose polling place is changed.

YOU ARE HEREBY NOTIFIED THAT THE TOWN OF HULL POLLING LOCATION FOR ALL PRECINCTS HAS BEEN CHANGED FROM THE MEMORIAL MIDDLE SCHOOL, 81 CENTRAL AVENUE TO:

**HULL HIGH SCHOOL
180 MAIN STREET
HULL, MA 02045**

The change is effective immediately and remains in effect until further notice.

IMPORTANT ANNUAL TOWN ELECTION INFORMATION

**TUESDAY, JUNE 23, 2020
HOURS: TO BE DETERMINED
HULL HIGH SCHOOL
180 MAIN STREET**

In accordance with c. 45 of the Acts of 2020, Notice is hereby given that the Board of Selectmen have voted to change the date of the Monday, May 18, 2020 Annual Town Election to Tuesday, June 23, 2020.

Due to the COVID-19 pandemic, as an alternative method to voting in person and to reduce social gatherings at the polls, provisions have been made statewide for local elections to allow Early Voting by MAIL (ELIGIBLE TO ALL VOTERS).

In order to receive an Early Vote by Mail Ballot Application, please go to the town website at www.town.hull.ma.us . click Departments; Town Clerk; 2020 Early Voting Application; complete and sign application, print, and return by email or return by US Mail to the Town Clerk's Office, 253 Atlantic Avenue, Hull, MA 02045.

You may also request an application from the Town Clerk, at lwest@town.hull.ma.us or phone the office at 781-925-2262.

Questions regarding the Annual Town Election can be directed to the Town Clerk's Office, 781-925-2262.

s/s *Domenico Sestito*

Domenico Sestito
Chairman, Board of Selectmen

s/s *Lori West*

Lori West
Town Clerk

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
M. Mitchell

J. Polito, Vice Chair
R. Healey
D. Sullivan

J. Frady, Clerk
S. Kiley
C. Wolfe

R. Carney
P. Larsen



**TOWN OF HULL
Advisory Board**

253 Atlantic Avenue
Hull, Massachusetts 02045

781-925 2000

To the Citizens of Hull,

This Warrant contains a Projected Revenue and Expenditure Summary for the fiscal year ending June 30, 2021. This summary reflects a balanced budget achieved by diligent work of all Town departments. This enables the Town to maintain services. As has been mentioned in previous years, we look for all Town departments to work within a tight budget and manage accordingly. This year poses additional challenges as our Town Manager has had to revise and reduce his initial budget due to expected significant revenue reductions caused by the pandemic. All departments have been asked to and did meet this revision resulting in lower departmental increases - a 1.5% increase rather than the original planned 2.5% increase.

FY21 will be the Seventh year that Memorial School debt will be paid without using the Stabilization Fund. Though our goal was to increase the Stabilization Fund for the upcoming year, this budget does not appropriate funding to the Stabilization Fund due to the Covid-19 Pandemic. Although an article had been inserted in the original warrant to add to the Stabilization Fund, it will be moved "No Action" in light of the decreased revenue expectations.

In spite of budgetary adjustments, Town Meeting will be asked to authorize additional bonding articles. One article will authorize \$9.5MM for Wastewater Treatment Plant improvements. A second article will authorize \$350K for replacement of hydrants throughout the town. This will be the second year that the Community Preservation Committee presents projects for appropriation of funds derived via the Community Preservation Act adopted by the Town. Please review these petitions and read through the Advisory Board recommendations to assist in your understanding.

There are no citizen's petition articles to consider this year.

The balance of the articles is submitted by the Town for action and we encourage each member of Town Meeting to review these articles and come prepared for the discussion and votes.

The Advisory Board would like to acknowledge and express our gratitude for the assistance and support of the Town Manager Phil Lemnios, Town Accountant Mike Buckley, Town Counsel James Lampke, Town Clerk Lori West, Kasey Lombardo, and Town Manager Administrative Assistant Nancy Allen. Their support allows the Advisory Board to represent and serve the citizens of the Town of Hull at the highest level.

The Advisory Board further acknowledges the work of all department heads, the Board of Selectmen, the School Superintendent and the School Committee, Capital Outlay Committee, Community Preservation Committee, Planning Board, and the numerous other Town Boards and Commissions with which the Advisory Board has worked. The collaboration of all town

departments, boards, committees and employees serves the Town of Hull well. We are immensely proud of their dedication.

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

Sincerely,

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

Advisory Board Members:

Expire in 2020: Dan Sullivan, Robert Carney, M. Mitchell

Expire in 2021: Stephen Kiley, David Clinton, Peter Larsen, Jason Frady

Expire in 2022: Patricia Cormier, Robyn Healey, Jay Polito, Chad Wolfe

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 fourth day of May next, 2020 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)

RECOMMENDATION ON ARTICLE 1: FAVORABLE ACTION: *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 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.

RECOMMENDATION ON ARTICLE 2A: FAVORABLE ACTION: *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)*

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.

RECOMMENDATION ON ARTICLE 2B: FAVORABLE ACTION: *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)*

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)

RECOMMENDATION ON ARTICLE 2C: FAVORABLE ACTION: *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 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 ON ARTICLE 3: FAVORABLE ACTION: *This is an annual housekeeping article which enables the Treasure to gain services or benefits from banking institutions with which we have funds on deposit. (Unanimous)*

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)

RECOMMENDATION ON ARTICLE 4: FAVORABLE ACTION: *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 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)

RECOMMENDATION ON ARTICLE 5: FAVORABLE ACTION: *This is an annual housekeeping article that provides compensation for the above mentioned Town Officers. (Unanimous)*

Salaries are set as follows:

Selectmen	\$3000.000 Chair
	\$2500.00 Members
Moderator	\$420.00
Town Clerk	\$26,000.00
Assessors	\$400.00
Municipal Light Board	\$600.00 Chair
	\$450.00 Members

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 2021 for:

General Government
Schools

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

RECOMMENDATION ON ARTICLE 6: FAVORABLE ACTION: *The budget you see here in this updated Warrant is very different than the one originally presented in January. COVID-19 has caused significant impact and reduction in revenues to the town on both the state and local levels. Adjustments have been made to address an expected approximate 8% loss in State Aid and approximate 5% loss in local revenues. Through the hard work and cooperation of the Town Manager, Select Board, School Committee, and all Town Department Heads, there is here today, this balanced budget. Please be aware that additional adjustments may be necessary due the dynamic nature of this current crisis. Through reductions across-the-board and reallocation of the monies originally slated for the Stabilization Fund (our "rainy day" fund), balance is achieved while minimizing the impact to this year's town services. The Advisory Board has advocated for additional contributions to the Stabilization Fund for years and didn't take this vote, however necessary, lightly. The future is unclear and next year will likely require some difficult choices. The Town is positioned to move forward and to prudently face the challenges ahead. We urge you to support Favorable Action on this budget as presented. (Unanimous)*

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)

RECOMMENDATION ON ARTICLE 6A: FAVORABLE ACTION: *This Article fulfills the State requirement that the Town appropriate sufficient funds to operate the Harbormaster Enterprise Account. (Unanimous)*

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)

RECOMMENDATION ON ARTICLE 6B: FAVORABLE ACTION: *This Article fulfills the State requirement that the Town appropriate sufficient funds to operate the Sewer Enterprise Account. (Unanimous)*

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)

RECOMMENDATION ON ARTICLE 6C: FAVORABLE ACTION: This Article fulfills the State requirement that the Town appropriate sufficient funds to operate the Cable Television Public, Educational, and Governmental Access Enterprise account. (Unanimous)

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, 2019, or take any other action relative thereto.(Inserted at the request of the Town Manager)

RECOMMENDATION ON ARTICLE 7: NO ACTION: There are no unpaid bills for the previous fiscal year. (Unanimous)

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, 2020, as follows:

<u>Revolving Fund</u>	<u>Authorized to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY21 Spending Limit</u>	<u>Disposition of FY21 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

<u>Revolving Fund</u>	<u>Authorized to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY21 Spending Limit</u>	<u>Disposition of FY21 Fund Balance</u>
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
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

<u>Revolving Fund</u>	<u>Authorized to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY21 Spending Limit</u>	<u>Disposition of FY21 Fund Balance</u>
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
Tax Title Legal Expenses	Treasurer/Collector	Legal fees charged to past due accounts	Tax Title legal services	\$25,000	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	\$2,500	Balance available for expenditure

