

**The meeting was called to order by the Moderator at 7:10 pm who declared a presence of a 5% quorum, there being 156 qualified voters present (6.4%). All articles were duly moved, seconded and voted upon. There were two floor amendments. The meeting was adjourned at 9:00 pm.**

**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 Elementary School**, Old County Road, in said Town on **Tuesday the Ninth day of April, Two Thousand Thirteen**, at **Seven 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 Eleventh Day of April, at Twelve O’Clock Noon** 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 Twelve O’Clock Noon** and shall be closed **at Eight O’Clock in the Evening**.

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

- One Moderator for One Year
- One Member of the Board of Selectmen for Three Years
- One Member of the Board of Health for Three Years
- One Member of the Board of Assessors for Three Years
- One Treasurer for One Year
- One Tax Collector for One Year
- One Town Clerk for One Year
- One Tree Warden for One Year
- Two Members of the Finance Committee for Three Years
- Two Library Trustees for Three Years
- One Member of Parks and Recreation for Three Years

**QUESTION 1:** Shall the Town of West Tisbury be allowed to exempt from the provisions of proposition two and a half, so-called, the amounts required to pay for the bonds to be issued to pay the costs of constructing and equipping a new Police Station to be located at the Public Safety Building site, including the payment of all costs incidental and related thereto?

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

**ARTICLE 3:** 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 2014.

**(RECOMMENDED 5-0)**

**PASSED**

**ARTICLE 4:** To see if the Town will vote to authorize the following expenditures in order to defray Town Capital Expenses for Fiscal Year 2014, consistent with the Town’s Capital Improvement Plan:

| Project                                   | Expense  | Funding Source        |
|-------------------------------------------|----------|-----------------------|
| Police: Vehicle                           | \$32,100 | Raise and Appropriate |
| Fire Department: Generator for Station #1 | \$30,000 | Raise and Appropriate |

**(RECOMMENDED 5-0)**

**PASSED UNANIMOUSLY**

**ARTICLE 5:** To see if the Town will vote to Raise and Appropriate the sum of Thirty One Thousand Nine Hundred Seventy Six Dollars (\$31,976), which is the Town’s share of the total \$173,075 cost for the School Administration Building’s 25% Schematic Design phase, provided the other five towns vote to approve their share of the expense.

**(RECOMMENDED 5-0)**

**PASSED**

**ARTICLE 6:** To see if the Town will vote to amend the Personnel Bylaw at Sections 26-3, 26-4 and 26-5 to reflect a wage adjustment of 2.0% effective July 1, 2013.

**(RECOMMENDED 5-0)**

**PASSED**

**ARTICLE 7:** To see if the Town will vote to authorize the Treasurer and Collector to enter into Compensating Balance Agreements during Fiscal Year 2014 as permitted by M.G.L. c.44, §53F.

**(RECOMMENDED 5-0)**

**PASSED UNANIMOUSLY**

**ARTICLE 8:** To see if the Town will vote to Appropriate the sum of Two Million Eight Hundred Thousand Dollars (\$2,800,000) for the construction and equipping of a new Police Station, to be located at the Public Safety Building site, including any necessary remodeling, reconstructing and making of extraordinary repairs to the existing Public Safety Building, original equipment, furnishings and utilities, landscaping, paving and other site improvements incidental or directly related thereto, and including the cost of moving to the new location and related borrowing costs. Further, to authorize that this appropriation be met by authorizing the Treasurer with the approval of the Board of Selectmen to borrow Two Million Eight Hundred Thousand Dollars as permitted by M. G. L. Chapter 44, § 7 or any other enabling authority; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation of total taxes imposed by M.G.L. c. 59 § 21C (Proposition 2 ½) amounts required to pay the principal of and interest on the borrowing authorized by this vote, or take any actions relative thereto.

**(REQUIRES A 2/3 VOTE)(RECOMMENDED 5-0)**

**AMENDED Change dollar amount; “Two Million Four Hundred Ninety-five Thousand (\$2,495,000)”**

**AMENDMENT PASSED UNANIMOUSLY**

**PASSED YES 133 NO 3**

**ARTICLE 9:** To see if the Town will vote to expend the sum of Two Thousand Eight Hundred Ninety Seven Dollars and Nineteen Cents (\$2,897.19), surplus dog license fees, received from the county per M.G.L. c.140, §172, for the support of the West Tisbury Free Public Library under the direction of the Library Trustees.

