

The meeting was called to order by the Moderator at 6:32pm who declared a presence of 372 qualified voters present. All articles were duly moved, seconded and voted upon. There were six amendments from the floor. The meeting was adjourned at 9:50pm.

**WEST TISBURY
COMMONWEALTH OF MASSACHUSETTS**

**WARRANT FOR
ANNUAL 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 School**, Old County Road, in said Town on **Tuesday the Twelfth day of April, Two Thousand Twenty-Two**, at **Six O’Clock** in the evening; then and there to act on the articles of this Warrant.

And to meet again in the West Tisbury Public Safety Building (North Tisbury Fire Station) in said West Tisbury on **Thursday, the Fourteenth Day of April, at Seven O’Clock in the Morning** at the Polling Place, then and there to act on Article 1 of the Warrant by the election of Officers on the Official Ballot.

The polls for voting on the Official Ballot will be **opened at Seven O’Clock in the Morning** and shall be closed **at Eight O’Clock in the Evening**.

QUESTION 1: Non Binding Public Advisory Question for the 2022 Spring Town Ballot Calling upon Holtec Pilgrim, LLC, owner of the closed Pilgrim Nuclear Power Station and Holtec Decommissioning International, LLC, to immediately withdraw any plans to discharge any radioactive water into Cape Cod Bay. WHEREAS, Cape Cod Bay is a federal and state protected area and habitat for the endangered Right Whale; and WHEREAS, Cape Cod Bay provides a vital livelihood for fishermen and the tourist industry; and WHEREAS, The National Academies of Science has determined there is no safe dose of ionizing radiation, WHEREAS, One radioactive element in Holtec Pilgrim water is Tritium, which concentrates up the food chain from sediment to sea grasses to the fish we eat; and WHEREAS, Holtec Pilgrim can discharge radioactive water anytime without approval of the Nuclear Regulatory Commission [NRC]; and WHEREAS, The Attorney General of New Mexico has filed a lawsuit against the NRC for unlawful proceedings and illegal activities involving Holtec; and WHEREAS, The Commonwealth has the authority to stop the dumping; Therefore, shall the people of the Town of West Tisbury direct the local government to communicate with Governor Charlie Baker, Attorney General Maura Healey, and the State Legislature to employ all means available to ensure that Holtec commits to immediately withdraw any plans to dump any radioactive water into Cape Cod Bay?

QUESTION 2: Shall the Town of West Tisbury be allowed to assess an additional Four Hundred Twenty-Three Thousand Dollars (\$423,000) in real estate and personal property taxes for the purpose of supporting the next phase of the Howes House renovation/reconstruction including but not limited to hiring an Owners Project Manager and Architect to create design, construction and bid documents for the project for the fiscal year beginning July first 2022.

QUESTION 3: Shall the Select Board, on behalf of the Town, be authorized to file a home rule petition asking the Legislature to create a Housing Bank which would impose a 2% transfer fee on real estate sales of One Million (\$1,000,000.00) and above to provide year-round and housing affordable to those earning up to 240% of the Dukes County median income?

ARTICLE 1: To elect the following Officers on the Official Ballot:

- Assessors (vote for 1) (Three year term)
- Board of Health (vote for 1) (Three year term)
- Finance Committee (vote for 2) (Three year term)
- Library Trustee (vote for 2) (Three year term)
- Library Trustee (vote for 1) (One year term)
- Moderator (vote for 1) (One year term)
- Parks and Recreation (vote for 1) (Three year term)
- Planning Board (vote for 2) (Five year term)
- Planning Board (vote for 1) (Four year term)
- Select Board (vote for 1) (Three year term)
- Select Board (vote for 1) (One year term)
- Town Clerk (vote for 1) (One year term)
- Tree Warden (vote for 1) (One year term)

ARTICLE 2: To see if the Town will vote to Raise and Appropriate such sums of money as may be necessary to defray Town Charges and Expenses for Fiscal Year 2023.
(See the Budget published in the Town Report) **(NOT RECOMMENDED 5-0)**
Line item 141-5302 reduced from \$30,000 to \$20,000.
PASSED UNANIMOUSLY AS AMENDED

ARTICLE 3: To see if the Town will vote to amend the Personnel By-law at Section 27.3 (Year-Round Pay Schedule and Section 27.4 (Seasonal Pay Schedule) to reflect a wage adjustment of 2.4% effective July 1, 2022. **(RECOMMENDED 5-0)**
PASSED UNANIMOUSLY

ARTICLE 4: To see if the Town will vote to amend the Personnel By-law at Section 27.4 (Seasonal Pay Schedule) to adjust the pay scale at Grades 1 and 2 to reflect the increase in the Massachusetts minimum wage to Fourteen dollars and Twenty-Five Cents (\$14.25) per hour that went into effect on January 1, 2022, to be effective immediately.

Section 27-4
Seasonal Pay Schedule FY 2022

<i>Grade</i>		<i>Step 1</i>	<i>Step 2</i>	<i>Step 3</i>	<i>Step 4</i>
1	Hourly	14.25	14.96	15.71	16.50
2	Hourly	15.09	15.84	16.63	17.46
3	Hourly	15.93	16.73	17.57	18.45
4	Hourly	17.89	18.78	19.72	20.71
5	Hourly	20.30	21.32	22.39	23.51
6	Hourly	25.07	26.32	27.64	29.02
7	Hourly	26.50	27.83	29.22	30.68

PASSED UNANIMOUSLY **(RECOMMENDED 5-0)**

ARTICLE 5: To see if the Town of West Tisbury will Raise and Appropriate, for expenditure in Fiscal Year 2023, the sum of Thirty Nine Thousand Two Hundred Thirty Seven Dollars and Seventy Cents (\$39,237.70), to support the maintenance costs of the Martha’s Vineyard Public Safety Communication System in accordance with the Cooperative Agreement for Emergency Communications and Dispatch Services. The funding is contingent on all six Island towns paying for such costs in Fiscal Year 2023 according to the agreed upon dispatch and fixed cost formula. **(RECOMMENDED 4-1-0)**
PASSED

ARTICLE 6: To see if the Town will vote to authorize the expenditure in Fiscal Year 2023 from revolving funds previously established by vote of the Town pursuant to the provisions of M. G. L. Chapter 44, Section 53E1/2, for fiscal year 2023 to be credited with receipts from the following revenue sources, to be expended under the authority and direction of the following agencies or officials, for the following stated purposes, not to exceed the following spending limits respectively:

<u>Fund</u>	<u>Revenue Source</u>	<u>Authority to Spend Funds</u>	<u>Use of Funds</u>	<u>Spending Limits</u>
Wetlands Protection Bylaw	Filing fees	Conservation Commission	to pay for expenses of the Commission related to the administration of the Bylaw	\$2,000
PASSED UNANIMOUSLY			(RECOMMENDED 5-0)	

ARTICLE 7: To see if the Town will vote to amend Section 27.1 the Personnel Bylaw to add the position of Climate/Energy Committee Administrative Assistant I at Grade 3 on the Year-Round Classification Plan.
(RECOMMENDED 5-0)
PASSED UNANIMOUSLY

ARTICLE 8: To see if the Town will vote to amend Section 4.4, Housing, of the zoning bylaws by adding the following section:

4.4-8 Residential Building Size Bylaw

A. PURPOSE

In accordance with the goals set out in Section 1.1 of the Zoning Bylaw, this amendment establishes parameters for the design and construction of residential buildings in West Tisbury. With an eye toward preserving the town’s rural, cultural, and natural character, this bylaw addresses the size of newly constructed houses and additions in relation to lot area; their scale, proportion, and relationship to the existing community; and their visual and environmental impact. It also promotes responsible and conscientious building practices.