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

RECOMMENDATION ON ARTICLE 8: FAVORABLE ACTION: *This is an annual housekeeping article that is required to re-establish revolving funds for various uses in FY2021 (unanimous)*

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 2021, with each item to be considered a separate appropriation:

From FY 2021 estimated revenues for Historic Resources Reserve \$ 48,964 (10%)

From FY 2021 estimated revenues for Community Housing Reserve \$ 48,964 (10%)

From FY 2021 estimated revenues for Open Space Reserves \$ 48,964 (10%)

From FY 2021 estimated revenues for Committee Administrative \$ 20,000

Expenses

RECOMMENDATION ON ARTICLE 9A: FAVORABLE ACTION: *The Advisory Board agrees with the Community Preservation Committee in making these appropriations as defined above. The appropriation amounts in this article are based on the FY21 estimated local surcharge revenue and an estimated state match. This article also establishes an allowed administrative fund and allocates the maximum 5% into that fund. The remainder of the estimated receipts will be deposited into the Town's CPA general fund. This Article does not authorize funds to be allocated or used, but merely establishes balances in the reserve accounts to adhere to the state statute. Any expenditure from the CPA must be approved in future Town Meetings. (Unanimous)*

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:

- a. Appropriate **\$73,964** from the Community Preservation General Fund to the Community Preservation Community Housing Reserve;
- b. Appropriate **\$48,964** from the Community Preservation Historic Reserve and **\$1,036** from the Community Preservation General Fund (**total \$50,000**) to be used by the Town of Hull for the historic preservation assessment and restoration of Town Historic Documents located at the Town Hall at 253 Atlantic Avenue;
- c. Appropriate **\$48,000** from the Community Preservation General Fund to be used by the Friends of Paragon Carousel to restore the doors and flooring of the Paragon Carousel located at 205 Nantasket Avenue;
- d. Appropriate **\$25,000** from the Community Preservation General Fund to be used by the Town of Hull for the Village Fire Station Repair Plan located at 129 Spring Street;
- e. Appropriate **\$25,000** from the Community Preservation General Fund to the restricted Community Preservation Historic Reserve;
- f. Appropriate **\$48,964** from the Community Preservation Open Space/Recreation Reserve and **\$172,036** from the Community Preservation General Fund (**total \$221,000**) to be used by the Town of Hull for the rehabilitation of the recreational area at the Gunrock Playground located on Atlantic Avenue at Map 28/Lot 025 and Map 51/Lot 030.

[Inserted at the request of the Community Preservation Committee]

RECOMMENDATION ON ARTICLE 9B: *The Advisory Board makes the following recommendations as outlined in the lettered sections of this Article:*

- a) *The Advisory Board agrees with the Community Preservation Committee to appropriate \$73,964 for use in the Community Preservation Community Housing Reserve.*
- b) *The Advisory Board agrees with the Community Preservation Committee to appropriate \$50,000 for the historic preservation assessment and restoration of historic documents at Town Hall.*
- c) *The Advisory Board agrees with the Community Preservation Committee to appropriate \$48,000 for Paragon Carousel flooring and doors restoration.*
- d) *The Advisory Board agrees with the Community Preservation Committee to appropriate \$25,000 for use in repairs for the Village Fire Station Repair Plan.*

e) *The Advisory Board agrees with the Community Preservation Committee to appropriate \$25,000 for use in the Community Preservation Historic Reserve.*

f) *The Advisory Board agrees with the Community Preservation Committee to appropriate \$221,000 for use in rehabilitating the recreational area at the Gunrock Playground located on Atlantic Avenue at Map 28/Lot 025 and Map 51/Lot 030.*

All votes by the Advisory Board of the lettered sections were unanimous. The CPC votes were Unanimous.

ARTICLE 10: 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 \$14,000.00 annually up to \$17,000.00 annually. (Inserted at the request of the Hull Contributory Retirement Board)

RECOMMENDATION ON ARTICLE 10: FAVORABLE ACTION: *This is an adjustment increase to the base yearly payment to town retirees. Those on Social Security get annual adjustments tied to inflationary indexes. Town employees don't get Social Security payments and their adjustments to their entire yearly payment is a percentage increase based on a payment set point. This article upgrades that payment set point to \$17,000 rather than the previous \$14,000. This does not mean an increase of \$3,000 in retirement pay. The new figure multiplied by the COLA percentage for the year will yield their increase. For Example, if the COLA is 3%, they will get a \$510 increase for the year. (Unanimous)*

ARTICLE 11: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be deposited into the Stabilization Fund, or take any other action relative thereto. (Inserted by the Board of Selectmen)

RECOMMENDATION ON ARTICLE 11: NO ACTION: *Town Manager had originally planned to place \$75,000 into the Stabilization Fund prior to the Pandemic. With the changes needed to maintain services, Town Manager feels it is no longer prudent to make this appropriation. (Unanimous)*

ARTICLE 12a: (Project Funding Without MSBA Assistance) To see if the Town will appropriate \$1,600,000 or any other amount, to pay costs of renovating and making repairs to the exterior of Memorial Middle School, including the payment of all costs incidental or related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing, or otherwise provided, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 12b: To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Building Committee for the Memorial Middle School, located at 81 Central Avenue, Hull Massachusetts Repair Project Feasibility Study, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"). The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town, or take any other action relative thereto. (Inserted at the request of the Town Manager)

RECOMMENDATION ON ARTICLE 12a &b: FAVORABLE ACTION on Article 12a, RECOMMENDATION AT TOWN MEETING on Article 12b: *This Article is presented in two parts to provide alternative options to Town Meeting in addressing the necessary building maintenance costs at the Memorial Middle School. Article 12a proposes to fund the middle school repairs without further pursuing state assistance. Article 12b allocates the necessary funding for the next required step of the process to obtain partial reimbursement from the state. Both Articles 12a and 12b require a 2/3 majority vote to pass. Passage of Article 12a may result in a motion for no action vote on 12b.*

The school requires work that can be divided into three discrete projects: 1) Replacement of rooftop HVAC system, 2) Replacement of 9 windows in the auditorium, and 3) Exterior brick work. These items were not included in the most recent major Memorial School renovation, but are necessary to maintain the building, protect taxpayer investments and prevent water infiltration which could lead to mold. Since 2014, the School Committee has been pursuing assistance from the Massachusetts School Building Authority (MSBA) for reimbursement of a portion of the project cost. As part of this process, outside engineers have inspected the building, assessed the required work and have provided a structured and well-defined project cost estimate. At this stage of the MSBA process, the Town is required to conduct a feasibility study that will cost approximately \$400,000 and will not guarantee the approval for reimbursement of final project costs. Under the MSBA process timelines, final approval would not occur until two years from now.

Given the straightforward nature of the repairs, the potential for water damage to occur in the next two years and the additional costs required by the MSBA for studies and project management, it makes most sense to fund the project ourselves and forego the opportunity for reimbursement. There is no guarantee of approval and subsequent reimbursement from the MSBA, which is funded by state sales taxes that have decreased as a result of the pandemic and the current economic environment. There is, however, the risk of investing Town funds into a feasibility study and extra project management costs mandated by the MSBA process with no ultimate approval and reimbursement. It is important to note that regardless of building use (education or other town functions), this work needs to be done to protect the Town asset and maintain the integrity of the building. The Advisory Board also notes that municipal bond rates are currently favorable. (Unanimous)

ARTICLE 13:– Sewer System Improvements - To see if the Town will vote to appropriate \$9,500,000 for sewer system improvements including planning, engineering, construction and all other costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. (Inserted at the request of the Director of the Waste Water Treatment Plant)

RECOMMENDATION ON ARTICLE 13: FAVORABLE ACTION: *The necessity of the sewer system requires ongoing maintenance and capital upgrades to provide dependable service to residents and business. The proposed \$9.5MM bond will enable the Sewer Department to continue enhancing operations, repair and rebuild needed pump houses along with upgrading of the clarification process which will improve the quality of the final product prior to discharge. The passage of this Article allows the Sewer Department continues the major upgrades to the system begun three years ago. (Unanimous)*

ARTICLE 14: To see if the Town will adopt the provisions of M.G.L. Chapter 140, Section 139 (c). No fee shall be charged for a license issued under this section for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. No fee shall be charged for a license for a dog owned by a person aged 70 years or over in a city or town that accepts this provision.

