

Warrant for Annual Town Meeting

Draft final Legal

April 24, 2017

COUNTY OF DUKES COUNTY, SS.

TO THE CONSTABLES OF THE TOWN OF CHILMARK,
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to warn and notify the inhabitants of the Town of Chilmark, qualified to vote in elections and town affairs, to assemble at the Chilmark Community Center 520 South Road in said Town of Chilmark on Monday, the twenty-fourth day of April in the year Two Thousand and Seventeen A.D. at 7:30 o'clock in the evening, there and then to act on the articles in this Warrant, with the exception of Article One.

And to meet again in the Chilmark Community Center, in said Chilmark on Wednesday, the twenty-sixth day of April in the year Two Thousand and Seventeen A. D. 12 Noon, there and then to act on ARTICLE One of the Warrant by the election of Town Officers and action on Questions on the Official Ballot.

The polls for voting on the Official Ballot will be open at 12:00 PM Noon, and shall close at eight o'clock in the afternoon, 8:00 PM.

ARTICLE 1. To elect the following officers on the Official Ballot:

| | |
|---|-----------------|
| One Member of the Board of Selectmen | for three years |
| One Member of the Board of Assessors | for three years |
| One Member of the Board of Health | for three years |
| One Trustee of the Public Library | for three years |
| Two Members of the Finance Advisory Committee | for three years |
| One Member of the Cemetery Commission | for three years |
| One Members of the Planning Board | for five years |
| One Fence Viewer | for three years |
| One Surveyor of Wood, Lumber and Bark | for three years |
| One Surveyor of Wood, Lumber and Bark | for two years |
| One Tree Warden | for one year |

NON-BINDING QUESTION 1. "Are you in favor of eliminating rental mopeds from Martha's Vineyard? Yes or No"

NON-BINDING QUESTION 2. "Are you in favor of establishing a regional housing bank, to address the critical housing needs on the Vineyard? Yes or No"

ARTICLE 2. To hear the reports of the Town Officers and Committees and act thereon.

ARTICLE 3. To see if the town will vote to raise such sums of money as will be necessary to defray town charges and to make the appropriations for the ensuing year, as printed under Departmental Budgets - Salaries and Expenses totals, provided that the amount set forth under the Community Preservation Committee (Dept. 179) shall be funded from the Community Preservation FY2018 Budgeted Reserve Balance.

Recommended by the Finance Advisory Committee - Unanimously

ARTICLE 4. To see if the Town will vote to rescind the \$16,383 FY 2017 administration expense from the FY 2017 Community Preservation Undesignated Reserve Fund balance and vote the same amount from the FY 2017 Community Preservation

Budgeted Reserve fund balance of \$226,007.

~~Recommended by the Finance Advisory Committee - Unanimously~~

ARTICLE 5. To see if the town will vote to raise and appropriate the sum of **\$5,000.00** and further appropriate the sum of \$5,000.00 to be received from the Chilmark Town Affairs Council, subject to receipt, which amounts are to be added to the maintenance account of the Chilmark Community Center.

Recommended by the Finance Advisory Committee - Unanimously

ARTICLE 6. To see if the town will vote to raise and appropriate the sum of **\$20,000.00** and further appropriate **\$20,000.00** from Overlay Surplus for a Reserve Fund to be administered by the Finance Advisory Committee, for the fiscal year beginning July 1, 2017.

Recommended by the Finance Advisory Committee - Unanimously

ARTICLE 7. To see if the town will vote to raise and appropriate the sum of **\$11,000.00** to fund the Reserve Fund for the Future Payment of Accrued Liabilities for Compensated Absences.

Recommended by the Finance Advisory Committee - Unanimously

ARTICLE 8. To see if the town will vote to transfer from available funds in the treasury the sum of \$197,000.00 to the town's stabilizations funds as follows:

\$50,000.00 to be placed in the General Stabilization Fund,

\$25,000.00 to be placed in the Fire Department Stabilization Fund, with the intent that it be put towards the replacement costs for fire apparatus which is over twenty-five (25) years in age,

\$12,000.00 to be placed in the Police Vehicle Stabilization Fund,

\$10,000.00 to be placed in the Ambulance Stabilization Fund,

\$100,000.00 to be placed in the Highway Stabilization Fund.