B. REGULATIONS and EXCEPTIONS

1. **Residential Floor Area (RFA) Limit.** Subject to the exceptions noted below, building permits for new construction or for additions to existing residential structures, shall only be issued for projects that, when completed, do not exceed 3,500 square feet (sq. ft.) on lots up to 3 acres:
 - a. plus 250 sq. ft. for each additional contiguous acre, as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre.

The RFA Limit applies to residential structures; including, but not limited to: principal dwelling, subordinate dwellings (but only to the extent by which they exceed 1,000 sq. ft.), detached bedrooms, enclosed porches, screened porches (but only to the extent by which they exceed 300 sq. ft.), seasonal camps, and indoor sports facilities.

2. **Supplementary Floor Area (SFA) Limit.** In addition to the residential structures referred to above, 2,000 sq. ft. may be used for additional accessory structures; including, but not limited to: studios, pool houses, workshops and garages.

The Supplementary Floor Area Limit may exceed 2,000 sq. ft. if the applicant chooses to reapportion some of the allowed RFA in order to increase the SFA by the same amount.

Excluded from either limit are:

- a. affordable accessory apartments;
- b. non-habitable attic spaces;
- c. open porches, and decks;
- d. screened porches 300 sq. ft. or less. Any square footage greater than 300 sq. ft. will be added to the RFA.
- e. subordinate dwellings up to 1,000 sq. ft.
- f. all accessory structures used exclusively for agriculture;
- g. all non-habitable structures under 200 sq ft;
- h. Multi family Housing, permitted under West Tisbury Zoning Bylaw

4.4-3B.

Should an excluded structure include space that qualifies for either the Residential or Supplementary Floor Area Limit, the square footage of that space will be added to the calculation, as determined by the Building Inspector.

For the purposes of this bylaw, the Residential and Supplementary Floor Area shall consist of the sum of the horizontal areas of the above-grade floors of a building, measured from the interior faces of the exterior walls of the building, without deduction for bathrooms, hallways, stairs, closets, and the thickness of walls, columns or other structural features.

For the purposes of determining whether floor area in attics constitutes inclusion in the RFA, the requirements for habitable space in the current Massachusetts State Building Code, will be used.

For the purposes of determining whether floor area in basements constitutes inclusion in the RFA, basement rooms will be added to the floor area calculation if they include an exterior wall that is exposed and visible and:

- a. is a minimum of 4 ft. above grade, and
- b. has a clear glass area in excess of 50 sq. ft. on the same wall, or an aggregate in excess of 75 sq. ft. on walls of the same orientation.

3. Special Permit to exceed Floor Area limits. A special permit may be issued, by the Planning Board as the Special Permit Granting Authority, to exceed the applicable RFA Limit and/or to exceed the SFA Limit. In no case may the Residential Floor Area on any lot up to 3 acres exceed 5,000 sq. ft. or the combined Residential and Supplementary Floor Area exceed 7,000 sq. ft.

- a. plus 250 sq. ft. for each additional contiguous acre, as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre.

4. Exceptions for Additions to Existing Buildings

- a. Buildings that existed before the adoption of this bylaw, that exceed the RFA Limit established in subsection B.1., may be expanded by 5% of the lot's allowable RFA without a special permit.
- b. Buildings that existed before the adoption of this bylaw, that exceed the cap established in subsection B.3., may be expanded by 5% of the lot's allowable RFA by special permit.

these exemptions may be used for more than one addition and/or more than one project, but they may not total more than 5% in excess.

5. Application to Dwelling Unit Density. This section shall not be construed to limit the number of buildings which would otherwise be permissible on one lot, as described in West Tisbury Zoning Bylaws, section 4.4-1A Dwelling Unit Densities Permitted By Right; provided, however, that the RFA and SFA for each building on the lot does not exceed the limitations imposed in sections B.1, B.2 and B.3, respectively.

6. Division and Subdivision of Land:

All lots resulting from the Division or Subdivision of land that create new lots or parcels from existing lots containing a dwelling or accessory structures shall adhere to sections B.1, B.2, and B.3 of this Bylaw and will contain necessary corresponding acreage. If a resulting lot contains a structure that exceeds the RFA or SFA limit, a special permit must be issued for the structure on the new lot prior to division, or in which case a special permit had previously been issued for the structure, said permit must be modified or amended prior to division.

C. DETERMINATION by BUILDING INSPECTOR

The Building Inspector will determine the square footage of all projects and the applicability of the Floor Area Limits. If the Building Inspector determines that a special permit is required, the Building Inspector will refer the project to the Planning Board, where the applicant can seek a special permit if they chose to proceed as designed. A building permit will not be issued without the special permit and the accompanying documentation used in granting the special permit. If the Building Inspector determines that the final plans differ

significantly from the preliminary plans used during the special permit granting process, the Building Inspector will send the project back to the Planning Board for additional review.

D. PLANNING BOARD hearing

The Planning Board shall be the Special Permit Granting Authority (SPGA) for all projects where a special permit is required under this section of the Zoning Bylaw. Applications for such special permits shall follow the procedures set out in section 9.2 of this Zoning Bylaw.

Abutter notice under this section shall include:

1. Property owners abutting a water body, and being within 1,000 ft of a project that abuts the same water body;
2. Property owners within 500 feet of the applicant's property;
3. Any road or pond association of which the applicant is entitled to membership;
4. All Town boards and commissions.

E. DOCUMENTATION for a HEARING

Prior to the hearing, the applicant must provide scaled and dimensioned preliminary architectural drawings (including a site plan, floor plan, and elevations) and a preliminary landscaping and topographical plan, including preliminary plant list. The Planning Board may also require:

1. a model or rendering of the project and surrounding area or any other such information it considers necessary;
2. consultation with architects, engineers, and other consultants, the cost of which will be assessed to the applicant.