No license fee or portion thereof shall be refunded because of the subsequent death, loss, spaying or removal from the commonwealth or other disposal of the dog, nor shall a license fee or portion thereof paid by mistake be paid or recovered after it has been paid over to a city or town under section 147. (Inserted at the request of the Town Clerk)

RECOMMENDATION ON ARTICLE 14: FAVORABLE ACTION: *The Advisory Board feels that by accepting the state law and its provisions, this Article will encourage more residents to register their dogs while relieving our Town's senior dog owners from the financial burden of the license fee. (Unanimous)*

ARTICLE 15: To see if the Town will adopt the provisions of M.G.L. Chapter 41, Section 19K and which provides for \$1,000 as additional annual compensation to the Town Clerk for completing the necessary courses of study and training to become a certified Massachusetts Municipal Clerk.(Inserted by the Board of Selectmen)

RECOMMENDATION ON ARTICLE 15: FAVORABLE ACTION: *This Article seeks to adopt the provisions of Massachusetts General Laws, Chapter 41, Section 19K. These provisions, like many others involving continuing education, certifications and licensure for government employees, provides additional compensation specific to becoming a Certified Massachusetts Municipal Clerk.*

This certification program establishes a minimum of standards of knowledge of statutory requirements and regulations that affect Massachusetts Town Clerks. This certification enhances the professionalism and capability of those holding this position. Those awarded this designation are required to pass a written exam and fulfill additional requirements based on other educational programs, years of service, etc. (Unanimous)

ARTICLE 16:To see if the Town will appropriate \$350,000, or any other amount, to pay costs of replacing hydrants throughout the Town; to determine whether this amount shall be raised by borrowing or otherwise, or to take any other action relative thereto. (Inserted at the request of the Fire Chief)

RECOMMENDATION ON ARTICLE 16: FAVORABLE ACTION: *This Article authorizes the Town to acquire a bond in the amount of \$350,000, payable over 10 years, to fund the replacement of out-of-service hydrants throughout town. The current budgeted funding for hydrant replacement is \$40,000 annually, which limits our ability to replace or repair to approximately 5-10 hydrants per year. However, 40 of the 350 total hydrants in Hull are currently out of service. Bonding at current rates will expend the same amount of money annually toward hydrant replacement but will allow us to address all out-of-service hydrants immediately. The Advisory Board feels that public safety and fire preparedness is of the utmost importance, and that the funding mechanism proposed is a prudent financial strategy. (Unanimous)*

ARTICLE 17: To see if the Town will amend the Town Bylaws and the Zoning Bylaws by (1) applying a new numbering system across all Town laws and (2) reordering existing laws into a more logical format. This would provide consistency, make the laws more user friendly, and more easily searchable in anticipation of an online hosting service maintaining the bylaws. The language of the laws will not be modified except as it relates to the new numbering system.

The following shows the hierarchy of the proposed numbering system using the Zoning Bylaw as an example:

Division 1: Town Bylaws
Part III : General Legislation
Chapter 410: Zoning
Article: 410.1 General Provisions
Section: 410.1.1 Purpose
A.

- (1)
- (a)
- [1]
- [a]

(Inserted at the request of Planning Board)

RECOMMENDATION ON ARTICLE 17 FAVORABLE ACTION: *Renumbering the Town Bylaws and Zoning Bylaws will add consistency and increase the usability for our citizens. This is an important step to placing all our Bylaws online. Once completed our Bylaws will be much more user friendly for searches. (Unanimous)*

ARTICLE 18: To see if the Town will amend the Town Zoning Map in order to overlay the Nantasket Beach Overlay District (NBOD) over all Commercial-Recreation A, B and C districts.
(Inserted at the request of Planning Board)

RECOMMENDATION ON ARTICLE 18: NO ACTION: *The Planning Board has communicated its intention to move No Action on this Article. More Public input is desired before moving ahead. (Unanimous)*

ARTICLE 19: To see if the Town will amend the Zoning Bylaw 39B Nantasket Beach Overlay District by establishing §2.5 as follows:

2.5 Split Lots: Lots partially mapped within the NBOD may be considered fully within the NBOD for zoning review and approval under this bylaw.
(Inserted at the request of Planning Board)

RECOMMENDATION ON ARTICLE 19: NO ACTION: *The Planning Board has communicated its intention to move No Action on this Article. More Public input is desired before moving ahead. (Unanimous)*

ARTICLE 20: To see if the Town will amend the Zoning Bylaw 39B Nantasket Beach Overlay District §11.2.3.4 as follows (~~strike out~~ to be removed / underlined to be incorporated):

11.2.3.4 Flat roofs are permitted as part of a Mansard Roof or dormer but are otherwise discouraged. If utilized, and the building has a height over 30 feet, the top story should have parapets or projecting cornices shall be setback from perimeter walls with street frontage a minimum of 10 feet and non-street frontage perimeter walls a minimum of 5 feet. ~~Flat roofs shall not be permitted in buildings with heights over 30 feet.~~

(Inserted at the request of Planning Board)

RECOMMENDATION ON ARTICLE 20: NO ACTION: *The Planning Board has communicated its intention to move No Action on this Article. More Public input is desired before moving ahead. (Unanimous)*

ARTICLE 21: To see if the Town will amend the Zoning Bylaw §34-1A.AA Multifamily dwellings in Business Districts , subsection AA-1 as follows (~~strike-out to be removed~~ / underlined to be incorporated):

34-1A.AA Single-family and Multi-family dwellings in Business Districts

In addition to all other uses allowed in the business zoning district, the Planning Board may issue a Special Permit to authorize the construction, reconstruction (including razing), renovation and/or modification, exclusively for single-family and multi-family residential purposes, or nonconforming residential or lodging house building structures, the non conforming use of which is not “grandfathered”. Notwithstanding any other provisions of the zoning bylaw, the Special Permit may authorize up to four dwelling units on a lot, but there must be two conforming off-street parking spaces for each approved unit.
(Inserted at the request of Planning Board)

RECOMMENDATION ON ARTICLE 21: NO ACTION: *The Planning Board has communicated its intention to move No Action on this Article. More Public input is desired before moving ahead. (Unanimous)*

ARTICLE 22: To see if the Town will amend the Code/Bylaws of the Town by:

- A. Add a new bylaw, Stormwater Management Bylaw, as follows (to be numbered appropriately by the Town Clerk):

**Town of Hull
Stormwater Management Bylaw
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ARTICLE I – GENERAL PROVISIONS

SECTION 1. Purpose

- A. The purpose of this bylaw is to protect natural resources, municipal facilities and maintain and enhance public health, safety, welfare, and environment by regulating illicit connections and discharges to the Town of Hull's MS4 system and controlling the adverse effects of construction site stormwater runoff and post-construction runoff. Stormwater runoff is potentially a major cause of:
- 1) Impairment of water quality and flow in oceans, lakes, ponds, streams, rivers, wetlands, groundwater and drinking water supplies;
 - 2) Contamination of drinking water supplies;
 - 3) Contamination of downstream coastal areas;
 - 4) Alteration or destruction of aquatic and wildlife habitat;
 - 5) Overloading or clogging of municipal stormwater management systems; and
 - 6) Flooding.
 - 7) And other adverse effects on the environment, public health, safety and welfare and the orderly and effective operation of the Town.
- B. The objectives of this bylaw are:
- 1) Protect water resources;
 - 2) Comply with state and federal statutes and regulations relating to stormwater discharges including total maximum daily load requirements;
 - 3) To prevent pollutants from entering the Town's municipal separate storm sewer system (MS4) and reduce or eliminate pollutants entering the Town's MS4 from existing uses;
 - 4) To prohibit illicit connections and unauthorized discharges to the MS4 and require their removal;
 - 5) To establish minimum construction and post construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
 - 6) To establish provisions for the long-term responsibility for, and maintenance of, structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and

- 7) To ensure the legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.
- C. In the event of a conflict between this Bylaw and/or the regulations promulgated and any other applicable law, rule or regulation, the more stringent shall apply unless a variance or exception is granted by the Stormwater Authority upon application to it.
 - D. Nothing contained herein or in any regulations promulgated or in any permit or authorization issued shall be construed to be a specific assurance of safety or assistance.

SECTION 2. Definitions

Unless otherwise specified in this bylaw or regulations adopted, the following words shall have the following meanings. For terms used in this bylaw and regulations not defined hereunder, other definitions derived from relevant laws, codes, rules and regulations shall apply.

