

**WEST TISBURY
COMMONWEALTH OF MASSACHUSETTS**

**WARRANT FOR
SPECIAL TOWN MEETING**

County of Dukes County, SS
To Either of the Constables of the Town of West Tisbury,

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of West Tisbury qualified to vote in elections and in Town affairs to meet in the **West Tisbury Elementary School**, Old County Road, in said Town on **Tuesday the fourteenth day of November, two thousand and twenty-three**, at **six o'clock** in the evening; then and there to act on the articles of this Warrant.

ARTICLE 1: To see if the Town will vote to appropriate from free cash the sum of Twenty Thousand Dollars (\$20,000) to the Fiscal Year 2024 budget line 151-5305 Legal Services. **(XXX)**

ARTICLE 2: To see if the Town will vote to appropriate from free cash the sum of Twelve Thousand Eight Hundred Seventy Five Dollars and Eighty-Nine Cents (\$12,875.89) to the Fiscal Year 2024 budget line 510-5700 Expenses- Board of Health. **(XXX)**

ARTICLE 3: To see if the Town will vote to appropriate from free cash the sum of Twenty Five Thousand Dollars (\$25,000) to the Fiscal Year 2024 budget line 176-5305 Board of Appeals Legal Services. **(XXX)**

ARTICLE 4: To see if the Town will vote to amend the Lambert's Cove Beach bylaw to allow dogs on Lamberts Cove Beach before 10:00 am daily from June 15th to ~~September 15th~~ **Labor Day** annually. *(changes are shown in bold or strikethrough)*

ARTICLE 5: To see if the Town will create the Opioid Settlement Stabilization Fund to be established under Massachusetts General Laws Chapter 40, Section 5B. **2/3 VOTE REQUIRED**

ARTICLE 6: To appropriate from Free Cash the sum of Five Thousand One Hundred Forty-six dollars and Ninety-one cents (\$5,146.91), the amount of opioid settlement funds received to-date, to transfer to the Opioid Settlement Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B.

ARTICLE 7: To see if the Town will dedicate 100% of all opioid settlement funds received by the Town to the Opioid Settlement Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for fiscal year 2025 beginning on July 1, 2024 or take any other action relative thereto. **2/3 VOTE REQUIRED**

ARTICLE 8: To see if the Town will Vote to Raise and Appropriate the sum of Six Thousand Nine-Hundred Twenty-Eight Dollars and Thirty-Eight Cents (\$6,928.38) to reflect the 10% wage increase (budget line 161-5110) for the elected office of Town Clerk for the Fiscal Year beginning July 1, 2023. **2/3 VOTE REQUIRED**

ARTICLE 9: To see if the Town will Vote to Raise and Appropriate the sum of Thirteen Thousand Four Hundred Seventy-Eight Dollars and Four Cents (\$13,478.04) to reflect the 10% wage increase (budget line 220-5120) for the Fire Chief for the Fiscal Year beginning July 1, 2023.

ARTICLE 10: To see if the Town will transfer from Free Cash the sum of Twenty-five Thousand Dollars (\$25,000) to line-item 132-5700 Reserve Fund of the Town budget for the fiscal year beginning July 1, 2023.

ARTICLE 11: To see if the Town will vote to amend the Capital Improvement Planning Committee by law, Section 1, as follows: *(changes are shown in bold or strikeout)*

Section 1:

The Board of Selectmen shall establish and appoint a committee to be known as the Capital Improvement Planning Committee, composed of one member or representative each from the board of Selectmen, the Finance Committee, the Planning Board, the Board of Assessors, **and the Energy Committee**. The Town Treasurer, **the Inspector of Buildings** and the Town Accountant shall be ex-officio members. The Board of Selectmen shall also appoint ~~two~~ **one at-large members to the committee**, to increase the total voting members to ~~seven~~ **nine**. The Committee shall choose its own officers, determine the length of terms and procedure for filling vacancies.