F. CONSIDERATION by the PLANNING BOARD

In its review of an application for a special permit, the Planning Board must consider the application's adherence to the following guidelines; that is, whether:

1. the completed project would be visible, at any time of year, from public ways, water bodies, cemeteries, and neighboring properties, and if so whether:
 - a. the impact of the project on existing rural, scenic character of the site and its surroundings has been mitigated through building siting, building design, and landscape design;
 - b. natural buffer areas have been retained to provide landscape screening;
 - c. the project minimizes the impact of all lighting and glare from windows and reflective materials.
2. the project, as it is presented in a preliminary landscaping plan, protects the natural features of the site and restores or retains the site's natural landscape after completion of construction;
3. the project avoids altering the natural landscape and significant adverse impact on habitat, it minimizes the size of lawns and recreational facilities, uses native species for landscaping and retains natural vegetation on slopes;
4. The project minimizes reliance on irrigation.
5. the project minimizes *alteration of the land form* and executes grading and excavation so that the contours of the land are relatively the same following construction as those previously existing on the site and adjacent to it;
6. roads and other ways are designed to curve to fit the landscape, and to share driveways where possible;
7. the highest point of the building is respectful of surrounding ridge lines and the average height of existing trees on the lot;

- 8. in open land, buildings are sited at the edge of fields;
- 9. the project preserves and protects natural features of the site such as scenic points, water courses, large trees, historic spots, traditional stone walls, significant rocks and boulders, and similar community assets;
- 10. the project incorporates measures to mitigate excessive negative water quality impacts on ponds, wetlands, and streams during and after construction.
- 11. The project is designed to minimize fossil fuel use, such as by incorporating energy efficiency, conservation techniques, and using renewable energy sources.
- 12. the project protects and preserves historical and archeological resources.

G. DETERMINATION by the PLANNING BOARD

The Planning Board may, as they see fit, impose conditions on the project that mitigate its impacts to ensure that the permit is consistent with the purpose of this bylaw, including a deed restriction against future development and/or subdivision of the property.

The Planning Board and Building Inspector may make site visits, to insure compliance with the special permit conditions, including but not limited to those relating to: construction; grading and landscaping.

H. OTHER APPROVALS/AMENDMENTS

The procedure set out in this section is not exclusive of any other permit or approval that may be required.

Any amendments to any element of the project, including the special permit, will require further approval from the Planning Board.

I. BIENNIAL REVIEW

The Planning Board and the Zoning Board of Appeals will meet in two years to review this regulation and address unexpected consequences of it. They will report their findings to the town meeting and determine if subsequent review and report is needed.

J. EFFECTIVE DATE

This bylaw amendment takes effect on June 1, 2022. **(NO ACTION 3-2-0)**
2/3 VOTE REQUIRED
PASSED YES 352 NO 11

ARTICLE 9: To see if the Town will vote to Appropriate from Free Cash the sum of One Hundred Fifteen Thousand Dollars (\$115,000) for the installation of a new 20,000 gallon water storage tank (Hydrant lot) to be placed at the Lamberts Cove Beach parking lot for public safety. **(RECOMMENDED 5-0)**
PASSED

ARTICLE 10: To see if the Town will vote to Raise and Appropriate the sum of Thirty Five Thousand Dollars (\$35,000) to put towards the purchase and equipping of one *hybrid or electric*, all-wheel drive police cruiser in FY 2024 and to authorize the Select Board to dispose of the cruiser being replaced in the best interest of the Town at that time. In the event of unforeseen major repairs, a portion of the \$35,000 may be used towards those repairs. **(RECOMMENDED 5-0)**
PASSED AS AMENDED (*see italics*)

ARTICLE 11: To see if the Town will vote to Appropriate from Free Cash the sum of One Hundred Forty Five Thousand Dollars (\$145,000) to purchase an “All season machine” to replace the existing Kubota tractor (which is limited in its capacity) to provide sweeping, brush cutting, and emergency storm cleanup 12 months out of the year.
The existing Kubota shall be traded or auctioned recovering an estimated \$10,000-\$15,000.

The new machine will consist of a small sized front end loader with a cab, brushcutter, and forks with an estimate of \$145,000 and expected to be a lesser amount upon time of contract.
Amend down to \$126, 320.00 (RECOMMENDED 5-0)
PASSED UNANIMOUSLY AS AMENDED

ARTICLE 12: To see if the Town will vote to authorize the Select Board, on behalf of the Town, to petition the General Court for passage of a special law establishing a Martha's Vineyard Housing Bank (the "Housing Bank") as set forth in the document entitled "An Act Establishing the Martha's Vineyard Housing Bank" (the "Housing Bank Act") on file with the Town Clerk, subject to approval by a majority of the voters voting on such question at an annual or special Town election held in the same year as the Town Meeting vote approving submission of this petition to the General Court; provided, however, that submission of such petition to the General Court shall be contingent upon approval of this petition by not less than four towns located on Martha's Vineyard. The Housing Bank Act may be amended prior to submission to the General Court by a body composed of one designee appointed by the Select Board of each town on Martha's Vineyard that approves this article (the "Housing Bank Review Committee"), provided that the Housing Bank Act shall be subject, to the maximum extent possible, to the following parameters:

Initial Members and Local Acceptance: The initial members of the Housing Bank shall be those towns that vote to accept the Housing Bank Act, as passed by the General Court, as provided for in this article.

Housing Bank Commission: The Housing Bank shall be administered by a Housing Bank Commission (the "Commission") consisting of one resident of each member town elected by town-wide vote for staggered three-year terms, and one person elected at-large by an island-wide vote for a two-year term. The Commission shall be subject to G.L. c. 30A, §§18-25 (the "Open Meeting Law") and shall be deemed to be a municipal agency for purposes of G.L. c. 268A (the "State Conflict of Interest Law").

Town Advisory Boards: A Town Advisory Board shall be established within each member town to assist the Commission with the administration of the Housing Bank Act. Town Advisory Boards shall be composed of: one representative appointed by each of the select board, conservation commission, planning board, board of health, zoning board, and, if one exists, wastewater committee, and two members appointed by the town housing committee. Town Advisory Boards shall be consulted by the Commission in developing regulations to implement the Housing Bank Act. Approval by a two-thirds majority vote of the Town Advisory Board(s) in the town or towns in which a project will be located, or in which a real property interest will be acquired, shall be required for any expenditure or use of Housing Bank funds, including the making of any loans or the disbursement of any down payment assistance as provided in this article. The Town Advisory Boards shall each be subject to the Open Meeting Law and be deemed to be a municipal agency for purposes of the State Conflict of Interest Law.

Activities: The purpose of the Housing Bank shall be to promote both year-round housing, and housing affordable to households which earn up to 240% of the applicable household area median income for Dukes County as determined by the federal Department of Housing and Urban Development ("AMI"), in the manner determined by the Housing Bank. In furtherance of said purpose, the Housing Bank shall be authorized to make grants for the acquisition, renovation, or construction of housing and housing-related infrastructure; provide loans, loan and bond guarantees, lines of credit, interest subsidies, rental assistance, and other means of financial assistance; purchase, receive, lease, grant and sell property and real property interests; and provide shared appreciation equity loans through which the Housing Bank receives a portion of the appreciation of the applicable property upon resale. The Housing Bank shall not be authorized to develop, renovate, manage, or operate properties, but shall fulfill its purposes primarily through funding projects proposed by non-profit and for-profit corporations and organizations, individuals and public entities. In considering projects for funding, the

Housing Bank shall use as guidelines town or regional master plans, wastewater plans, watershed management plans, open space plans, and climate and energy goals.