APPLICANT: Any person, group of persons, individual, partnership, association, firm, company, corporation, trust, entity, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government to the extent permitted by law requesting a Land Disturbance Permit for proposed land-disturbance activity.

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as and as it is amended from time to time.

BEST MANAGEMENT PRACTICE (BMP): an activity, procedure, restraint, or structural improvement that helps reduce the quantity or improve the quality of stormwater runoff.

DEVELOPMENT: The modification of land to accommodate a new use or expansion of use, usually involving construction or improvements.

DISCHARGE OF POLLUTANTS: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States, Commonwealth or Town from any source.

DISTURBANCE OF LAND: Any action that causes a change in the position, location, or arrangement of soil, sand, rock, gravel or similar earth material.

EROSION: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENTATION CONTROL PLAN: A document containing a narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff and erosion and sedimentation during pre-construction and construction related land disturbance activities.

GROUNDWATER: Water beneath the surface of the ground.

ILLICIT CONNECTION: A surface or subsurface drain or conveyance which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water, and any connections from indoor drains,

sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of the Stormwater Management Bylaw.

ILLICIT DISCHARGE: Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Article II §D (3). The term does not include a discharge in compliance with a National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit or resulting from fire-fighting activities and other maintenance related activities performed by the Town exempted pursuant to Article II §3(1) of the Stormwater Management Bylaw.

IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents water from infiltrating the underlying soil. "Impervious surface" includes without limitation roads, paved parking lots, sidewalks, and rooftops.

IMPOUNDMENT: A stormwater pond created by either constructing an embankment or excavating a pit which retains a temporary or permanent pool of water.

INFILTRATION: The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

LAND-DISTURBING ACTIVITY: Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

LAND USE OF HIGHER POTENTIAL POLLUTANT LOAD (LUHPPL): Land uses or activities with higher potential pollutant loadings, as defined in the Massachusetts Stormwater Management Standards such as auto salvage yards, auto fueling facilities, fleet storage yards, commercial parking lots with high intensity use, road salt storage areas, commercial nurseries and landscaping, outdoor storage and loading areas of hazardous substances or marinas.

MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS: The Standards issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act G.L. c. 131 §. 40 and Massachusetts Clean Waters Act G.L. c. 21, §. 23-56. The Standards address stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity and quality of runoff from a site.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Hull.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT: A permit issued by United States Environmental Protection Agency or jointly with the Commonwealth of Massachusetts that authorizes the discharge of pollutants to waters of the United States.

NONSTORMWATER DISCHARGE: Discharge to the municipal storm drain system not composed entirely of stormwater.

OPERATION AND MAINTENANCE PLAN: A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OUTFALL: The point at which stormwater flows out from a point source into waters of the Commonwealth.

OWNER: A person with a legal or equitable interest in property.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POINT SOURCE: Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

PRE-CONSTRUCTION: All activity in preparation for construction.

POLLUTANT: Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, whether originating at a point or nonpoint source, that is or may be introduced into any storm sewer, water works or waters of the commonwealth. Pollutants shall include but are not limited to:

- a) Paints, varnishes, and solvents;
- b) Oil, grease, antifreeze, and other automotive (including watercraft) fluids and/or products;
- c) Nonhazardous liquid and solid wastes and yard wastes;
- d) Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinance, accumulations and floatables;
- e) Pesticides, herbicides, and fertilizers;
- f) Hazardous materials and wastes; sewage, fecal coliform and pathogens;
- g) Metal objects or materials, including dissolved and particulate metals;
- h) Animal wastes;
- i) Rock; sand; salt; soils or other products that mix in surface water runoff;
- j) Construction wastes and residues; and
- k) Noxious or offensive matter of any kind.

RECHARGE: The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface on previously developed sites.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION: The process or act of deposition of sediment.

SITE: Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

SLOPE: The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

SOIL: Any earth, sand, rock, gravel, or similar material.

STABILIZATION: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

STORMWATER: Surface water from precipitation or snow melt.

STORMWATER AUTHORITY: The local regulatory authority administering this bylaw and other applicable laws, rules and regulations, of a group consisting of one staff member, as designated by the Town Manager, from the Conservation Department, Community Development & Planning Department, Building Department, Public Works, and Sewer Departments. A quorum of the Authority shall consist of three members.

STORMWATER MANAGEMENT PLAN (SWMP): A plan required as part of the application for a Land Disturbance Permit.

TOXIC OR HAZARDOUS MATERIAL OR WASTE: Any material which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, property, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as "toxic" or "hazardous" under MGL c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

WASTEWATER: Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product or waste product.

WATERCOURSE: A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

WATERS OF THE COMMONWEALTH: All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, vernal pools, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

WETLANDS: As specifically defined in the Massachusetts Wetlands Protection Act but generally include tidal and non-tidal areas characterized by saturated or nearly saturated soils most of the year that are located between terrestrial (land-based) and aquatic (water) environments, including freshwater marshes around ponds and channels (rivers and streams), brackish and salt marshes; common names include marshes, swamps & bogs.

SECTION 3. Authority

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the home rule statutes, Massachusetts laws, rules and regulations and the laws, rules and regulations of the Federal Clean Water Act found at 40 CFR 122.34.

SECTION 4. Creation of Stormwater Authority and Responsibility for administration

- A. There is hereby created a Stormwater Authority comprised of one staff member, as designated by the Town Manager, from the Conservation Department, Community Development & Planning Department, Building Department, Public Works and Sewer Departments, which shall administer this bylaw and any regulations promulgated, as well as perform such other duties assigned to it by law, the Board of Selectmen or the Town Manager. A quorum of the Authority shall consist of three members. The Stormwater Authority shall organize by electing a Chair, Vice-Chair and Clerk. The Stormwater Authority may delegate and authorize any member to act as its agent, subject to the approval of the Town Manager.
- B. The Stormwater Authority shall administer, implement and enforce this bylaw and adopt regulations and amend same, subject to the approval of the Board of Selectmen. Any powers granted to or duties imposed upon the Stormwater Authority to promulgate such rules and regulations shall not have the effect of suspending or invalidating this chapter. The Stormwater Authority may from time to time appoint agents to act on its behalf, subject to the approval of the Town manager.

SECTION 5. Waivers

- A. Following a public hearing in accordance with the Stormwater Regulations on a waiver request, the Stormwater Authority may waive strict compliance with any requirement of this bylaw or the rules and regulations promulgated hereunder, where:
 - 1) such action is allowed by federal, state and local statutes and/or regulations; and
 - 2) is in the public interest; and
 - 3) is not inconsistent with the purpose and intent of this bylaw.
- B. Any applicant may submit a written request to be granted such a waiver pursuant to the procedure set forth in the applicable regulations, on such forms as the Stormwater Authority may adopt. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the bylaw does not further the purposes or objective of this bylaw. The Stormwater Authority may request additional information at any time in the waiver or application process.
- C. If in the Stormwater Authority's opinion, additional time or information is required for review of a waiver request, the Stormwater Authority may continue a meeting or hearing to one or more certain date(s) announced at the meeting or hearing. In the event the applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.

SECTION 6. Compliance with EPAs General Permit for MS4s in Massachusetts

This bylaw is intended to further the objectives of and to act in concert with any applicable federal, state or local laws concerning storm water discharges in the Town of Hull, including but not limited to the requirements of the United States Environmental Protection Agency's most recent General Permit for MS4s, and nothing in this bylaw is

intended to limit or restrict the authority of any board, commission or officer of the Town to act in accordance with any federal, state and local laws within their jurisdiction, and in the event of a conflict, the more stringent requirements will control.

SECTION 7. Regulations

The Stormwater Authority may adopt, and periodically amend, regulations, rules and/or written guidance relating to the terms, conditions, definitions, enforcement, fees, procedures and administration of this Stormwater Bylaw by majority vote after conducting a public hearing to receive comments. Such hearing shall be advertised in a newspaper of general local circulation, once in each of two successive weeks, the first publication being at least fourteen (14) days prior to the hearing date. Upon adoption, the Regulations shall be provided to the Board of Selectmen for their approval. The Board of Selectmen shall review said regulations and either adopt them as presented and as may be amended by the Board of Selectmen or may disapprove them, said action to be taken within thirty (30) days of presentation to the Board of Selectmen. Failure of the Stormwater Authority to issue such rules, or regulations, or a legal declaration of their invalidity by a court or authority of competent jurisdiction, shall not act to suspend or invalidate the effect of this Bylaw.