ARTICLE 12: To see if the Town will vote to Raise and Appropriate, transfer or borrow the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00), to be expended under the authority and direction of the West Tisbury Affordable Housing Trust to Fund the ADU Pilot Program as outlined below.

The purpose of the Accessory Dwelling Unit Pilot Program shall be to promote both year-round housing, and housing affordable to households which earn up to 140% of the applicable household area median income for Dukes County as determined by the federal Department of Housing and Urban Development ("AMI").

In furtherance of said purpose, the WTAHT shall be authorized to offer forgivable loans of up to \$25,000 for predevelopment expenses and perpetual restrictions based on the town's current Accessory Dwelling Unit Program. The WTAHC shall not develop, renovate, manage, or operate properties, but shall fulfill its purposes primarily through funding projects proposed by residential property owners. In considering projects for funding, the WTAHC shall use as guidelines town or regional master plans, wastewater plans, watershed management plans, open space plans, and climate and energy goals.

ARTICLE 13: Home Rule Petition/Amend West Tisbury Affordable Housing Trust Fund. To see if the Town will vote to instruct its senator and representative in the General Court to file a home rule petition for a special act to read as follows, provided that the General Court may only make clerical or editorial changes of form to the bill, unless the Select Board approve amendments to the bill before enactment by the General Court. The Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of the petition:

AN ACT RELATIVE TO AFFORDABLE HOUSING TRUST FUND OF THE TOWN OF WEST TISBURY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 55C. Chapter 44 of the Acts of 1985, as amended by Chapter 55c of the Acts of 2009, is hereby amended by striking "chapter 44B" and adding "G. L. c. 121B, s. 38D".

Section 55C. (a) Notwithstanding section 53 or any other general or special law to the contrary, a city or town that accepts this section may establish a trust to be known as the Municipal Affordable Housing Trust Fund, in this section called the trust. The purpose of the trust is to provide for the creation and preservation of affordable housing in municipalities for the benefit of low and moderate income households and for the funding of community housing, as defined in and in accordance with the provisions of ~~chapter 44B~~ **G. L. c. 121B, s. 38D**. Acceptance shall be by majority vote of the municipal legislative body under section 4 of chapter 4.

ARTICLE 14: Home Rule Petition/Amend West Tisbury Land Bank Advisory Board. To see if the Town will vote to instruct its senator and representative in the General Court to file a home rule petition for a special act to read as follows, provided that the General Court

may only make clerical or editorial changes of form to the bill, unless the Select Board approve amendments to the bill before enactment by the General Court. The Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of the petition:

AN ACT RELATIVE TO THE DUKES COUNTY LAND BANK OF THE TOWN OF WEST TISBURY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 736 of the Acts of 1985, as amended by Chapter 78 of the Acts of 2009, is hereby amended by inserting "housing committee".

To read as follows:

"Town Advisory Board", a town board created in each of the towns of Chilmark, Edgartown, Gay Head, Oak Bluffs, Tisbury and West Tisbury to assist the land bank commission in administering this act, such advisory board to consist of one representative duly appointed, either from its membership or otherwise, by each of the following town boards should they exist: conservation commission, planning board, board of assessors, board of health, park and recreation commission, board of selectmen, **housing committee** and water commission and in said town of Tisbury there shall be one representative duly appointed either from its membership or otherwise by the department of public works.

And you are directed to serve this Warrant by posting attested copies thereof in not less than six (6) public places in West Tisbury fourteen days (14) at least before the holding of such meeting.

Hereof fail not and make due return of this Warrant with doings thereon to the Town Clerk at the time and place of Meeting aforesaid.

Given under our hands this 25th Day of October in the Year Two Thousand Twenty Three.

Jeffrey S. "Skipper" Manter
Chair

Jessica D. Miller

Cynthia E. Mitchell

WEST TISBURY SELECT BOARD

DATE:

I have posted attested copies of the above Warrant in not less than six (6) public places in West Tisbury fourteen (14) days before such meeting.

Timothy A. Barnett
Constable

A true copy, attest: _____
Tara J. Whiting-Wells
Town Clerk