The Housing Bank may: (i) provide loans or down payment assistance to individuals who are members of households which earn up to 240% of AMI, subject to imposition of perpetual year-round occupancy restrictions (as defined by the Commission); and (ii) purchase year-round occupancy restrictions from any property owner with respect to properties located within member towns. Except as provided in the foregoing sentence, all housing units created, renovated, rehabilitated or acquired with Housing Bank funds shall be restricted in perpetuity to require occupancy by households earning up to a specified AMI not to exceed 240% of AMI, and shall be subject to perpetual maximum sale price and year-round occupancy restrictions. If a project includes income-restricted and market-rate units, any Housing Bank funding shall be applied only to income-restricted units in such project.

The Housing Bank will pay its own expenses from Housing Bank revenue. In order to expand public participation, in alignment with local diversity, equity and inclusion goals, Commissioners may be paid a stipend not to exceed \$2,000 annually, subject to approval by a two-thirds majority vote of every Town Advisory Board, unless a higher amount is both authorized by a majority vote of town meeting in every member town and approved by a two-thirds vote of every Town Advisory Board.

Limitation on Annual Debt Service: The Housing Bank may incur debt only to the extent that its projected annual debt service obligations prior to maturity with respect to any existing and any new debt will not, in the aggregate, exceed 10% of the average annual revenues received by the Housing Bank during its prior three fiscal years, commencing with the initial partial fiscal year following passage of the Act. Any issuance of bonds by the Housing Bank shall be subject to approval by two-thirds of the Town Advisory Boards and by the Commission. Each such vote of the Town Advisory Boards shall also require a two-thirds vote.

Requirements for Use of Funds: The Housing Bank shall address the greatest community need as determined from time to time by the Commission according to prevailing data. No less than 75% of island-wide annual funding commitments approved in each fiscal year shall be allocated to projects on properties previously developed with existing buildings, or to fund infrastructure associated with such projects. All new construction shall use no fossil fuels on site (except as needed during construction, renovation, repair, temporary use for maintenance, or vehicle use), achieve a HERS (Home Energy Rating Service) rating of zero and, to the maximum extent possible, produce no new net nitrogen pollution. All new construction on undeveloped properties of more than five acres shall preserve a minimum of 40% of the property as open space and minimize tree removal, in order to promote clustering and preserve undeveloped property. All projects shall minimize disturbances to the local ecology.

If a project that receives Housing Bank funds includes income-restricted and market-rate units, the provisions of this section shall apply to the entire project. Satisfaction of each of the provisions of this section shall be as determined by the Commission.

Priorities: The Housing Bank shall prioritize projects that: are close to existing services (honor “Smart Growth” principles); are not in priority habitat areas as defined by the Massachusetts Natural Heritage and Endangered Species Act; and mitigate the effects of climate change, such as projects which (i) do not involve acquisition of fossil fuel equipment and (ii) have a master plan to delineate a path to fossil-fuel free operation and net-zero annual site energy consumption.

Transfer Fee: The Housing Bank’s activities will be funded by a two percent fee imposed on transfers of real property interests paid by the purchaser, such fee to be established either by general law or by the Housing Bank Act. An amount to be determined by the Commission annually, but not less than the first \$1,000,000.00 of the purchase price or other consideration paid with respect to any transfer of a real property interest, shall be exempt from the transfer fee. Additional exemptions shall be as set forth

in any general law establishing the transfer fee or in the Housing Bank Act as amended prior to submission to the General Court.

Non-member Towns: No Housing Bank funds may be expended in any town which is not a member of the Housing Bank; provided, however, that the Housing Bank may expend funds in a town that withdraws to the extent such expenditures were approved before the date that such town provides notice to the Housing Bank that the member town has voted at a regular or special election to withdraw from the Housing Bank, and provided that transfer fees continue to be collected in that town.

Withdrawal and Sunset: Any member town may withdraw from the Housing Bank by the affirmative vote of a majority of the voters at any regular or special town election. The transfer fee shall continue to be collected in any town that votes to withdraw from the Housing Bank until satisfaction of the withdrawing town’s pro rata share of all Housing Bank debt incurred prior to the date that such town provides notice to the Housing Bank that the town has voted at a regular or special election to withdraw from the Housing Bank, determined as the ratio all transfer fees collected by such town during its membership in the Housing Bank to all transfer fees collected by all member towns during the same period.

The Housing Bank Act shall expire 30 years after its passage unless extended by vote of the Commission and a majority vote of town meeting by at least four member towns; provided that, if extended, the Housing Bank Act shall remain in effect only for the towns that vote to extend. The transfer fee shall continue to be collected in any town that does not vote to extend the Housing Bank Act until satisfaction of all Housing Bank debt incurred prior to (1) the effective date of the extension of the Housing Bank Act if the Housing Bank Act is extended notwithstanding the town’s vote, and (2) the expiration of the Housing Bank Act, if the Housing Bank Act is allowed to expire.

Taxes: All property and housing units created, renovated, rehabilitated or acquired with Housing Bank funds shall be taxed in accordance with assessed values.

The Housing Bank Act is subject to approval by the General Court, which may only make clerical or editorial changes of form to the bill unless the Select Boards of at least two thirds of the towns that approve this article vote to approve amendments to the bill before enactment by the General Court. Approval of this article authorizes the Select Board to approve amendments which shall be within the scope of the general public objectives of the Housing Bank Act. Adoption of the Housing Bank Act by any town, in the final form approved by the General Court, must be approved by the affirmative vote of a majority of the voters at any regular or special town election at which the question of acceptance has been placed on the ballot. The Housing Bank Act shall become effective on the date on which no less than four towns located on Martha’s Vineyard accept its provisions as provided for in this article; or take any other action relative thereto. **(RECOMMENDED 5-0)**

PASSED

ARTICLE 13: To see if the Town will vote to Raise and Appropriate the sum of Fourteen Thousand Two Hundred Forty Dollars (\$14,240) to fund the Town of West Tisbury’s share of the expenses of the All-Island School Committee’s contract for continuing and community education in Fiscal Year 2023 provided all six towns vote to approve their share.

PASSED

(RECOMMENDED 5-0)

ARTICLE 14: To see if the Town will vote to transfer Fourteen Thousand Dollars (\$14,000) from the FY2022 budget line 141-5120 Assessors Personal Services to FY 2022 budget line 141-5700 Assessors Expenses.

Amend down to \$10,000

(RECOMMENDED 5-0)

PASSED UNANIMOUSLY AS AMENDED

ARTICLE 15: To see if the Town will vote to Raise and Appropriate the sum of Twenty Four Thousand Dollars (\$24,000) to be used by the Board of Assessors for the valuation update of real and personal property to meet the certification of values as required by Massachusetts State Law.

(RECOMMENDED 5-0)

PASSED UNANIMOUSLY

ARTICLE 16: “To see if the Town will vote to adopt a general by-law entitled “Wiring of New and Substantially Remodeled or Renovated Buildings” as set forth below. This proposed By-law, if approved by the Town, will become effective only if the Town authorizes the Select Board to petition the General Court to enact special legislation to ratify and authorize the Town’s approval of the By-law, as proposed in Article 18 and the General Court passes the requested special legislation.