SECTION 8. Severability

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

ARTICLE II – DISCHARGES TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

SECTION 1. Applicability

Article II of this bylaw shall apply to all discharges of water entering the MS4 System or going, directly or indirectly, into a watercourse, or into the waters of the Commonwealth, that is generated on any developed or undeveloped lands except as explicitly exempted in this bylaw or where the Stormwater Authority has issued a waiver in accordance with Article I Section 5.

SECTION 2. Prohibited Activities

- A. Illicit discharges. No person shall directly or indirectly dump, discharge, spill, cause or allow to be discharged any pollutant or non-stormwater discharge into the municipal separate storm sewer system (MS4), onto an impervious surface directly connected to the MS4, or, directly or indirectly, into a watercourse, or into the waters of the Commonwealth.
- B. Illicit connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- C. Obstructions of municipal storm drain system. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written consent from the Stormwater Authority.
- D. Discharge of swimming pools and/or hot tubs to the municipal storm drain system.
- E. Pet Waste. Pet feces is a major component of stormwater pollution; it shall be the duty of each person who owns, possesses, or controls a pet to remove and properly

dispose of any feces left by the pet on any public or private property. It is prohibited to dispose of pet feces in any public or private storm drain, catch basin, wetland, or water body or on any paved or impervious surface. For specific requirements and penalties for violations see Chapter 213, Section 13 (Animal Control) of the Code of the Town of Hull.

F. Non-approved sedimentation barriers and/or erosion controls.

SECTION 3. Exemptions

Exemptions.

- 1) Discharge or flow resulting from fire-fighting activities and DPW ice and snow control, and other clean-up operations.
- 2) The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwaters provided that the source is not a significant contributor of a pollutant to the municipal storm drain system or, directly or indirectly, into a watercourse, or into the waters of the Commonwealth:
 - (a) Waterline flushing;
 - (b) Flow from potable water sources including landscape irrigation and lawn and landscaping watering;
 - (c) Water from washing non-commercial vehicles, including emergency and public vehicles.
 - (d) Springs;
 - (e) Natural flow from riparian habitats and wetlands;
 - (f) Diverted stream flow;
 - (g) Rising groundwater;
 - (h) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater (e.g. sump pump), provided that where a pump intake exists inside a structure, the operator seeks a permit from the Stormwater Authority prior to discharge and thereafter discharges in accordance with the requirements of the permit and applicable laws, rules and regulations to be issued by the Stormwater Authority;
 - (i) Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air-conditioning condensation;
 - (j) Discharge from street sweeping and cleaning;
 - (k) Dye testing, provided verbal notification is given to the Stormwater Authority prior to the time of the test;
 - (l) Non-stormwater discharge managed under an NPDES permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency, and
 - (m) Discharge for which advanced written approval has been received from the Stormwater Authority as necessary to protect public health, safety, welfare or the environment.
 - (n) Emergency work associate with accidents, spills or releases of oil or hazardous wastes or natural or manmade disasters, provided the work is done with the approval of the Stormwater Authority and/or any other local, state and federal agencies, as applicable
 - (o) Drain line flushing, under emergency circumstances

SECTION 4. Emergency Work

Authorization by a member of the Stormwater Authority is required in order to perform work constituted as an emergency. The Stormwater Authority has the ability to issue conditions as necessary for emergency work.

Under any emergency work that is waived as part of this Bylaw, a report of the work shall be provided to the Stormwater Authority within 72 hours, excluding Saturdays, Sundays, and holidays. Upon review of said report, the Stormwater Authority reserves the right to require any additional work.

SECTION 5. Emergency Suspension of Storm Drainage System Access

The Stormwater Authority may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that present imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Stormwater Authority may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

SECTION 6. Notification of Spills

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Fire and Police Departments. In the event of a release of nonhazardous material, the reporting person shall notify the authorized enforcement agency no later than the next business day. The reporting person shall provide to the Stormwater Authority written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Nothing contained herein shall operate to excuse compliance with all other applicable laws, rules and regulations.

SECTION 7. Transitional Provisions

Residential property owners with illicit discharges, connections and/or obstructions to the MS4 shall have a period of 60 days from the effective date of this bylaw to remove such discharges, connections and/or obstructions, unless immediate removal is required for the protection of public health, safety, welfare or the environment. The Stormwater Authority may extend the time for compliance by decision, regulation or by waiver in accordance with Section 6 of this Bylaw.

ARTICLE III – STORMWATER MANAGEMENT AND LAND DISTURBANCE

SECTION 1. Applicability

A. This Bylaw shall apply to all activities that result in disturbance of 12,500 square feet or more of land or more that drains to the Town's MS4 System. Except as authorized by the Stormwater Authority or as otherwise provided in this Bylaw, no

person shall perform any activity that results in disturbance of 12,500 square feet of land or more. There is one level of review based on the amount of proposed land to be disturbed as part of a single project and it is as follows:

- 1) A Land Disturbance Permit is required for disturbance of greater than 12,500 square feet of land or for a proposed use that is listed as a land use of higher potential pollutant loads as defined in the Massachusetts Stormwater Management Standards. A Land Disturbance Permit is required for all commercial developments.

B. Exemptions:

- 1) Maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling conducted in such a way as not to cause a nuisance;
- 2) Construction of fencing that will not substantially alter existing terrain or drainage patterns. Fencing that does not allow water to flow through (i.e. is 50% flow through or elevated a minimum of 6" off of the ground) can be determined to be a substantial alteration;
- 3) Construction of utilities other than drainage, such as gas, water, sewer, electric, telephone, etc., which will not alter terrain or drainage patterns or result in discharge of sediment to the MS4;
- 4) Normal maintenance and improvement of land in agricultural or aquacultural use; and

The Stormwater Authority is authorized to enact regulations to effectuate the purposes of this bylaw, including but not limited to regulations outlining the application requirements for the different levels of review specified in Section A hereof. Any person that fails to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, and Operations and Maintenance Plan issued under the Stormwater Management Regulations or other orders of the Stormwater Authority shall be in violation of the Town of Hull Bylaws.

SECTION 2. Approval and/or Permit

An applicant seeking an approval and/or permit shall file an appropriate application with the Stormwater Authority in a form and containing information as specified in this bylaw in regulations adopted by the Stormwater Authority and as may be required by the Stormwater Authority. Approval or permit must be obtained prior to the commencement of land disturbing or redevelopment activity based on thresholds described in the Stormwater Management Regulations. Decisions are valid for three years from the date of issuance unless an Extension, as outlined in the Stormwater Management Regulations, is granted.

Determinations and requirements that the Stormwater Authority imposes in accordance with this bylaw and its Regulations shall be incorporated to the extent necessary into any and all local permits and decisions.

SECTION 3. Entry

Entry to perform duties under this bylaw. To the extent permitted by law, or if authorized by the owner or other party in control of the property or pursuant to court rule or order, the Stormwater Authority, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the Stormwater Authority deems reasonably necessary.

SECTION 4. Inspection and Site Supervision

The Stormwater Authority or its designee shall make inspections of the work subject to this Bylaw to determine compliance with the Bylaw and regulations and orders of the Stormwater Authority.

SECTION 5. Surety

The Stormwater Authority may require the applicant to post before the start of land disturbance or construction activity or at a specific time, a surety bond, irrevocable letter of credit, cash, or other surety acceptable to the Stormwater Authority. The form of the surety shall be as required and approved by the Stormwater Authority and be in an amount deemed sufficient by the Stormwater Authority to ensure that the work will be completed in accordance with the permit. If the project is phased, the Stormwater Authority may release part of the bond as each phase is completed in compliance with the permit.

SECTION 6. Final Reports

Land Disturbance Permit: Upon completion of work, the applicant shall submit a Final Report, including a topographical as-built plan stamped by a MA Professional Land Surveyor (PLS) and a MA Registered Professional Engineer (P.E.) as applicable, certifying that the site has been developed in substantial compliance with the approved plan including all permanent erosion control devices, stormwater management facilities and, and any approved changes and modifications. Any discrepancies from the approved plan should be noted in the cover letter. The final report shall also include documentation to verify the stormwater management system has been properly operated and maintained in accordance with the approved O&M Plan. Discrepancies shall be noted in the cover letter. The Stormwater Authority may accept said Final Report with or without conditions or may reject same or may require additional information before approving said report.