Recommended by the Finance Advisory Committee - Unanimously

ARTICLE 9. To see if the town will vote to transfer from available funds in the treasury the sum of **\$2,005.00** to pay bills of a prior fiscal year as follows: Beetlebung Tree Care \$217.50 & Araujo Brothers \$787.50, and \$1,000.00 for future "bills of a prior fiscal year".

~~Recommended by the Finance Advisory Committee - Unanimously~~

ARTICLE 10. To see if the town will vote to raise and appropriate the sum of **\$11,130.00** to fund the Town's share of the administrative expenses of the All Island School Committee's contract for **Adult and Community Education** in Fiscal Year 2018.

Recommended by the Finance Advisory Committee - Unanimously

ARTICLE 11. Shall the Board of Selectmen be authorized to petition the State Legislature to allow the Town of Chilmark to issue not more than five annual or seasonal licenses under Massachusetts General Laws, Chapter 138, section 12 for the sale of wine and malt beverages to be drunk on the premises of restaurants with seating capacities of not less than 50 persons and to be consumed with meals only notwithstanding any limitations imposed by Sections 11, 11A and 17 of Chapter 138 of the General Laws or any other special or general law to the contrary.

NO ACTION taken by the Finance Advisory Committee - 7 Ayes - 0 Nays

Submitted by petition of: *Roger Cook, Robert Brown, Nancy Aronie, Wendy Weldon, James Langlois, Joel Glickman, Todd Christy, Dennis daRosa, Candace daRosa, Eric Glasgow, Judith LoRusso, Frank LoRusso, Maxwell McCreery, Constance McCreery, Russell Maloney, Shiela Muldaur, Matthew Tobin, Joseph Tobin, Abby Rabinovitz, Richard Staurt, Julianna Flanders,*

- ARTICLE 12.** To see if the Town will vote to raise and appropriate the sum of **\$6,185.00** to fund the CORE program at the MV Community Services under the supervision of the Up Island Council on Aging.
Recommended by the Finance Advisory Committee - Unanimously
- ARTICLE 13.** To see if the Town will vote to raise and appropriate the sum of **\$10,152.00**, as the Town's proportionate share of the Fiscal Year 2018 cost to fund the **Healthy Aging Task Force FIRST STOP** operated by the MV Community Services, based on the "50/50" formula.
Not Recommended by the Finance Advisory Committee - Unanimously
- ARTICLE 14.** To see if the Town will raise and appropriate the sum of **\$41,532** for the purpose of reducing the Up-Island Regional School District's Other Post Employment Benefits (**OPEB**) liability. If approved, these funds will be placed in the budget line item Education-Expenses #300-5695 Up-Island District Assessment, of the fiscal year 2017-2018 budget for this purpose. Provided however that the other two member Towns of the District approve their proportionate share of the total of \$208,286.
Recommended by the Finance Advisory Committee - 6 Ayes & 1 Abstention
- ARTICLE 15.** To see if the town will vote to transfer from available funds in the treasury the sum of **\$5,670.14** to buyout compensatory time unable to be used in the fiscal year by a police department employee.
Recommended by the Finance Advisory Committee - Unanimously
- ARTICLE 16.** To see if the town will vote to transfer from available funds in the treasury the sum of **\$30,000.00** to purchase and install municipal accounting, tax collections, and permit tracking software.
Recommended by the Finance Advisory Committee - Unanimously
- ARTICLE 17.** To see if the town will vote to transfer from available funds in the treasury the sum of **\$9,000.00** to purchase and install a new swim line and boat exclusion area buoys off Menemsha Beach, and various other buoys in Menemsha Pond, including the payment of costs incidental and relative thereto.
Recommended by the Finance Advisory Committee - Unanimously
- ARTICLE 18.** To see if the town will vote to transfer from the sum of **\$200,000.00** from "**Ambulance Receipts Reserved for Appropriation**" account to purchase a replacement ambulance and three powered ambulance cots, including the payment of costs incidental and relative thereto.
Recommended by the Finance Advisory Committee - Unanimously
- ARTICLE 19.** To see if the town will vote to transfer from available funds in the treasury the sum of **\$5,600.00** to purchase compressed air bottles for the Fire Department self-contained breathing apparatus (SCBA), including the payment of costs incidental and relative thereto.
Recommended by the Finance Advisory Committee - Unanimously
- ARTICLE 20.** To see if the town will vote to transfer from available funds in the treasury the sum of **\$10,000.00** to update the mobile radios for the Fire Department, including the payment of costs incidental and relative thereto.