Wiring of New and Substantially Remodeled or Renovated Buildings

1. Purpose

The Town of West Tisbury adopts this By-Law under the authority granted by Article 89, § 6, of the Amendments to the Massachusetts Constitution, and by General Laws c. 40, § 21(1) and (18), § 21D, and c. 43B, § 13, to require New and Substantially Remodeled or Renovated Buildings to be wired to accommodate installation of an Electric Vehicle Charger. The By-Law will protect the health and welfare of the Town’s inhabitants and the environment by ensuring that newly constructed or substantially modified buildings will be capable of accommodating anticipated future action to reduce the use of fossil fuels and emission of greenhouse gases.

2. Definitions

“Effective Date” means the date six months following the date on which special legislation ratifying and authorizing the Town’s adoption of an amendment to its General By-laws, approved at the 2022 Annual Town Meeting, and entitled “Wiring of New and Substantially Remodeled or Renovated Buildings,” becomes effective and on which the Town Clerk posts this By-law, in its approved form, and the special legislation enacted by the General Court, at Town Hall and on the Town’s website.

“Electric Vehicle Charger” means a Level 2 device for charging of electric vehicles.

“New Building” means a structure with a roof, not in existence at the time of the filing of an associated building permit application on or after the Effective Date, designed or intended for the shelter of persons or vehicles.

“Substantially Remodeled or Renovated Building” means a renovation project that requires a building permit, for which a building permit application has been filed after the Effective Date and that includes the reconfiguration of space or building systems, in which the Work Area is greater than 50% of the gross floor area, as defined by the Massachusetts Building Code, prior to the project.

“Work Area” means the aggregate area of those portions of a building affected by renovations for the reconfiguration of space or building systems, including new floor area added as a result of renovation, as indicated in the drawings associated with a building permit application. Portions of a building where only repairs, refinishing, or incidental work occur are excluded from the calculation of Work Area.

“Review Board” (RB) means a Town Board, established and appointed by the Select Board, whose members shall have the experience and expertise necessary to perform the functions and requirements of reviewing waivers and appeals as set out in Sections XXX .6 and .7A of this By-law. The RB shall have at least three (3) members serving three-year staggered terms. RB members shall be considered special municipal employees for purposes of G. L. c. 268A. The Select Board, in its discretion, can serve as the RB, if the Select Board decides not to appoint RB members.

3. Applicability

This By-Law shall apply to all building permit applications for New or Substantially Remodeled or Renovated Buildings proposed to be located in whole or in part within the Town of West Tisbury.

4. Building Permits.

On and after the Effective Date, any application for a building permit for a New Building or a Substantially Remodeled or Renovated Building must:

- a. Indicate a pathway for routing of conduit *to be installed* from the service panel to a location appropriate and convenient for Level 2 charging of an electric vehicle; and
- b. Indicate that the main electrical service panel will have a reserved space to allow installation of a dual pole circuit breaker for present or future installation of an Electric Vehicle Charger. The reserved space shall be positioned at the opposite (load) end from the input feeder location or main circuit location and shall be appropriately labeled.

5. Enforcement.

On and after the Effective Date, the Town shall not issue any building permit for the construction of a New or Substantially Remodeled or Renovated Building unless the building permit application contains the indications required by this By-Law.

6. Waivers

- A. The RB may grant a waiver from the provisions of this By-Law in the event that compliance makes a project financially infeasible or impractical to implement. Compliance with this By-Law may be considered infeasible or impractical to implement if, without limitation:
 - a. as a result of factors beyond the control of the proponent, the additional cost of the project over the long term, including any available subsidies, would make the project economically unviable; or
 - b. technological or other factors would make the project unsuitable for its intended purpose.
- B. Waiver requests shall be supported by a detailed cost comparison, including available rebates and credits.
- C. Waivers may be subject to reasonable conditions. Where possible, waivers shall be issued for specific portions of a project that are infeasible or impractical to implement, rather than for entire projects.
- D. The RB, or the Select Board if in its sole discretion it chooses, may issue guidance on the granting of waivers and the imposition of conditions, to be periodically amended in light of experience under this By-law. The RB shall submit its proposed guidance to the Select Board for review before becoming effective, which may offer amendments or additions. If the Select Board elects not to propose amendments or additions within sixty (60) days of the submission of proposed guidance to the Town Administrator, then the proposed guidance shall become effective. The RB's decisions on waiver requests shall be final, with the exception of an appeal seeking judicial review as provided for in Section 7(B).

7. Appeals

- A. An appeal from a decision by the Building Inspector under this By-law may be taken to the RB and must be filed with the Town Clerk within fourteen (14) days of the decision appealed. The RB shall hold a public hearing within a reasonable time after the appeal is filed, but is not required to provide notice other than what is required by the Open Meeting Law. The RB shall reverse the decision of the Building Inspector only if the decision was arbitrary, capricious, or not supported by substantial evidence. The RB shall consider only the record or documents provided to the Building

Inspector, shall not conduct a de novo review or proceeding, and shall issue its decision in writing, which decision shall be final.

- B. An applicant aggrieved by a decision of the RB under Sections 6 or 7(A) may seek judicial review only in the Dukes County Superior Court under the provisions of G. L. c. 249, § 4. **(RECOMMENDED 4-0-1)**

PASSED AS AMENDED #4 Sec a *see italics*

ARTICLE 17: To see if the Town will vote to amend the General By-Laws by adopting a general bylaw entitled “Electrification of New and Substantially Remodeled or Renovated Buildings,” as set forth below. This proposed By-law, if approved by the Town, will become effective only if the Town authorizes the Select Board to petition the General Court to enact special legislation to ratify and authorize the Town’s approval of the By-law, as proposed in Article 18, and the General Court passes the requested special legislation.

Electrification of New and Substantially Remodeled or Renovated Buildings

1. Purpose

The Town of West Tisbury adopts this By-Law under the authority granted by Article 89, § 6, of the Amendments to the Massachusetts Constitution, and by General Laws c. 40, § 21(1) and (18), § 21D, and c. 43B, § 13, to require New and Substantially Remodeled or Renovated Buildings to use electricity instead of fossil fuels for heating, cooling, and hot water. The By-Law will protect the health and welfare of the Town’s inhabitants and the environment by reducing greenhouse gas emissions, which cause climate change, and by reducing other air pollutants.

2. Definitions

“Effective Date” means the date six months following the date on which special legislation ratifying and authorizing the Town’s adoption of an amendment to its General By-laws, approved at the 2022 Annual Town Meeting, and entitled “Electrification of New and Substantially Remodeled or Renovated Buildings,” becomes effective and on which the Town Clerk posts this By-law, in its approved form, and the special legislation enacted by the General Court, at Town Hall and on the Town’s website.