ARTICLE IV – ENFORCEMENT

The Stormwater Authority or its authorized agent shall enforce this bylaw, and any associated regulations, orders, violation notices, and enforcement orders and may pursue all civil, administrative and criminal remedies for such violations. The Town may enforce this Bylaw or enjoin violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

- A. Civil relief. If a person violates the provisions of this bylaw, or any associated regulations, permit, notice, or order issued thereunder, the Stormwater Authority may seek injunctive and or other appropriate relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation, as well as any other relief appropriate.
- B. Orders. The Stormwater Authority or its authorized agent may issue a written order to enforce the provisions of this bylaw or any regulations thereunder, which may include but are not limited to:
 - (a) Elimination of illicit connections or discharges to the MS4;
 - (b) Performance of monitoring, analyses, and reporting;
 - (c) That unlawful discharges, practices, or operations shall cease and desist;
 - (d) That measures shall be taken to minimize the discharge of pollutants until such time as the illicit connection shall be eliminated; and

- (e) Remediation of contamination in connection therewith.
- (f) A requirement to cease and desist from the land-disturbing activity until there is compliance with the bylaw and provisions of the Land Disturbance Permit;
- (g) Maintenance, installation or performance of additional erosion and sediment control measures;
- (h) Monitoring, analyses, and reporting;
- (i) Remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity.

If the enforcing agent determines that abatement or remediation of contaminations is required and is the responsibility of the property owner and/or person causing the need for such an order, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Hull may, at its option, undertake such work, at the owner and/or violator's sole cost and expense, that it deems necessary to protect public health, safety and welfare. Such expenses will include staff, administrative, legal and contracted work, shall be charged to the property owner and violator and shall become a special assessment and lien on the property and a debt due the Town. Within 30 days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town, including administrative costs.

The violator or property owner may file a written protest objecting to the amount or basis of costs with the Stormwater Authority within 30 days of receipt of the notification of the costs incurred. The amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Stormwater Authority affirming or reducing the costs, or from a final decision of a court of competent jurisdiction. In addition to said costs remaining a special assessment or lien against the property owner and/or a debt due the Town, the Town may collect said costs by any legal means. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in MGL c. 59, § 57 or other applicable law after the 31st day at which the costs first become due.

- C. Criminal Penalty. Any person who violates any provision of this bylaw, regulation, order, approval or permit issued thereunder may be penalized by indictment or on complaint brought in a court of competent jurisdiction. Except as may be otherwise provided by law and as the court may see fit to impose, the maximum penalty for each violation or offense shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
- D. Non-Criminal Disposition. Any person who violates any provision of this bylaw, regulation, order or permit issued thereunder may be penalized by non-criminal disposition as set forth in MGL c. 40, § 21D and in the revised Bylaws of the Town of Hull Chapter 1 Article 1. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense. The Enforcing Agent shall be the Stormwater Authority or its designee. The amount of the penalty shall be as set forth in the Town's Non-Criminal Disposition Bylaw, or if no penalty is set forth there, the first violation shall be subject to a penalty of \$100; a second violation shall be subject to a penalty of \$200; and a third and subsequent violation shall be subject to a penalty of \$300.
- E. Entry to perform duties under this bylaw. To the extent permitted by law, or if authorized by the owner or other party in control of the property or pursuant to court rule or order, the Stormwater Authority, its agents, officers, and employees may

enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the Stormwater Authority deems reasonably necessary.

- F. Appeals. The decisions or orders of the Stormwater Authority or their designee shall be final. Further relief shall be to a court of competent jurisdiction. Such relief can only be sought within 21 days, or such greater time as may be permitted under applicable law, after the date of issuance of the decision or order by 1) the applicant, 2) the owner if not the applicant, 3) any person aggrieved by the decision or order, 4) any owner of land abutting the land on which the work is to be done, 5) any ten residents of the city or town where the land is located.
- G. Remedies not Exclusive. The remedies listed in this chapter are not exclusive of any other remedies available under any applicable federal, state or local law.
- H. Severability. The provisions of this chapter are declared to be severable. If any provision, paragraph, sentence, or clause, of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

- B. To see if the Town will vote to authorize the below listed revolving fund for Stormwater Management activities under Massachusetts General Laws, Chapter 44, Section 53E ½ for the Fiscal Year beginning July 1, 2020 and to amend Chapter ____ of the Code/Bylaws of the Town by adding the same to the Table of Authorized Revolving Funds:

Revolving of Fund	Authorized to Spend	Revenue Source	Use of Fund	FY21 Spending Limit	Disposition Fund Balance
Stormwater Management	Town Manager	Application Fees & Fines	Stormwater Management	\$35,000	Available for Expenditure

- C. Amend Chapter 1 of the Code/Bylaws of the Town, Non-Criminal Disposition, as may be necessary to be in compliance and consistent with the Stormwater Management Bylaw of the Code/Bylaws of the Town and to set penalties for same, as follows:

- 1. Amend the Table of Provisions Subject to Non-Criminal Disposition by adding in the table of offenses:

CITE	ENFORCING PERSON	PENALTY
Chapter __ (Stormwater Management)	Police Officer Member or Agent of the Stormwater Authority	For first violation- \$100.00 For second violation- \$200.00 For third and subsequent violations- \$300.00

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

RECOMMENDATION ON ARTICLE 22: FAVORABLE ACTION: *This Stormwater Bylaw seeks to bring Hull into compliance with the National Pollution Discharge Elimination System (“NPDES”) stormwater program that was previously adopted by the federal and Massachusetts governments. The NPDES stormwater program regulates connections and stormwater discharges from three potential sources: (i) municipal separate storm sewer systems, (ii) construction activities, and (iii) industrial activities. Among other things, the Bylaw creates a Town of Hull Stormwater Authority responsible for administering and enforcing the Bylaw and a revolving fund for stormwater management with a spending limit of \$35,000 in Fiscal Year 2021.(Unanimous)*

ARTICLE 23: To see if the Town will appropriate a sum of money to pay the costs of the Comprehensive Site Assessment and Regulatory and Technical Assistance 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)

RECOMMENDATION ON ARTICLE 23: FAVORABLE ACTION: *This Article appropriates the costs required and necessary for continuing the process of capping of the Hull landfill. This project is being done in stages and this Article if it passes will allow the town to appropriate \$375,000 in funding for the continued work and reports on the eventual landfill closure. (Unanimous)*

ARTICLE 24: 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, identified as Assessor’s Parcel 45-129, 29 Barnstable Street (or however identified) for general municipal purposes, and for all purposes and uses accessory thereto, including but not limited to open space, recreational use, conservation use. No appropriation is needed under this article/motion for said acquisition as the property is to be donated to the Town by the family of the late Nazzareno DiVito, Jr., and/or sufficient funds are available in the existing Town accounts and/or from grants awarded and/or to be awarded to the Town, donations, gifts or other sources, without the need for an appropriation or a further appropriation; and to authorize the Town and/or Town Manager to apply for and accept grants and gifts to accomplish said projects, and purposes. Or take any other action relative thereto. (Inserted by the Board of Selectmen)

RECOMMENDATION ON ARTICLE 24: FAVORABLE ACTION: *This Article, if passed, authorizes the Board of Selectman to acquire interests (e.g., actual ownership) in land located at 29 Barnstable Street. The property is to be donated to the Town by the family of the late Nazzareno DiVito Jr. and the Town will pay for closing costs associated with the transaction. The closing costs, as well as the value of foregone tax revenue generated by the property, are de minimis. The land will be used by the Town for conservation purposes.(Unanimous).*

ARTICLE 25: 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 105 Edgewater Road, for general municipal purposes and for all purposes and uses accessory thereto, including but not limited to the purpose of installing and maintaining for stormwater, storm drain, piping and outfall piping purposes a storm drain pipe and related components. No appropriation is needed under this article/motion for said acquisition as the easement is to be donated to the Town and/or sufficient funds are available in the existing Town accounts and/or from grants awarded and/or to be awarded to the Town, donations, gifts or other sources, without the need for an appropriation or

a further appropriation. 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 Manager)

RECOMMENDATION ON ARTICLE 25: FAVORABLE ACTION: *This Article authorizes the Board of Selectman to obtain an easement in a portion of the property located at 105 Edgewater Road for municipal and stormwater purposes. We were advised that the proposed easement is not being objected to by, or in contention with, the property owner(s). When the current stormwater system was put in place along Edgewater Road one or more components were installed in and around this property including a discharge pipe. The easement obtained at the time for those purposes, however, cannot be located, not a unique situation given the time of the initial installation. This Article allows the Town to address that absent easement, and will allow the Town to upgrade the existing stormwater infrastructure to better mitigate local flooding concerns at this and neighboring properties. (Unanimous)*

