

Warrant for Annual Town Meeting

April 28, 2014

COUNTY OF DUKES COUNTY, SS.

TO THE CONSTABLES OF THE TOWN OF CHILMARK,
GREETING:

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 in said Town of Chilmark on Monday, the twenty-eighth day of April in the year Two Thousand and Fourteen 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 thirtieth day of April in the year Two Thousand and Fourteen 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
One Trustee of the Public Library	for one year
Two Members of the Finance Advisory Committee	for three years
One Member of the Finance Advisory Committee	for two years
One Member of the Cemetery Commission	for three years
One Members of the Planning Board	for five years
One Member of the Planning Board	for three 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

Questions

Question 1. Shall the Town of Chilmark be allowed to assess an additional **\$122,000** in real estate and personal property taxes for the purposes of funding the operating budget of the Martha's Vineyard Regional School District for the fiscal year beginning July 1, 2014? Yes No

Question 2. Shall the Town of Chilmark be allowed to assess an additional **\$71,000** in real estate and personal property taxes for the purposes of funding the operating budget of the Up Island Regional School District for the fiscal year beginning July 1, 2014? Yes 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 Education Budget as the Up Island Regional School District and Martha's Vineyard Regional High School (Dept. 300) shall be raised and appropriated only if a majority of voters casting ballots at the Annual Town Election to be held on April 30th 2014 vote in the affirmative to override Proposition 2½, and that the amount set forth under the Community Preservation Committee (Dept. 179) shall be funded from the Community Preservation FY2014 Budgeted Reserve.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present
EXCEPT Martha's Vineyard Commission increase. This was NOT RECOMMENDED.

ARTICLE 4. 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 - 4 Ayes-0 Nays-3 Not Present

ARTICLE 5. To see if the town will vote to raise and appropriate the sum of **\$40,000.00** for a Reserve Fund to be administered by the Finance Advisory Committee, for the fiscal year beginning July 1, 2014.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 6. To see if the town will vote to raise and appropriate the sum of **\$23,256.00** to fund Chilmark's share of the Vineyard Health Care Access program and authorize the Board of Selectmen to enter into an inter-municipal agreement with the County of Dukes County to provide a Health Care Access Program.

Submitted by the Dukes County Commission

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 7. To see if the town will vote to transfer the sum of **\$55,000.00** from available funds in the treasury to be placed in the General Stabilization Fund.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 8. To see if the town will vote to transfer the sum of **\$30,000.00** from available funds in the treasury 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.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 9. To see if the town will vote to transfer from available funds in the treasury the sum of **\$12,000.000** to be placed in the Ambulance Stabilization Fund.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 10. To see if the town will vote to transfer from available funds in the treasury the sum of **\$12,000.00** to fund building maintenance projects at the Police & Fire Stations, and Community Center, including the payment of costs incidental and related thereto.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 11. To see if the town will vote to transfer from available funds in the treasury the sum of

\$6,000.00 to fund the purchase of a portable fire pump, including the payment of costs incidental and related thereto.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 12. To see if the town will vote to transfer from available funds in the treasury the sum of **\$5,000.00** to be added to funds provided by the Chilmark Volunteer Firemen's Association for the purchase and equipping of a Utility Task Vehicle (UTV), including the payment of costs incidental and related thereto.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 13. To see if the town will vote to transfer from available funds in the treasury the sum of **\$15,000.00** to fund the purchase of cashbook and permit software, and computer equipment, including the payment of costs incidental and related thereto.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 14. 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 2014 estimated annual revenues up to the following amounts for community preservation projects: **\$32,287** for Open Space Preservation; **\$32,287** for Historic Resources Preservation; **\$32,287** for Housing; and **\$226,007** for the Community Preservation Budgeted Reserve.

NO ACTION taken by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 15. 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 Historic Resources Reserve Fund the sum of **\$3,500.00** to restore approximately 35 slate gravestones from the late 1700's and 1800's in Abel's Hill Cemetery.

NO ACTION taken by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 16. 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 Historic Resources Reserve the sum of **\$100,000.00** to help fund the Sheriff Meadow Foundation's restoration of the historic Mayhew-Hancock-Mitchell House on Quansoo Farm – circa 1655. A transfer of \$100,000 from the Community Preservation Budgeted Reserve Fund to the Historic Resources Reserve Fund would be required to fund this appropriation.

NO ACTION taken by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 17. 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 Historic Resources Reserve Fund the sum of **\$51,854.00** as Chilmark's share to help fund the estimated \$3 million project to relocate and restore the historic Gay Head Lighthouse. A transfer of \$45,000 from the Community Preservation Undesignated Reserve Fund to the Historic Resources Reserve Fund would be required to fund this appropriation.