ARTICLE 21. To see if the Town will vote to authorize the Board of Selectmen to take all necessary steps to effectuate a boundary line adjustment with the Town of Aquinnah, as provided for by a special act of the Legislature entitled, "An Act Changing the Boundary Line Between the Towns of Aquinnah and Chilmark," Chapter 452 of the Acts of 2016 (the "special act"), by: i) conveying by deed Lot 1 shown on a "Plan of Land in Aquinnah and Chilmark, Mass. Showing a Town Line Change Scale 1" = 20' April 5, 2016, Revised February 7, 2017 Vineyard Land Surveying & Engineering, Inc." (the "Plan"), to the Town of Aquinnah; and ii) accepting a conveyance by deed of Lot 2 shown on the Plan from the Town of Aquinnah. The Act provides for no other consideration, and the conveyance authorized in part "i" of this Article is contingent upon the Town of Aquinnah granting its Board of Selectmen reciprocal authority to effectuate the terms of the special act. The Plan is available for review in the office of the Executive Secretary during the usual Town Hall hours.

~~NO ACTION taken by the Finance Advisory Committee - 7 Ayes - 0 Nays~~

ARTICLE 22. To see if the Town will vote to transfer from available funds in the treasury the sum of **\$4,800.00** to fund repairs at the Town Hall, including the payment of costs incidental and relative thereto.

Recommended by the Finance Advisory Committee - Unanimously

ARTICLE 23. To see if the Town will vote to transfer from available funds in the treasury the sum of **\$10,000.00**, to fund the layout of improvements to the town owned lot on Middle Line Road, behind the landfill, and authorize the use of this land for general municipal purposes.

~~Recommended by the Finance Advisory Committee - Unanimously~~

ARTICLE 24. To see if the town will vote to transfer from available funds in the treasury the sum of **\$12,000.00** to fund exterior painting of over half of the Chilmark Free Public Library, including the payment of costs incidental and relative thereto.

Recommended by the Finance Advisory Committee - Unanimously

ARTICLE 25. To see if the town will vote to approve the following request of the **Community Preservation Committee**:

To see if the Town will vote to reserve from the Community Preservation Fund FY 2018 estimated annual revenues up to the following amounts for community preservation projects: **\$32,500.00** for Open Space Preservation; **\$32,500.00** for Historic Resources Preservation; **\$32,500.00** for Community Housing; and **\$227,500.00** for the Community Preservation Budgeted Reserve.

NO ACTION taken by the Finance Advisory Committee - 7 Ayes - 0 Nays

ARTICLE 26. To see if the Town will vote to approve the following request of the Community Preservation Committee: To see if the Town will vote to re-appropriate from the Community Preservation Reserve for Historic Resources Fund the sum of **\$31,512.00** for the MV Museum as Chilmark's share of the estimated \$600,000 project to install a new roof, rebuild the chimneys and install the associated building support structures needed for this project. The work will be done on the Museum's historic 1895 Marine Hospital Building in Tisbury. If the property is sold within ten years (before April 24, 2027) 100 percent of the Town's CPA funds shall be returned.

ARTICLE 27. To see if the town will vote to approve the following request of the **Community Preservation Committee:**

To see if the Town will vote to appropriate from the Community Preservation Reserve for Community Housing Fund the sum of **\$32,500.00** to the Island Housing Trust (IHT) as Chilmark's contribution to fund the construction of up to 20 affordable housing apartments at Keune's Way in Tisbury. A transfer of \$30,000 from the Community Preservation Undesignated Fund to the Reserve for Community Housing Fund would be required to fund this appropriation. If approved, the funds would not be released until a permanent affordable housing deed restriction on the land is filed with the deed at the Registry of Deeds.