**(RECOMMENDED 5-0)**

**PASSED**

**ARTICLE 10:** To see if the Town will vote to Raise and Appropriate the sum of Thirty Eight Thousand One Hundred Five Dollars (\$38,105) to fund the Town of West Tisbury’s share of the administrative expenses of the Dukes County Regional Housing Authority in Fiscal Year 2014; provided however, that the other five towns on Martha’s Vineyard vote in the affirmative to raise and appropriate their respective sums.

**(RECOMMENDED 4-1)**

**PASSED**

**ARTICLE 11:** To see if the town will vote to Raise and Appropriate the sum of Fifteen Thousand Dollars (\$15,000) to transfer to the Terminated Employees Compensated Absences Reserve Fund as provided for by M.G.L. c. 40, § 13D. **(RECOMMENDED 5-0)**  
**PASSED UNANIMOUSLY**

**ARTICLE 12:** To see if the Town will vote to Appropriate from Free Cash Seventy Six Thousand Dollars (\$76,000) to the Dukes County Pooled Other Post-Employment Benefits (OPEB) Trust. **(RECOMMENDED 5-0)**  
**PASSED UNANIMOUSLY**

**ARTICLE 13:** To see if the Town will vote to Appropriate from Free Cash the sum of Twenty Thousand Dollars (\$20,000) to be transferred to the West Tisbury Affordable Housing Trust Fund for future affordable housing purposes. **(RECOMMENDED 4-0-1)**  
**PASSED**

**ARTICLE 14:** To see if the Town will vote to transfer Twelve Thousand Five Hundred Dollars (\$12,500) from the FY2013 Library Personal Services line item to FY2013 Library Expenses line item. **(RECOMMENDED 5-0)**  
**PASSED UNANIMOUSLY**

**ARTICLE 15:** To see if the Town will vote to Appropriate from Free Cash the sum of Nine Thousand Dollars (\$9,000) and in addition transfer the sum of Two Thousand Thirty Dollars (\$2,030) from Article 40 of the 2011 Annual Town Meeting and further transfer the sum of Four Thousand Dollars (\$4,000) from Article 34 of the 2009 Annual Town Meeting for a total of Fifteen Thousand Thirty Dollars (\$15,030) for the purpose of conducting a study of the Mill Brook Watershed. **(RECOMMENDED 4-1)**  
**PASSED**

**ARTICLE 16:** To see if the Town will vote to amend the Personnel Bylaw as follows:

Section 11-2 Amend section 11-2 by adding the following new section:  
 (d) An employee in continuous service shall be granted five weeks (five times the number of days regularly scheduled in each week) of vacation with pay after twenty-five (25) years of continuous service.

Section 12.4- Amend the third sentence of Section 12.4 to include “and step-family” in the definition of family.

Section 13.0 Amend the second sentence of Section 13-2 to include “and step-family” in the definition of family.

Section 19.2 Delete sections b, c, & d and replace with a new Section 19.2 (b).  
 Section 19.2 (b) Upon completion of each additional 5 year period of continuous employment to the Town, an employee shall be paid an additional 1% of the employee’s base hourly rate multiplied by the scheduled number of the hours for the previous year. **(RECOMMENDED 5-0)**  
**AMENDED Add words; “to be effective July 1, 2014” PASSED**

**PASSED**

**ARTICLE 17:** To see if the Town will vote to reauthorize revolving funds previously established by vote of the Town under M.G.L. c.44, §53E1/2, for fiscal year 2014, 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:

| FUND                      | REVENUE SOURCE              | AUTHORITY TO SPEND FUNDS | USE OF FUNDS                                                                     | SPENDING LIMITS |
|---------------------------|-----------------------------|--------------------------|----------------------------------------------------------------------------------|-----------------|
| Wetlands Protection Bylaw | Filing Fees                 | Conservation Commission  | To pay for expenses of the Commission related to the administration of the Bylaw | \$2,000         |
| Health Services           | Medicare, insurance & other | Board of Health          | Town health services                                                             | \$12,000        |

|         |                                             |                 |                                                     |           |
|---------|---------------------------------------------|-----------------|-----------------------------------------------------|-----------|
|         | reimbursements                              |                 |                                                     |           |
| MVRDRRD | Fees collected at local drop-off by MVRDRRD | Board of Health | Expenses related to operation of the Local Drop-off | \$110,000 |

(RECOMMENDED 5-0)

PASSED UNANIMOUSLY

**ARTICLE 18:** 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 triennial certification of values as required by Massachusetts State Law.