NO ACTION taken by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 18. 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 Historic Resources Reserve Fund the sum of **\$5,847.00** as Chilmark's share of the estimated \$55,000 project to bring the historic County Courthouse electrical wiring up to current code requirements.

NO ACTION taken by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 19. 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 Historic Resources Reserve 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 slate 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 28, 2024) 100 percent of the Town's CPA funds shall be returned.

NO ACTION taken by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 20. 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 Affordable Housing Reserve Fund the sum of **\$65,000.00** to the Island Housing Trust as Chilmark's share of the estimated \$600,000 acquisition of six affordable apartments located at 14 Village Court, Vineyard Haven. A transfer of \$5,000 from the Community Preservation Undesignated Reserve Fund to the Affordable Housing Reserve Fund would be required to fund this appropriation. In exchange for this appropriation qualified Chilmark tenants will be given "preference" for one of the six affordable apartments for applicants earning approximately 60 percent of the County Median Income.

NO ACTION taken by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 21. To see if the town will vote to raise and appropriate the sum of **\$3,500.00** to fund the Police Department's FY2015 participation in the Martha's Vineyard Law Enforcement Council.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 22. To see if the town will vote to transfer from available funds in the treasury the sum of **\$32,000.00** to purchase and equip a new police vehicle, including the payment of costs incidental and relative thereto.

Recommended by the Finance Advisory Committee - 3 Ayes-0 Nays-1 Abstain-3 Not Present

ARTICLE 23. To see if the town will vote to transfer from available funds in the treasury the sum of **\$10,000.00** to participate in a shellfish experiment in Chilmark Great Pond with the Martha's Vineyard Shellfish Group, including the payment of costs incidental and relative thereto.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 24. To see if the town will vote to transfer from available funds in the treasury the sum of **\$100,000.00** to pay down the FY2015 tax rate.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 25. To see if the town will vote to transfer from account 01-830-9266-5700-14 (County Pest Management) the sum of **\$7,064.01** and the sum of **\$818.61** from account 01-141-92695700-11 (assessors FY2012 Reval) for the purpose of funding improvements to the Tabor House Road landfill cap parking area for use as an off-site parking lot for Menemsha, including the payment of costs incidental and relative thereto.

Recommended by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 26. To see if the town will vote to transfer from available funds in the treasury the sum of **\$9,567.00** 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 2015.

NO ACTION taken by the Finance Advisory Committee - 4 Ayes-0 Nays-3 Not Present

ARTICLE 27. To see if the Town will authorize the Board of Selectmen to submit a Home Rule Petition to the Massachusetts General Court requesting either an amendment to the Pesticide Control Act, Massachusetts General Laws Chapter 132B, or special legislation, authorizing the Town to enforce Section 12.6.H(1) of the Chilmark Zoning By-laws without regard to the Pesticide Control Act, which zoning provision prohibits the use of chemical fertilizers, herbicides, fungicides, pesticides, chemical septic system cleaners, and such other substances that may be determined by the Board of Health in the Squibnocket Pond Overlay District, in essentially the following form:

An act relative to the Squibnocket Pond Overlay District in the town of Chilmark.

SECTION 1. Notwithstanding chapter 132B of the General Laws or any other general or special law to the contrary, the town of Chilmark may prohibit, in the Squibnocket Pond Overlay District as defined by the town of Chilmark, the use of chemical fertilizers, herbicides, fungicides, pesticides, chemical septic system cleaners and such other substances as may be determined by the town of Chilmark board of health.

SECTION 2. The adoption of section 12.6(H)(1) of the town of Chilmark zoning-by laws by the town of Chilmark is hereby validated, ratified and confirmed.

SECTION 3. This act shall take effect upon its passage.

and that the General Court may, with the approval of the Board of Selectmen, make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage.

NO ACTION taken by the Finance Advisory Committee - 4 Ayes - 0 Nays - 3 Not Present

ARTICLE 28. To see if the Town will vote in favor of the Board of Selectmen proceeding with developing a plan involving Squibnocket Beach, including: improvements to and relocation of the access road; the new construction of a raised roadway; the addition of approximately 1000 feet of beach to be added to the existing beach; the relocation and expansion of the existing parking area; and the construction of improvements to allow access for boating in Squibnocket Pond. The proposed project will involve the negotiating of a new or amended lease for the existing beach which will expand the length of its term by approximately 64 years, and will provide for a 99 year lease of approximately 10.5 acres of land to be used for the expanded beach, parking area, and boat water access. This article is to assess the Town's interest in pursuing this project. Should the Town vote in favor of pursuing this project, the Selectmen will hold a future Special Town