ARTICLE 26: To see if the Town will accept G.L. 40, sections 42A-42K which pertain to unpaid water charges becoming a lien on real property and collectable through said laws and other matters pertaining to the distribution of water and any other applicable laws, and further to see if the Town will authorize the Board of Selectmen, if necessary, to petition the legislature for a special or general act pertaining to the provision of water to Hull properties via the Hingham water distribution system in Hull, Hingham and Cohasset., or take any other action relative thereto. (Inserted by the Board of Selectmen)

RECOMMENDATION ON ARTICLE 26: FAVORABLE ACTION: *With this Article, and the finalizing of negotiations with Hingham and the appropriate filing, the Town will accept the statutory framework (M.G.L. c. 40, §§ 42A – 42K) in connection with Hingham’s assumption of, and billing for, the Town’s water service. This statutory framework provides for, among other things, the collection of unpaid water charges using a lien process comparable to process for unpaid real estate taxes, appeal rights and assessments. The statutory process for these collection situations, including applicable time periods and an appeal process, are controlled by statute and Town tax officials, rather than private collection agencies which may have non-uniform and harsher processes. As part of the on-going negotiations with Hingham, the Town expects to provide that no water lien would take priority over tax or other municipal charges due to the Town. We believe that statutory framework provides a better and fairer approach for the rate payers of the Town. (Unanimous)*

ARTICLE 27: To see if the Town will appropriate a 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)

RECOMMENDATION ON ARTICLE 27: FAVORABLE ACTION: *Passage of this Article will allow the Department of Public Works ("DPW") to replace aging equipment and vehicles needed to continue operations and the upkeep of the Town. The DPW is doing an incredible job extending the useful life of equipment through repair and maintenance, with some equipment that was manufactured as early as 1990. The aging equipment is subjected to the Town's salt air which exacerbates the rusting of vehicle bodies and undercarriages. It is to the point that the DPW is having difficulty sourcing parts due to the age of the equipment. This Article will provide reliable equipment to the DPW, enhancing the Department's overall ability to maintain the Town for residents and visitors. (Unanimous)*

ARTICLE 28: 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, or to enter into a long term lease and petition the legislature for lease authority if necessary, identified as Assessors' Parcel Map 37-Lot 002, being all or a portion of the property generally abutting the DCR Parking Lot between George Washington Boulevard and the condominiums and other properties, to the property of Nantasket Dune Holdings LLC, formerly used in part as part or all of the so called Turnpike Ride and Ghost Train Ride at Paragon Park, (or however identified) for general municipal purposes, and for all purposes and uses accessory thereto, including but not limited to open space, recreational use, including a skateboard park and other recreational uses; and to accomplish same raise and appropriate and/or appropriate and/or transfer from available funds or borrow a sum of money. If the property is donated or funds are available from existing accounts or donations and grants those funds shall be used first. And further authorize the Town and/or Town Manager to apply for and accept grants and gifts to accomplish said projects, and purposes, or take any other action relative thereto. (Inserted by the Board of Selectmen)

RECOMMENDATION ON ARTICLE 28: NO ACTION: *The Board of Selectmen has voted to move no action on this Article. (Unanimous)*

ARTICLE 29: 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 \$125,000 from the Community Preservation Affordable Housing Fund to be used by the Town of Hull to fund the COVID-19 Emergency Housing Assistance Program for eligible Hull households affected by the COVID-19 pandemic, or take any other action relative thereto.(Inserted by the Board of Selectmen)

RECOMMENDATION ON ARTICLE 29: NO ACTION: *The Board of Selectmen has voted to move no action on this Article. (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 31st day of March, 2020.

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.

Constable, Town of Hull

Fiscal Year 2021 Projected Revenue and Expenditures

	Revenue Summary	FY 20	FY21	Dollar Change	% Change
	Real Estate/Property Taxes				
1	Base Tax Levy	28,951,146	29,976,106	\$ 1,024,960	3.54%
2	Statutory 2 1/2 Increase	723,779	749,403	\$ 25,624	3.54%
3	Growth in Tax Base	301,181	180,000	\$ (121,181)	-40.24%
4	Debt Exclusion-High School	379,000	365,650	\$ (13,350)	-3.52%
6	Debt Exclusion-Streets	50,000	680,662	\$ 630,662	1261.32%
7	Excess Levy	-18,830	0	\$ 18,830	-100.00%
8	Maximum Allowable Tax Levy	30,386,276	31,951,821	\$ 1,565,545	5.15%
	Intergovernmental Revenues				
9	State Revenue Sharing	6,559,865	6,022,875	\$ (536,990)	-8.19%
10	Less Offsets	(11,678)	(11,307)	\$ 371	-3.18%
11	Projected Net State Aid	6,548,187	6,011,568	\$ (536,619)	-8.19%
	Local Receipts				
12	Estimated Local Receipts	4,100,000	3,895,000	\$ (205,000)	-5.00%
13	Overlay Surplus	150,000	150,000	\$ -	0.00%
14	Available Funds (Free Cash)	1,300,000	1,343,824	\$ 43,824	3.37%
15	PILOT-HRA	30,000	30,000	\$ -	0.00%
16	Reserved for Appropriation	45,000	35,000	\$ (10,000)	-22.22%
17	High School Field Revolving	0	111,034	\$ 111,034	
18	Transfer from Enterprise-ROB	340,000	423,350	\$ 83,350	24.51%
19	Total Local Receipts	5,965,000	5,988,208	\$ 23,208	0.39%
20	TOTAL RECEIPTS	42,899,463	43,951,597	\$ 1,052,134	2.45%
	Expenditure Summary	FY 20	FY21	Dollar Change	% Change
21	Operational Budget	26,640,500	\$ 27,069,967	\$ 429,467	1.61%
22	General Reserve	50,000	\$ 20,000	\$ (30,000)	-60.00%
23	Health Insurance	5,692,126	\$ 5,640,964	\$ (51,162)	-0.90%
24	Other Insurances	1,085,977	\$ 1,126,523	\$ 40,546	3.73%
25	Town Wide	298,400	\$ 307,612	\$ 9,212	3.09%
26	Veterans Benefits	300,000	\$ 200,000	\$ (100,000)	-33.33%
27	Pension Total	4,085,661	\$ 4,249,462	\$ 163,801	4.01%
28	Debt & Interest	2,325,619	\$ 3,202,830	\$ 877,211	37.72%
29	Capital Improvements	305,000	\$ 200,000	\$ (105,000)	-34.43%
30	Stabilization Fund	0	\$ -	\$ -	
31	Total Services Costs	40,783,283	\$ 42,017,358	\$ 1,234,075	3.03%
	Other				
32	Overlay	433,191	350,000	\$ (83,191)	-19.20%
33	Snow & Ice Deficit	196,720	85,000	\$ (111,720)	-56.79%
34	Other Total:	629,911	435,000	\$ (194,911)	-30.94%
	Intergovernmental Charges				
35	State County Assessments	357,528	360,000	\$ 2,472	0.69%
36	Charter School Assessment	589,502	600,000	\$ 10,498	1.78%
37	Regional Dispatch	539,239	539,239	\$ -	0.00%
38	Intergovernmental Total	1,486,269	1,499,239	\$ 12,970	0.87%
39	TOTAL EXPENDITURES	42,899,463	43,951,597	\$ 1,052,134	2.45%
	NET EXCESS/(DEFICIT)	0	(0)	\$ (0)	

