



TOWN OF HULL
OFFICE OF THE TOWN CLERK

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May 20, 2023

Statement on May 15, 2023
Hull Town Election

I have received many inquiries concerning our Monday, May 15th Annual Town Election. Approximately 2,400 Hull voters turned out to vote at the Annual Election, one of the largest turnouts in the past several years. However, the election was not without significant challenges.

As most Hull residents are aware, at approximately 5:30 p.m. on May 15th, a major fire caused significant traffic disruption and delay, including the closure of a portion of Nantasket Avenue for some period of time. It is reported, that as a result some voters may have been unable to reach the polls due to heavy traffic and/or concern that they would not arrive before the close of polls at 8:00 p.m.

My responsibility as Town Clerk and as the Chief Election Official is to enfranchise all voters who wish to participate in choosing their local representatives. Learning about the road closure heightened my already significant concern that this public safety event was impeding access to the polls. I immediately consulted with Town public safety officials, the Town Manager, Town Counsel, and the state Elections Division concerning possible responses to this complicated issue. The rights of voters to cast ballots overshadowed the lateness of the hour and resolved any doubts I had about a proper resolution.

I made the decision to extend polling hours from 8:00 p.m. to 10:00 p.m. to provide the opportunity for those who had not yet voted to cast their votes. A public notification was made forthwith in several ways calculated to reach the greatest number of voters, including a Town-wide phone message, social media and, Hull Cable TV. Approximately 80 additional voters were able to cast ballots.

Because state law establishes that the longest time the polls may be open is from 7:00 a.m. through 8:00 p.m., the Town simultaneously sought to contact a Superior Court judge to receive appropriate guidance. Unfortunately, the Court was closed at that time and although all efforts were made it was not possible to locate another judge with authority to address the Town's requests. On Tuesday, May 16, 2023, Hull Town Counsel filed a petition with the Plymouth Superior Court to ratify the extended hours and authorize the Town to count the approximately 80 votes cast during that period. The next day, the Superior Court issued its ruling rejecting both of the Town's requests. The Court, although raising questions about whether voters may have been excluded, did not declare the election invalid or mandate a new election.

The unusual and unanticipated circumstances on election night could not have been anticipated. Regardless, regularity and integrity of elections are essential to people's confidence in elections and election officials. For that reason, the Town cannot simply ignore the current circumstances and the law. Together with appropriate Town officials, I am working with legal counsel to develop a plan to finalize this election, which will include filing another motion with the Superior Court to ask for additional guidance and clarification on possible resolutions. I will post the Town's papers on the website immediately after filing and will directly provide all candidates with a courtesy copy.

Additionally, under the law, the general rule is that an elected officer of the Town serves until their successor is elected and sworn, or "qualified". This result is for the convenience and continuity of government. As the Annual Town Election results are not yet final, persons appearing on the ballot have not yet been elected, and therefore, cannot be sworn. The elected incumbents of those offices, regardless of whether they ran for re-election, remain in office as hold over officials with all the same powers and duties they exercised prior to the date of the election.

This is a highly unusual situation with few historic examples to follow. I will continue to try to balance the interests of the candidates and the voters of the Town who did and did not cast ballots, to ensure a fair, equitable, and transparent 2023 election process in the Town of Hull.

Thank you.

Lori West
Hull Town Clerk