“New Building” means a structure with a roof, not in existence at the time of the filing of an associated building permit application on or after the Effective Date, designed or intended for the shelter of persons or animals or the storage of property.

“Substantially Remodeled or Renovated Building” means a renovation project that requires a building permit, for which a building permit application has been filed after the Effective Date and that includes the reconfiguration of space or building systems, in which the Work Area is greater than 50% of the gross floor area, as defined by the Massachusetts Building Code, prior to the project.

“Work Area” means the aggregate area of those portions of a building affected by renovations for the reconfiguration of space or building systems, including new floor area added as a result of renovation, as indicated in the drawings associated with a building permit application. Portions of a building where only repairs, refinishing, or incidental work occur are excluded from the calculation of Work Area.

“Review Board” (RB) means a Town Board, established and appointed by the Select Board, whose members shall have the experience and expertise necessary to perform the functions and requirements of reviewing waivers and appeals as set out in Sections XXIX.6 and .7A of this By-law. The RB shall have at least three (3) members serving three-year staggered terms. RB members shall be considered special municipal employees for purposes of G. L. c. 268A. The Select Board, in its discretion, can serve as the RB, if the Select Board decides not to appoint RB members.

3. Applicability

This By-Law shall apply to all building permit applications for New or Substantially Remodeled or Renovated Buildings proposed to be located in whole or in part within the Town of West Tisbury, except for:

- A. Indoor and outdoor cooking appliances; and
- B. Emergency generators.

4. Building Permits. On and after the Effective Date,

- c. Any application for a building permit for a New Building or a Substantially Remodeled or Renovated Building must identify the means of heating, cooling, and hot water that will be used in the building.
- d. The Town will grant a building permit for a New Building or a Substantially Remodeled or Renovated Building only if the building will use electricity instead of fossil fuels for heating, cooling, and hot water.

5. Enforcement

On and after the Effective Date, the Town shall not issue any building permit for the construction of a New or Substantially Remodeled or Renovated Building except as provided by this By-Law.

6. Waivers

- B. The RB may grant a waiver from the provisions of this By-Law in the event that compliance makes a project financially infeasible or impractical to implement. Compliance with this By-Law may be considered infeasible or impractical to implement if, without limitation:
 - a. as a result of factors beyond the control of the proponent, the additional cost of the project over the long term, including any available subsidies, would make the project economically unviable; or
 - b. technological or other factors would make the project unsuitable for its intended purpose.
- E. Waiver requests shall be supported by a detailed cost comparison, including available rebates and credits.
- F. Waivers may be subject to reasonable conditions. Where possible, waivers shall be issued for specific portions of a project that are infeasible or impractical to implement, rather than for entire projects.
- G. The RB, or the Select Board if in its sole discretion it chooses, may issue guidance on the granting of waivers and the imposition of conditions, to be periodically amended in light of experience under this By-law. The RB shall submit its proposed guidance to the Select Board for review before becoming effective, which may offer amendments or additions. If the Select Board elects not to propose amendments or additions within sixty (60) days of the submission of proposed guidance to the Town Administrator, then the proposed guidance shall become effective. The RB's decisions on waiver requests shall be final, with the exception of an appeal seeking for judicial review as provided for in Section 7(B).

7. Appeals

- A. An appeal from a decision by the Building Inspector under this By-law may be taken to the RB and must be filed with the Town Clerk within fourteen (14) days of the decision appealed. The RB shall hold a public hearing within a reasonable time after the appeal is filed, but is not required to provide notice other than what is required by

the Open Meeting Law. The RB shall reverse the decision of the Building Inspector only if the decision was arbitrary, capricious, or not supported by substantial evidence. The RB shall consider only the record or documents provided to the Building Inspector, shall not conduct a de novo review or proceeding, and shall issue its decision in writing, which decision shall be final.

- B. An applicant aggrieved by a decision of the RB under Sections 6 or 7(A) may seek judicial review only in the Dukes County Superior Court under the provisions of G. L. c. 249, § 4. **(RECOMMENDED 4-0-1)**

PASSED

ARTICLE 18: To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for special legislation, as set forth below, to: (1) ratify the adoption, at the Spring Annual Town Meeting under Warrant Articles 16 and 17 of new General By-laws entitled “Electrification of New and Substantially Remodeled or Renovated Buildings” and “Wiring of New and Substantially Remodeled or Renovated Buildings,” into the General By-laws; and (2) authorize the Building Inspector to administer these By-laws, including through the withholding of building permits; provided, however, that the General Court may make clerical or editorial changes of form only to the special legislation, unless the Select Board approves amendments to the bill before enactment by the General Court; and, provided further, that the Select Board is hereby authorized to approve such amendments that are within the scope of the objectives of this petition:

An Act authorizing the town of West Tisbury to adopt and enforce local regulations restricting new fossil fuel infrastructure and requiring wiring in certain construction.

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. The town of West Tisbury’s general by-laws, entitled “Electrification of New and Substantially Remodeled or Renovated Buildings” and “Wiring of New and Substantially Remodeled or Renovated Buildings,” are hereby ratified as adopted pursuant to Warrant Articles 16 and 17 of the Town’s 2022 Annual Town Meeting, and shall be in full force and effect as of the effective date of this act.

SECTION 2. Notwithstanding chapter 164 of the General Laws, section 13 of chapter 142 of the General Laws, the State Building Code, or any other general or special law or regulation to the contrary, the town of West Tisbury is hereby authorized to adopt and further amend its general by-laws that restrict new construction or major renovation projects that do not qualify as fossil-fuel-free, as defined in section 4 of this act, and that require wiring to charge electric vehicles in new construction or major renovation projects.

SECTION 3. Notwithstanding section 7 of chapter 40A of the General laws, or any other general or special law or regulation to the contrary, the Building Inspector of the Town of West Tisbury, or any designee thereof, shall be authorized to enforce general by-laws adopted under this act imposing restrictions on new construction and major renovation projects that do not qualify as fossil-fuel-free, as defined in section 4 of this act, or requiring new construction and major renovation projects to include wiring to charge electric vehicles, including through the withholding of building permits.

SECTION 4. As used in this act, the term “fossil fuel-free” shall refer to construction or renovation that results in an entire building or an entire condominium unit that does not utilize coal, oil, natural gas or other fossil fuels in support of its operation.

SECTION 5. This act shall take effect upon its passage.
or take any other action in relation thereto. **(RECOMMENDED 4-0-1)**

PASSED

ARTICLE 19: To see if the Town will vote to Appropriate from Free Cash the sum of One Hundred Thousand Dollars (\$100,000) and Raise and Appropriate the sum of Four Hundred Twenty Three Thousand Dollars (\$423,000) for the purpose of supporting the next phase of the Howes House renovation/reconstruction including but not limited to hiring an Owners Project Manager and Architect to create design, construction and bid documents for the project contingent upon the voters voting in the affirmative on Question 2 on the ballot.