NO ACTION taken by the Finance Advisory Committee - 7 Ayes - 0 Nays

ARTICLE 28. To see if the town will vote to approve the following request of the **Community Preservation Committee:**

To see if the Town will vote to appropriate from the Community Preservation Reserve for Community Housing Fund the sum of **\$82,600.00** for The Resource, Inc. (TRI) to fund the Preserving Affordability through Loan Support (P.A.L.S.) program. It provides interest-free loans for structural house repairs for Chilmark residents earning less than 100 % county median income. \$70,000 of this appropriation will be used for the interest-free loans. \$12,600 will be used for administration of the program. A transfer of \$70,000 from the Community Preservation Undesignated Fund to the Reserve for Community Housing Fund would be required to fund this appropriation.

NO ACTION taken by the Finance Advisory Committee - 7 Ayes - 0 Nays

ARTICLE 29. To see if the town will vote to approve the following request of the **Community Preservation Committee:**

To see if the Town will vote to appropriate from the Reserve for Open Space Preservation Fund the sum of \$10,000.00 as Chilmark's contribution to help re-build the old basketball court that is on school grounds behind the West Tisbury School. A small portion of the funds will also help fund improvements to the grass soccer field.

NO ACTION taken by the Finance Advisory Committee - 7 Ayes - 0 Nays

ARTICLE 30. To see if the town will vote to approve the following request of the **Community Preservation Committee:**

To see if the Town will vote to appropriate from the Reserve for Historic Resources Preservation Fund the sum of **\$5,200.00** to pay for the restoration of the Town's 19th-century official weights & measures cabinet and contents. When the restoration is completed this will be displayed in the Town Hall for all to enjoy.

NO ACTION taken by the Finance Advisory Committee - 7 Ayes - 0 Nays

ARTICLE 31. To see if the Town will vote to approve a sum of up to the \$2,500,000.00 borrowing authorized by vote of the Martha's Vineyard Refuse Disposal and Resource Recovery District for the purpose of financing the cost of capital improvements toward the restructuring of traffic flow and Residential Drop-Off at the Edgartown Transfer Station, or to take any action relative thereto.

~~Recommended by the Finance Advisory Committee - Unanimously~~

ARTICLE 32. To see if the Town will vote to request the Selectmen to authorize law enforcement and all Town officials to refrain from using Town funds and/or resources to enforce federal immigration laws, in keeping with current practice, unless presented with a criminal warrant or other evidence of probable cause, as required by the Fourth Amendment of the United States.

NO ACTION taken by the Finance Advisory Committee - 7 Ayes - 0 Nays

ARTICLE 33. To see if the town will vote to transfer from available funds in the treasury the sum of **\$3,000.00** to fund, implement and train on a Multi-Hazard Emergency Plan for the Chilmark Elementary School in cooperation with the Superintendent of Schools and all town departments, including the payment of costs incidental and relative thereto.

Recommended by the Finance Advisory Committee - Unanimously

ARTICLE 34. To see if the Town will vote to authorize the Board of Selectmen to increase the cost of an annual Common Victuallers permit from \$50 to \$100, pursuant to MGL Chapter 140 section 2.

NO ACTION taken by the Finance Advisory Committee - 7 Ayes - 0 Nays

You are hereby directed to serve this warrant by posting attested copies in three public places in said Town of Chilmark at least seven days before the time of said meeting, and to publish said warrant in one newspaper having general circulation in the Town of Chilmark during the week before said meeting.

Given under our hands this 7th day of March, A.D. 2017.

Chilmark Board of Selectmen

Warren M. Doty, Chairman

William N. Rossi

James M. Malkin

I have notified the inhabitants of the Town of Chilmark qualified to vote in town affairs, by posting three (3) attested copies of this warrant in three (3) public places and by publishing said warrant in one newspaper having general circulation in said Town of Chilmark and made due return of this warrant at the time and place of said meeting. God save the Commonwealth.

Posted:

By: _____

Constable Marshall E. Carroll, III