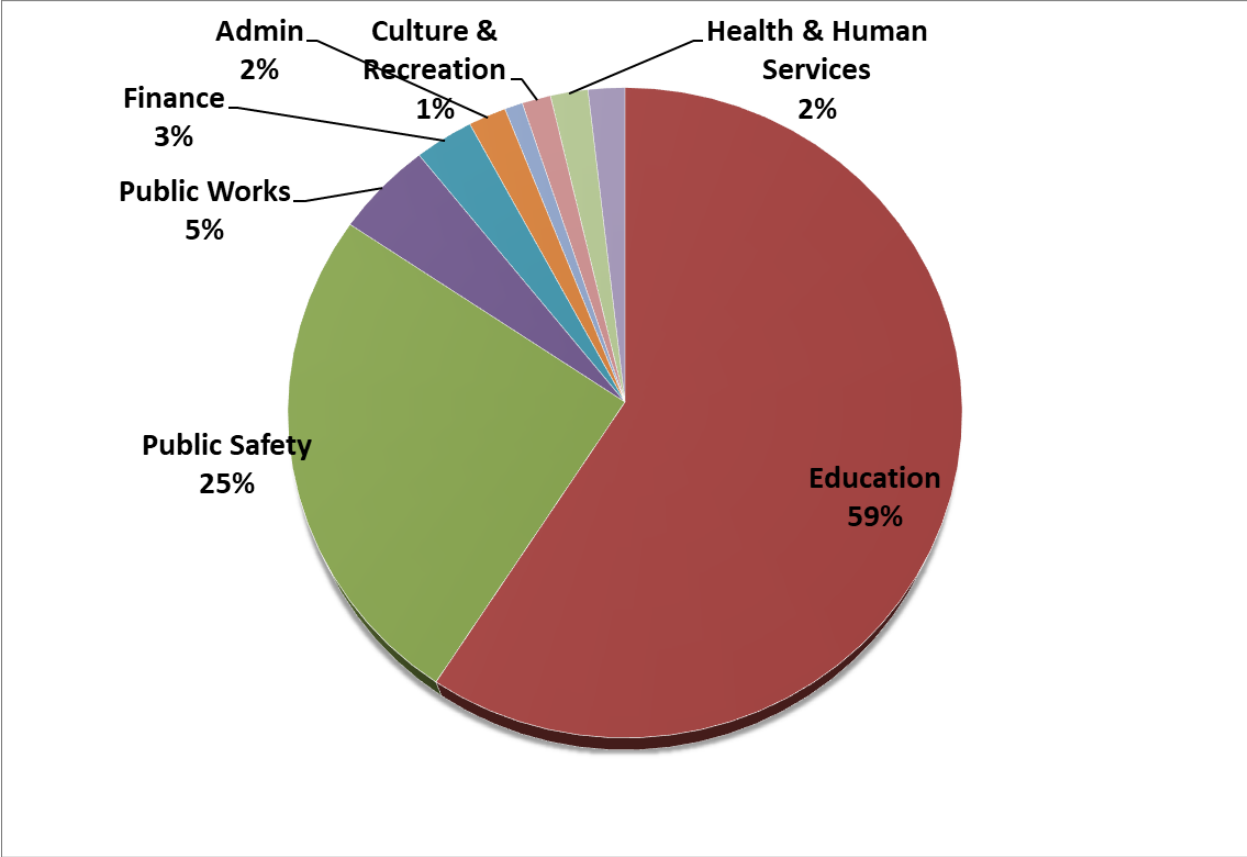
Fiscal Year 2021 Projected Revenue and Expenditures

Enterprise Funds

Revenue Summary	FY 20	FY 21	Dollar Change	Percent Change
Sewer Revenue	5,205,729	5,919,054	713,325	13.70%
Sewer Available Funds	40,000	20,000	(20,000)	-50.00%
Sewer Retained Earnings	0	149,073	149,073	0.00%
Total Sewer Revenues	5,245,729	6,088,127	842,398	16.06%
Cable Revenue	264,713	288,197	23,484	8.87%
Cable Available Funds	0	0	0	0.00%
Cable Retained Earnings	138,000	0	(138,000)	-100.00%
Total Cable Revenues	402,713	288,197	(114,516)	-28.44%
Harbormaster Revenue	162,142	190,000	27,858	17.18%
Harbor Available Funds	202,083	107,798	(94,285)	-46.66%
Harbor Retained Earnings	12,832	0	(12,832)	-100.00%
Total Harbor Revenues	377,057	297,798	(79,259)	-21.02%
Total Enterprise Fund Revenue	6,025,499	6,674,122	648,623	10.76%
Expenditure Summary	FY 20	FY 21	Dollar Change	Percent Change
Sewer Operating Budget	3,966,325	3,918,619	(47,706)	-1.20%
Sewer Debt and Interest	1,264,404	2,154,508	890,104	70.40%
Sewer OPEB	15,000	15,000	0	0.00%
Total Sewer Expenditures	5,245,729	6,088,127	842,398	16.06%
Cable Operating Budget	394,713	280,197	(114,516)	-29.01%
Cable Debt and Interest	0	0	0	0.00%
Cable OPEB	8,000	8,000	0	0.00%
Total Cable Expenditures	402,713	288,197	(114,516)	-28.44%
Harbormaster Operating Budget	278,157	289,798	11,641	4.19%
Harbor Debt and Interest	90,900	0	(90,900)	-100.00%
Harbor OPEB	8,000	8,000	0	0.00%
Total Harbor Expenditures	377,057	297,798	(79,259)	-21.02%
Total Enterprise Expenditures	6,025,499	6,674,122	648,623	10.76%
NET EXCESS(DEFICIT)	0	0	0	

Fiscal Year 2021 Budget Worksheet

		FY20	FY21	FY21 to FY20	Percent
Department		Approp	Recommend	Change	Change
Selectmen	122	392,191	391,315	-876	-0.22%
General Government Support	124	135,700	135,400	-300	-0.22%
Advisory Board	131	6,750	6,750	0	0.00%
Director of Finance	135	177,519	180,877	3,358	1.89%
Assessors	141	200,052	225,168	25,116	12.55%
Treasurer/Collector	145	356,990	383,569	26,579	7.45%
Law Department	151	135,828	136,959	1,131	0.83%
Information Technology	155	0	40,000	40,000	
Town Clerk	161	78,459	99,804	21,345	27.21%
Conservation	171	114,120	113,847	-273	-0.24%
Comm Dev & Planning	175	125,938	128,145	2,207	1.75%
Town Buildings	192	173,615	187,560	13,945	8.03%
Police Department	210	3,039,629	3,068,233	28,604	0.94%
Fire Department	220	3,457,600	3,491,118	33,518	0.97%
Building Department	241	194,544	189,750	-4,794	-2.46%
Emergency Management	291	35,885	35,885	0	0.00%
Animal Control	292	28,740	28,740	0	0.00%
Shellfish	297	13,639	13,912	273	2.00%
School Department	301	15,804,381	16,019,265	214,884	1.36%
Public Works	421	1,178,187	1,165,155	-13,032	-1.11%
Snow Removal	423	74,830	74,830	0	0.00%
Park Maintenance	496	66,800	66,800	0	0.00%
Board of Health	511	216,090	201,323	-14,767	-6.83%
Council on Aging	541	222,401	272,929	50,528	22.72%
Veterans Services	543	27,545	27,996	451	1.64%
Library	610	328,338	329,908	1,570	0.48%
Park and Recreation	650	54,729	54,729	0	0.00%
Department Budgets		26,640,500	27,069,967	429,467	1.61%
Self Insurances	912	182,854	191,999	9,145	5.00%
Health & Life Insurance	914	5,692,126	5,640,964	-51,162	-0.90%
Townwide Insurance	915	518,175	550,328	32,153	6.21%
Medicare Tax	916	318,798	324,738	5,940	1.86%
Veterans Benefits	543	300,000	200,000	-100,000	-33.33%
Fuel Reserve	131	66,150	59,458	-6,692	-10.12%
Insurance Total		7,078,103	6,967,487	-110,616	-1.56%
Hydrant Availability	124	233,916	245,612	11,696	5.00%
Derelect Property Services	124	2,500	2,000	-500	-20.00%
Audit/Consultant	124	61,984	60,000	-1,984	-3.20%
Town Wide Total		298,400	307,612	9,212	3.09%
Non Contributory	911	44,722	45,617	895	2.00%
Contributory	918	4,040,939	4,203,845	162,906	4.03%
Pension Total		4,085,661	4,249,462	163,801	4.01%
Principal-Debt Excluded	712	330,000	690,000	360,000	109.09%
Interest-Debt Excluded	752	99,000	356,312	257,312	259.91%
Principal- Long Term	710	1,405,350	1,511,666	106,316	7.57%
Interest- Long Term	750	471,269	629,852	158,583	33.65%
Interest-Temp Borrowing	751	20,000	15,000	-5,000	-25.00%
Fees on Borrowing	751	0	0	0	
Debt Service Total		2,325,619	3,202,830	877,211	37.72%
Reserve Fund		50,000	20,000	-30,000	-60.00%
Capital		305,000	200,000	-105,000	-34.43%
Total Budget		40,783,283	42,017,358	1,234,075	3.03%



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

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

**Residential Customer
Hull, MA 02045**

