

Warrant for Annual Town Meeting

April 23, 2012

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-third day of April in the year Two Thousand and Twelve 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-fifth day of April in the year Two Thousand and Twelve A. D. at 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 o'clock noon, and shall close at eight o'clock in the afternoon.

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
Three 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 Member of the Planning Board	for two year
One Fence Viewer	for three years
One Surveyor of Wood, Lumber and Bark	for three years
One Tree Warden	for one year
One Constable	for one year
One Martha's Vineyard Land Bank Commissioner	for three years

Questions

Question 1. Shall the Town of Chilmark be allowed to exempt from the provisions of Proposition 2 ½ , so-called, the amounts required to pay for the bond issued in order to conduct exterior repairs to the West Tisbury School? Yes No

Question 2. Shall the Town of Chilmark be allowed to assess an additional **\$31,767** in real estate and personal property taxes for the purposes of participating in the Massachusetts Estuary Project in the Menemsha Pond system for the fiscal year beginning July 1, 2012? Yes No

Question 3. Shall the Town of Chilmark be allowed to assess an additional **\$54,500** in real estate and personal property taxes for the purposes of participating in the Massachusetts Estuary Project in the Chilmark Pond system for the fiscal year beginning July 1, 2012? Yes No

Question 4. Shall a roundabout be built at the blinker intersection? NON-BINDING 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 Community Preservation Committee (Dept. 179) shall be funded from the Community Preservation FY2011 Budgeted Reserve and that \$2,500.00 be transferred from the Wetlands Fund to fund the Conservation Officer.
RECOMMENDED by FINANCE ADVISORY COMMITTEE
- ARTICLE 4.** To see if the town will vote transfer from General Fund Account 145-9291-5700 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 FINANCE ADVISORY COMMITTEE
- ARTICLE 5.** To see if the town will vote to appropriate the sum of **\$34,000.00** from available funds in the treasury and transfer the sum of **\$6,000.00** from Overlay Surplus for a Reserve Fund to be administered by the Finance Advisory Committee, for the fiscal year beginning July 1, 2012.
RECOMMENDED by FINANCE ADVISORY COMMITTEE
- ARTICLE 6.** To see if the town will vote to transfer from General Fund Account 145-9291-5700 the sum of **\$8,550.59** to fund Chilmark's share of the County Pest Management program based on the county tax formula.
Submitted by the Dukes County Commission
RECOMMENDED by FINANCE ADVISORY COMMITTEE
- ARTICLE 7.** To see if the town will vote to transfer from General Fund Account 198-9272-5700 the sum of **\$15,085.01** to fund Chilmark's share of the Vineyard Health Care Access program based on the county tax formula 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 FINANCE ADVISORY COMMITTEE
- ARTICLE 8.** To see if the town will vote to transfer from General Fund Account 299-9260-5850 the sum of **\$1,177.87** to fund Chilmark's proportionate share of the Dukes County Health Care Access program, based 50% on the county tax formula and 50% on population, to continue providing the FY2010 level of services to residents in need of assistance.
Submitted by the Vineyard Health Care Access program
RECOMMENDED by FINANCE ADVISORY COMMITTEE
- ARTICLE 9.** To see if the town will vote to transfer the sum of **\$15,000.00** from available funds in the treasury to the General Stabilization Fund.
RECOMMENDED by FINANCE ADVISORY COMMITTEE
- ARTICLE 10.** To see if the town will vote to transfer the sum of **\$15,000.00** 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 FINANCE ADVISORY COMMITTEE
- ARTICLE 11.** To see if the town will vote to transfer from available funds in the treasury the sum of

\$100,000.00 to continue the funding of OPEB (Other Post Employment Benefits) obligations.

RECOMMENDED by FINANCE ADVISORY COMMITTEE

ARTICLE 12. To see if the town will vote to transfer from General Fund Account 122-9105-5700 the sum of **\$2,800.00** and transfer from General Fund Account 122-9241-5700 the sum of **\$4,000.00** to fund computer and software upgrades for the Town Hall and the Public Safety network.

RECOMMENDED by FINANCE ADVISORY COMMITTEE

ARTICLE 13. To see if the town will vote to transfer from General Fund Account 145-9291-5700 the sum of **\$12,000.00** and transfer the sum of **\$12,000.00** from the Waterways Improvement account to pay to for the replacement of pilings in Menemsha Harbor, including the payment of costs incidental and related thereto.