PASSED

(RECOMMENDED 5-0)

ARTICLE 20: To see if the Town will vote to accept the provisions of M.G.L. Chapter 40, Section 57. *Note: Any city or town which accepts the provisions of this section, may by by-law or ordinance deny any application for, or revoke or suspend a building permit, or any local license or permit including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise, who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges.*

PASSED

(RECOMMENDED 5-0)

ARTICLE 21: To see if the Town will vote to rescind the local Town By-law adopted in Article 27 of the May 18, 1993 Annual Town Meeting in its entirety and to adopt the following language in its place:

The Town of West Tisbury may deny any application for, or revoke or suspend a building permit, or any local license or permit including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise, who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, including amounts assessed under the provisions of section twenty-one D or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges. The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually, and may periodically, furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

The Select Board may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

This by-law shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty. **(RECOMMENDED 5-0)**

PASSED

ARTICLE 22: To see if the Town will vote to Appropriate the sum of Fifteen Thousand Five Hundred Sixty Two Dollars and Fifty Cents (\$15,562.50) from the Reserved for Appropriation funds received from the County of Dukes County for the purpose to promote tourism and economic development to be expended by the West Tisbury Shellfish Department for equipment and supplies. **(RECOMMENDED 5-0)**

PASSED UNANIMOUSLY

ARTICLE 23: To see if the Town will vote to amend section 5 of the Town Revolving Fund Bylaw such that the Refuse District Local Drop-off Fund is removed. The amended section 5. Authorized Revolving Funds will now read as follows:

5. Authorized Revolving Funds:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND FUNDS	USE OF FUNDS	FISCAL YEAR
Wetlands Protection Bylaw Fund	Conservation Commission By-law Filing Fees	Conservation Commission	To pay for expenses of the Commission related to the administration of the Bylaw	Fiscal Year 2019 and subsequent years

PASSED UNANIMOUSLY **(RECOMMENDED 5-0)**

ARTICLE 24: To see if the Town will vote to request the Select Board, in consultation with the Building Inspector, to increase Building Department permit fees by July 1, 2022 such that the anticipated annual income from all fees levied by the Building Department reasonably covers the Department’s expenses; and further to review such fees not less than every 2 years thereafter, and similarly adjust as necessary. **(RECOMMENDED 4-1-0)**

FAILED

ARTICLE 25: To see if the Town will vote to transfer Five Thousand Dollars (\$5,000) from FY 2022 Health Insurance (914-5170) to Medicare Tax (916-5170). **(RECOMMENDED 5-0)**
PASSED UNANIMOUSLY

ARTICLE 26: To see if the Town will vote to Appropriate from Free Cash the sum of Ten Thousand Seven Hundred Eighteen Dollars and Eighteen Cents (\$10,718.18) and further to transfer from unexpended funds from Article 8 of the 2019 Annual Town Meeting the sum of Twenty Five Thousand Two Hundred Eighty One Dollars and Eighty Two Cents (\$25,281.82) for the purchase, installation, training and other related expenses related to new tax collection management software. **(RECOMMENDED 5-0)**

PASSED UNANIMOUSLY

ARTICLE 27: To see if the Town will vote to Raise and Appropriate the sum of Twenty Six Thousand Four Hundred Fifty-Two Dollars and Eighty Cents (\$26,452.80) to pay the Town’s assessed share of the County of Dukes County debt authorized by Chapter 287 of the Acts of 2014 for a building to provide health and human services for county residents. **(RECOMMENDED 5-0)**
PASSED UNANIMOUSLY

ARTICLE 28: To see if the Town will vote to Appropriate from Free Cash the sum of One Hundred Thousand Dollars (\$100,000) for repairs and upgrades to town buildings as prioritized by the Facilities Maintenance Committee and the Select Board.

PASSED

(RECOMMENDED 5-0)

ARTICLE 29: To see if the Town will vote to Appropriate from Free Cash the sum of Twenty Thousand Dollars (\$20,000) to transfer to the Retired/Separating Employees Compensated Absences Reserve Fund as provided for by M.G.L. c. 40, § 13D.

PASSED UNANIMOUSLY

(RECOMMENDED 5-0)

ARTICLE 30: To see if the Town will vote to Appropriate Four Hundred Seventy Dollars (\$470.00) from the Receipts Reserved for Appropriation from the Transportation Network Companies in accordance with Chapter 187 of the Acts of 2016, Amending Chapter 6, Section 172, subsection (a) of the Massachusetts General Laws to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the Town of West Tisbury, specifically, to supplement the Complete Streets Program established in section 1 of chapter 90I of the Mass. General Laws.

PASSED UNANIMOUSLY

(RECOMMENDED 5-0)

ARTICLE 31: To see if the Town will vote to Appropriate from Free Cash the sum of Thirty Six Thousand Dollars (\$36,000) for the replacement of seawater lines at the John T. Hughes Hatchery at 57 Shirley Avenue, Oak Bluffs.

(RECOMMENDED 5-0)

PASSED UNANIMOUSLY

ARTICLE 32: To see if the Town will vote to Raise and Appropriate the sum of Fifteen Thousand Dollars (\$15,000) toward Transportation Engineering services for design work and/or technical analyses on Town projects, with funds administered by the Martha's Vineyard Commission, for Fiscal Year 2023.

(RECOMMENDED 5-0)

PASSED

ARTICLE 33: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2023, the sum of Seventy Two Thousand Ninety Eight Dollars (\$72,098), to support the Martha's Vineyard Center for Living Programs through Dukes County in accordance with the Inter-municipal Agreement, as the same may be amended from time to time, provided all six towns vote to approve their share.

(RECOMMENDED 5-0)

PASSED UNANIMOUSLY

Articles 34-38 moved to be voted on in a block

PASSED

ARTICLE 34: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2023, the sum of Fourteen Thousand Three Hundred Seventy Eight Dollars (\$14,378) to support the CORE program to provide coordinated counseling, outreach, and referral services to residents who are 55 years and older through Dukes County in accordance with the Inter-municipal Agreement, as the same may be amended from time to time, provided all six towns vote to approve their share.

(RECOMMENDED 5-0)

ARTICLE 35: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2023, the sum of One Thousand Three Hundred Seventeen Dollars (\$1,317) to support the First Stop Information and Referral Service through Dukes County in accordance with the Inter-municipal Agreement, as the same may be amended from time to time, provided all six towns vote to approve their share.

(RECOMMENDED 5-0)

ARTICLE 36: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2023, the sum of Fifteen Thousand Forty Four Dollars (\$15,044) to support the planning, advocacy and education for Healthy Aging on Martha's Vineyard through Dukes County in accordance with the Inter-municipal Agreement, as the same may be amended from time to time, provided all six towns vote to approve their share.