(RECOMMENDED 5-0)

PASSED

**ARTICLE 19:** To see if the Town will vote to accept Chapter 369 of the Acts of 2002, which will exempt a person age 70 or over, who owns a dog, from being charged a license fee. The owner will still be required to license the dog.

(RECOMMENDED 5-0)

PASSED

**ARTICLE 20:** To see if the Town will vote to Appropriate from Free Cash the sum of Eighteen Thousand Five Hundred Dollars (\$18,500) for the purpose of purchasing a pick-up truck for use by the Highway Department.

(RECOMMENDED 5-0)

PASSED UNANIMOUSLY

**ARTICLE 21:** To see if the Town will vote to Raise and Appropriate the sum of Seventy Thousand Dollars (\$70,000) to be placed in the Fire Equipment Stabilization Fund.

(REQUIRES A 2/3 VOTE, RECOMMENDED 5-0)

PASSED UNANIMOUSLY

**ARTICLE 22:** To see if the Town will vote to enter into an Intermunicipal Agreement with the County of Dukes County to provide an Integrated Pest Management Program and to Raise and Appropriate the sum of Nine Thousand Nine Hundred Forty Five Dollars and Ninety-Two Cents (\$9,945.92) as the Town’s proportionate share of the net cost of the program (\$67,021.00), based on a formula agreed upon by the Advisory Board on County Expenditures.

(RECOMMENDED 5-0)

FAILED YES 50 NO 58

**ARTICLE 23:** To see if the Town will vote to enter into an Intermunicipal Agreement with the County of Dukes County to provide a Vineyard Health Care Access Program, and to Raise and Appropriate the sum of Forty One Thousand Three Hundred Eighty One Dollars and Fifty Cents (\$41,381.50) as the proportionate share of the net cost of the program (\$276,245.00), based on the formula agreed on by the Advisory Board on County Expenditures.

(RECOMMENDED 5-0)

PASSED

**ARTICLE 24:** 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, FY2014 revenues, in the following amounts to the following:

- a. Open Space reserve \$2,000
- b. Historical Resources reserve \$42,000 (10% of estimated FY2014 Community Preservation Fund revenues)
- c. Community Housing reserve \$42,000 (10% of estimated FY2014 Community Preservation Fund revenues)
- d. Undesignated reserve \$273,000 (65% of estimated FY2014 Community Preservation Fund revenues)

And, to appropriate for Administrative Expenditures \$21,000 (5% of estimated FY 2014 Community Preservation Fund revenues)

*Note: The above allocations to Reserves combined with actual appropriations awarded in subsequent articles ensure that at least 10% allocations are made for Open Space, Historical*

*Resources and Community Housing from FY 2014 estimated Community Preservation Fund revenues.*  
**(RECOMMENDED 5-0)**  
**PASSED**

**ARTICLE 25:** To see if the Town will vote to return the unexpended balance of Eighty Nine Dollars and Fifty Seven Cents (\$89.57) from the Mill Pond Study voted at Annual Town Meeting, April 2010 (article #31) to the Community Preservation Open Space reserve.  
**(RECOMMENDED 4-1-0)**  
**PASSED**

**ARTICLE 26:** To see if the Town will vote to Appropriate the sum of One Hundred Thousand Dollars (\$100,000) to support debt service for the Town Hall renovation bond issue, with \$25,000 to be appropriated from the Community Preservation Historical Resources reserve and \$75,000 to be appropriated from the Community Preservation Undesignated reserve. This is the fifth and final payment of five installments authorized by vote at Annual Town Meeting, April 2008.  
**(RECOMMENDED 5-0)**  
**PASSED UNANIMOUSLY**

**ARTICLE 27:** To see if the Town will vote to Appropriate the sum of Forty Thousand Dollars (\$40,000) from estimated FY2014 Community Preservation Fund revenues for Open Space to support debt service for the acquisition of the Maley/Field Gallery property. This is the second of four annual installments authorized by vote at Annual Town Meeting, April 2011.  
**(RECOMMENDED 5-0)**  
**PASSED**

**ARTICLE 28:** To see if the Town will vote to Appropriate the sum of Twelve Thousand Dollars (\$12,000) to renovate the infield of The Manter Memorial Baseball Field, to be appropriated from the Community Preservation Undesignated reserve.  
**(RECOMMENDED 4-1-0)**  
**PASSED**