RECOMMENDED by FINANCE ADVISORY COMMITTEE

ARTICLE 14. To see if the town will vote to transfer the sum of **\$3,000.00** from the Waterways Improvement account to pay to for the replacement of navigational aids in Menemsha Pond, including the payment of costs incidental and related thereto.

RECOMMENDED by FINANCE ADVISORY COMMITTEE

ARTICLE 15. To see if the town will vote to transfer from General Fund Account 145-9291-5700 the sum of **\$3,000.00** to fund the Police Department's FY2013 participation in the Martha's Vineyard Law Enforcement Council.

RECOMMENDED by FINANCE ADVISORY COMMITTEE

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 reserve from the Community Preservation Fund FY 2012 estimated annual revenues up to the following amounts for community preservation projects: **\$27,316** for Open Space Preservation; **\$27,316** for Historic Resources Preservation; **\$27,316** for Housing; and **\$191,209** for the Community Preservation Budgeted Reserve.

RECOMMENDED by FINANCE ADVISORY COMMITTEE

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 Community Preservation **Historic Resources Reserve** the sum of **\$8,610.00** to fund Chilmark's share of an island-wide funding campaign to preserve Martha's Vineyard Museum historic artifacts.

RECOMMENDED by FINANCE ADVISORY COMMITTEE

ARTICLE 18. To see if the town will vote to transfer from General Fund Account 122-9105-5700 the sum of **\$17,000.00** to upgrade self contained breathing apparatus (SCBA) at the Fire Department, including the payment of costs incidental and relative thereto.

RECOMMENDED by FINANCE ADVISORY COMMITTEE

ARTICLE 19. To see if the town will vote to transfer from General Fund Account 198-9272-5700 the sum of **\$10,000.00** and further appropriate the sum of **\$1,700.00** to be received from

the Chilmark Volunteer Firemen's Association, subject to receipt, to purchase Personal Protective Equipment for the Fire Department
RECOMMENDED by FINANCE ADVISORY COMMITTEE

ARTICLE 20. To see if the town will vote to raise and appropriate the sum of up to **\$31,767.00** and further appropriate any donations from any source, to enroll the Menemsha, Squibnocket, Nashaquitsa, and Stonewall Ponds in the Massachusetts Estuaries Project, including the payment of costs incidental and relative thereto, provided that the amount set forth shall be raised and appropriated only if a majority of voters casting ballots at the Annual Town Election to be held on April 25th 2012 vote in the affirmative to override proposition 2 ½.
RECOMMENDED by FINANCE ADVISORY COMMITTEE

ARTICLE 21. To see if the town will vote to raise and appropriate the sum of up to **\$54,500.00** and further appropriate any donations from any source, to enroll the Chilmark Pond in the Massachusetts Estuaries Project, including the payment of costs incidental and relative thereto, provided that the amount set forth shall be raised and appropriated only if a majority of voters casting ballots at the Annual Town Election to be held on April 25th 2012 vote in the affirmative to override proposition 2 ½.
RECOMMENDED by FINANCE ADVISORY COMMITTEE

ARTICLE 22. To see if the town will vote to instruct the Selectmen to communicate to the Massachusetts State Senate and House the support of the citizens of the town of Edgartown for Senate Bill 772, Restoring Free Speech, which is as follows:

WHEREAS, the First Amendment to the United States Constitution was designed to protect the free speech rights of people, not corporations;

WHEREAS, for the past three decades, a divided United States Supreme Court has transformed the First Amendment into a powerful tool for corporations seeking to evade and invalidate democratically-enacted reforms;

WHEREAS, this corporate takeover of the First Amendment has reached its extreme conclusion in the United States Supreme Court's recent ruling in Citizens United v. FEC;

WHEREAS, the United States Supreme Court's ruling in Citizens United v. FEC overturned longstanding precedent prohibiting corporations from spending their general treasury funds in our elections;

WHEREAS, the United States Supreme Court's ruling in Citizens United v. FEC will now unleash a torrent of corporate money in our political process unmatched by any campaign expenditure totals in United States history;

WHEREAS, the United States Supreme Court's ruling in Citizens United v. FEC presents a serious and direct threat to our democracy;

WHEREAS, the people of the United States have previously used the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and self-government;

Now be it resolved that the Commonwealth of Massachusetts hereby calls upon the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people.

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 6th day of March, A.D. 2012.

Chilmark Board of Selectmen

Frank M. Fenner Jr. , Chairman

Jonathan E. Mayhew

Warren M. Doty

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: _____
Assistant Constable Marshall E. Carroll, III