(RECOMMENDED 5-0)

ARTICLE 37: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2023, the sum of Eight Thousand Ninety Five Dollars (\$8,095) to support the Homelessness Prevention Programs on Martha's Vineyard through Dukes County in

accordance with the Inter-municipal Agreement, as the same may be amended from time to time, provided all six towns vote to approve their share. **(RECOMMENDED 5-0)**

ARTICLE 38: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2023, the sum of Seven Thousand Fifty Five Dollars (\$7,055) to support the Substance Use Disorder Coalition in addressing needs related to substance use prevention, treatment, recovery support and harm reduction on Martha’s Vineyard through Dukes County in accordance with the Inter-municipal Agreement, as the same may be amended from time to time, provided all six towns vote to approve their share. **(RECOMMENDED 5-0)**

Articles 34-38 moved to be voted on in a block
PASSED

ARTICLE 39: To see if the Town will vote to Raise and Appropriate, for expenditure in Fiscal Year 2023, the sum of Nine Thousand One Hundred Ninety Eight Dollars (\$9,198) as the apportioned share of the allocation of overhead for regional services hosted and administered by the County on behalf of the Towns provided all six towns vote to approve their share. **(RECOMMENDED 5-0)**

FAILED

ARTICLE 40: To see if the Town will vote to Appropriate from Free Cash the sum of Thirteen Thousand Six Hundred Fifty Six Dollars and Sixty Nine Cents (\$13,656.69) to be paid to the Up Island Regional School District as the Town’s share of the costs of the District’s capital project for the purchase and installation of services, supplies, equipment and materials related to an Emergency Generator for the Chilmark School building, including any other costs incidental and relative thereto, or to take any other action relative thereto; provided, however, that this appropriation shall not be effective unless each of the other member Towns of the District approve a corresponding appropriation for their respective share of the total project costs. **(RECOMMENDED 5-0)**

PASSED

Articles 41-45 moved to be voted in a block
PASSED

ARTICLE 41: To see if the Town will vote to act upon the recommendations of the Community Preservation Committee to appropriate and set aside for later expenditure from the Community Preservation Fund established pursuant to Chapter 44B of the Mass. General Laws, FY 2023 revenues, in the following amounts to the following:

- a. Open Space reserve \$55,000 (10% of estimated FY 2023 Community Preservation Fund revenues)
- b. Historical Resources reserve \$55,000 (10% of estimated FY 2023 Community Preservation Fund revenues)
- c. Community Housing reserve \$55,000 (10% of estimated FY 2023 Community Preservation Fund revenues)
- d. Undesignated reserve \$455,000 (65% of estimated FY 2023 Community Preservation Fund revenues)

And to Appropriate for the Administrative Expenditures the sum of Thirty-Five Thousand Five Hundred Dollars (\$35,500.00) from FY 2023 Community Preservation Fund Revenues. **(RECOMMENDED 5-0)**

ARTICLE 42: To see if the Town will vote to Appropriate the sum of One Hundred Five Thousand Eight Hundred Fifty Dollars (\$105,850.00) from the Community Preservation Historic Resources Reserve Fund, as West Tisbury’s share of the total regional project budget of \$2,810,124, to fund the Martha’s Vineyard Campground Meeting Association Tabernacle Roof replacement project. **(RECOMMENDED 5-0)**

ARTICLE 43: To see if the Town will vote to Appropriate the sum of Twenty Thousand Dollars (\$20,000.00) from the Community Preservation Historic Resources reserve to fund the feasibility evaluation of the structural integrity of the Martha’s Vineyard Garden Club Old

Mill building.

(RECOMMENDED 5-0)

ARTICLE 44: To see if the Town will vote to Appropriate the sum of Seventy Five Thousand Dollars (\$75,000.00) from the Community Preservation Undesignated Reserve Fund to Island Elderly Housing, Inc., as West Tisbury's share of the total project budget of \$450,000.00 to fund five new permanently affordable apartment units for the elderly at the Aidylberg III project in Oak Bluffs. **(RECOMMENDED 5-0)**

ARTICLE 45: To see if the Town will vote to Appropriate the sum of Seventy Five Thousand Dollars (\$75,000.00) from the Community Preservation Undesignated Reserve Fund as West Tisbury's share of the total regional project budget of \$500,000.00, to Harbor Homes of Martha's Vineyard, Inc., to fund the acquisition of future housing for homeless women residents earning less than 30% of the County median income.
PASSED **(RECOMMENDED 5-0)**

ARTICLE 46: To see if the Town will vote to Appropriate the sum of Ten Thousand Dollars (\$10,000.00) from the Community Preservation Housing Reserve Fund and One Hundred Fifteen Thousand Dollars (\$115,000) from the Community Preservation Undesignated Reserve Fund for a total of One Hundred and Twenty Five Thousand Dollars (\$125,000) to Island Housing Trust, to fund one affordable unit of four new permanently deed-restricted single family houses, with preference to West Tisbury residents, for the Red Arrow project. **(RECOMMENDED 5-0)**

MOTION TO POSTPONE INDEFINITELY PASSED

Articles 47-50 moved to be voted in a block

PASSED

ARTICLE 47: To see if the Town will vote to Appropriate the sum of Thirty Five Thousand Dollars (\$35,000.00) from the Community Preservation Housing Reserve Fund and Three Hundred Fifteen Thousand Dollars (\$315,000) from the Community Preservation Undesignated Reserve Fund for a total of Three Hundred Fifty Thousand Dollars (\$350,000.00) to the West Tisbury Affordable Housing Trust. **(RECOMMENDED 5-0)**

ARTICLE 48: To see if the Town will vote to Appropriate the sum of Ten Thousand Dollars (\$10,000.00) from the Community Preservation Housing Reserve Fund and Sixty Thousand Dollars (\$60,000) from the Community Preservation Undesignated Reserve Fund for a total of Seventy Thousand Dollars (\$70,000.00) to the Dukes County Regional Housing Authority to support the rental assistance program for West Tisbury residents. **(RECOMMENDED 5-0)**

ARTICLE 49: To see if the Town will vote to Appropriate the sum of Fifty-Two Thousand Two Hundred Fifty Dollars (\$52,250) as the sixth installment in a maximum of ten installments, from the Community Preservation Undesignated Reserve Fund to pay down principal and interest on the borrowing for the Scott's Grove Affordable Housing development approved in Article #20 at the Annual Town Meeting held on April 11, 2017. **(RECOMMENDED 5-0)**

ARTICLE 50: To see if the Town will vote to Appropriate the sum of One Hundred Forty Three Thousand Nine Hundred Dollars (\$143,900.00) from the Community Preservation Undesignated Reserve Fund for construction funding for two four bedroom houses for adult autistic Island residents, as West Tisbury's share of the total regional project budget of \$2,000,000.00, to the Island Autism Center and Neighborhood Housing project, Phase Two. The development of this affordable housing will be permanently deed restricted as affordable housing, and to the extent permitted by the Massachusetts Fair Housing Law, West Tisbury autistic citizens should have preference to occupy this housing. **(RECOMMENDED 5-0)**

PASSED

ARTICLE 51: To see if the Town will vote to Appropriate from Free Cash the sum of Six Hundred Thousand Dollars (\$600,000) to reduce the tax levy in Fiscal Year 2023.
Add \$18,680.00 **(RECOMMENDED 5-0)**
PASSED AS AMENDED

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 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 9th Day of March in the Year Two Thousand Twenty Two.

J. Skipper Manter
Chair

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