**ARTICLE 29:** To see if the Town will vote to Appropriate the sum of Five Thousand Dollars (\$5,000) from the Community Preservation Historical Resources reserve to preserve the town's historic records held by the Town Clerk and the Treasurer by digitizing and converting them into microfiche format as required by state regulations.  
**(RECOMMENDED 5-0)**  
**PASSED UNANIMOUSLY**

**ARTICLE 30:** To see if the Town will vote to Appropriate the sum of Ten Thousand Eight Hundred Eight Dollars (\$10,808) to replace windows in the historic County Courthouse, contingent upon proportional support from all other Island towns, with \$10,000 to be appropriated from the Historic Resources reserve fund and \$808 to be appropriated from the Community Preservation Undesignated reserve.  
**(NOT RECOMMENDED 5-0)**  
**FAILED**

**ARTICLE 31:** To see if the Town will vote to Appropriate the sum of Fifty Eight Thousand Dollars (\$58,000), to support the rental assistance program of the Dukes County Regional Housing Authority for West Tisbury households, with \$20,609 from the Community Housing reserve and \$37,391 from the Community Preservation Undesignated reserve.  
**(RECOMMENDED 5-0)**  
**PASSED**

**ARTICLE 32:** To see if the Town will vote to Appropriate the sum of Two Hundred Forty Two Thousand Dollars (\$242,000) for the construction of three additional affordable rental apartments to be constructed and owned by the Island Housing Trust, and ground leased by the Dukes County Regional Housing Authority to the Island Housing Trust at the Sepiessa property, with \$10,000 to be appropriated from the Community Preservation Community Housing reserve and \$232,000 from the Community Preservation Undesignated reserve.  
**(RECOMMENDED 4-1-0)**  
**PASSED**

**ARTICLE 33:** To see if the Town will vote to Appropriate the sum of Fifty Thousand Dollars (\$50,000) to support affordable housing initiatives by the West Tisbury Affordable Housing Trust Fund administered by the West Tisbury Affordable Housing Committee and the Board of Selectmen, with \$10,000 to be appropriated from the Community Preservation Community Housing reserve and \$40,000 from the Community Preservation Undesignated reserve. **(RECOMMENDED 5-0)**  
**PASSED**

**ARTICLE 34:** To see if the Town will vote to Appropriate the sum of Fifty Two Thousand Seven Hundred Dollars (\$52,700) to support second mortgage loans administered by The Island Housing Trust, subject to approval by the West Tisbury Community Preservation Committee for qualified buyers of affordable housing in West Tisbury with incomes less than or equal to 100% of the area wide median income, provided however, that preference is given to West Tisbury residents and that the owners of the community housing acquired, created or supported by the second mortgage loans execute covenants or restrictions, enforceable by the Town, ensuring the affordability of the community housing for as long a period of time as is permitted by law. Funding for this article to be transferred from the unexpended balance (\$52,700), of The Helm Loan Fund Program voted at the Annual Town Meeting, April 2010 (article # 28). **(RECOMMENDED 4-1-0)**  
**PASSED**

**ARTICLE 35:** To see if the Town will vote to transfer from the Ambulance Stabilization Fund the sum of Thirty Nine Thousand Dollars (\$39,000) for the Town’s share of purchasing and equipping a new ambulance. **(REQUIRES A 2/3 VOTE, RECOMMENDED 5-0)**  
**PASSED YES 145 NO 0**

**ARTICLE 36:** To see if the Town will vote to Appropriate from Free Cash the sum of Two Hundred Ten Thousand Dollars (\$210,000) to reduce the tax levy in Fiscal Year 2014. **(RECOMMENDED 5-0)**  
**PASSED UNANIMOUSLY**

**ARTICLE 37:** Non-Binding Resolution Regarding Senator Dianne Feinstein’s bill (S-150)

Whereas, we have witnessed the slaughter of our children, parents, teachers, fellow citizens through the use of semi-automatic and automatic weapons, and

Whereas we wish to end these killings, keep our children safe and ensure that these weapons of mass destruction are not in the hands of civilians, WE

Resolve that the town of West Tisbury Massachusetts, direct our Senators and Congressman to immediately pass into law Senator Dianne Feinstein’s bill (S-150). **(BY PETITION)**  
**PASSED**

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 6th Day of March in the Year Two Thousand Thirteen.

\_\_\_\_\_  
Cynthia E. Mitchell  
Chair

\_\_\_\_\_  
Richard R. Knabel

\_\_\_\_\_  
Jeffrey S. “Skipper” Manter,

WEST TISBURY SELECTMEN

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  
Town Clerk