

County of Dukes County, ss

To any of the Constables in the Town of Oak Bluffs, **Greetings:**

In the name of The Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Oak Bluffs who are qualified to vote in Town Affairs and Elections, to assemble at **Martha's Vineyard Elementary School, Tradewinds Road, Oak Bluffs, on Tuesday, June 25, 2024, at 7:00 PM** in the evening, then and there to hear the reports and act upon the following articles.

Article 1. To see if the Town will vote to appropriate the sum of \$6,900,000 (six million nine hundred thousand dollars) or some LESSER amount to serve as a cost share to fund and pay costs, in conjunction with and in addition to funding being sought through a grant program to stabilize and mitigate further damage to and increase accessibility of the East Chop Bluff with such funding to cover all costs incidental and relative thereto; to determine whether this amount shall be raised by borrowing or otherwise; and to meet this appropriation the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount under and pursuant to M.G.L Chapter 44, § 7 & 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore, and further that the amount authorized to be borrowed hereunder shall be reduced to the extent of any grants or gifts receive by the Town on account of this project, or take any other action relating thereto.

By: Select Board/ConComm/Capital Committee

Additional Executive Summary: Due to a defect in the timing regarding the approval of the original bond authorization in April 2022 and the approving ballot vote, the ATM approval was rendered null and void and we have to request a reconfirmation of the authorization of the borrowing.

Original Executive Summary: This long-standing project is proposed to reduce erosion hazards along East Chop Bluff as the existing revetment is failing due to continued erosion caused by wave and storm surge action. Continued erosion threatens the existing road whose current closure affects evacuation routes and emergency response, hampers utility maintenance and repair, and inhibits local recreation and tourist access. In addition, continued erosion threatens several nearby residences as erosion has increased from the commencement of the original study in 2008 to date. The plans provide for the creation of a sloped stone revetment designed for the 100-year plus storm event plus 2 ft for predicted sea level rise, drainage improvements to East Chop drive, and new ADA (Americans with Disabilities Act)/MAAB (Massachusetts Architectural Access Board) public access to the revetment and walkway. The Town has secured just over ten million dollars of FEMA grant funding; however, in order for the grant to be awarded, the Town must authorize the financing of the Town's share of the project which is 6.9 million dollars. The Town has applied for an EOEEA grant in the amount of three million and other grants will be requested, as well as any gifts or donations that may be provided, to offset the remaining 3.9 million needed. This project is recommended in the Capital Improvement Program.

Original Finance and Advisory Board Recommendation (8 voting): 8 -yes, 0-no, 0-abstain.

Two-thirds Majority Required

Motion Article 1:

That the Town votes to appropriate the sum of \$6,900,000 (six million nine hundred thousand dollars) or some LESSER amount to serve as a cost share to fund and pay costs, in conjunction with and in addition to funding being sought through a grant program to stabilize and mitigate further damage to and increase accessibility of the East Chop Bluff and for the payment of all other costs incidental and related thereto, and to meet this appropriation the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount under and pursuant to M.G.L Chapter 44, § 7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. The amount authorized to be borrowed for this project shall be reduced to the extent of any grants and/or gifts any received by the Town on account of this project; or to take any other action relative thereto.

Article 2. To see if the Town will vote to appropriate the sum of \$26,000,000 (twenty six million dollars) or some LESSER amount to fund and pay costs to design and upgrade the existing wastewater treatment facility and to add additional sewer system capacity intended to accommodate needs identified in the wastewater planning process, and all other costs incidental and related thereto; to determine whether this appropriation shall be met by borrowing or otherwise, and to meet this appropriation the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount under and pursuant to M.G.L Chapter 44, § 7 & 8, pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore. All or any portion of this amount may be borrowed through the Massachusetts Clean Water Trust (the "Trust"), and in that regard the Treasurer, the Select Boar and any other appropriate officers of the Town are authorized to execute and deliver all customary agreements required by the Trust to accomplish such a borrowing or borrowings. The amount authorized to be borrowed for this project shall be reduced to the extent of any grants and/or gifts received by the Town on account of this project. The Select Board and any other appropriate officers of the Town are authorized to assess betterments to recover costs of these improvements in accordance with the General Laws; or to take any other action relative thereto.

By: Wastewater /Capital Program Committee

Additional Executive Summary: Due to a defect in the timing regarding the approval of the original bond authorization in April 2022 and the approving ballot vote, the ATM approval was rendered null and void and we have to request a reconfirmation of the authorization of the borrowing.

Original Executive Summary: This is a follow-up to the wastewater planning phase and preliminary design phase of this work. This aims to be the most cost-efficient way to upgrade the Town's wastewater treatment facility, which is outdated and operating near capacity. The Town completed a wastewater management plan prior to 2000 and it is regularly updated. This plan identified several areas of concern and most, if not all, of these areas have been addressed via sewerage. Now the Town faces nitrogen contamination in several watersheds. The Town has recently been provided with reports from the Massachusetts Estuaries Project that provide a limit on the amount of nitrogen that may enter several of the town watersheds which needs to be addressed through comprehensive wastewater management planning. Failure to address state issued TMDLs could result in administrative action being taken by the state.

The project is recommended in the Capital Improvement Plan and is intended to fit into the debt schedule to minimize the effect of the tax burden.

With these new areas of concern and the potential need for other sewerage accommodations in the Town, an updated Comprehensive Wastewater Management Plan is being finalized to consider all areas of concern regarding nitrogen contamination as well as future wastewater needs in the Town. It will also help determine what conventional (sewerage) and/or alternative technologies may be needed to address the nitrogen. Additional Grants and funding sources will be sought, and prior Town/Wastewater bonds were split on a 50/50 basis which is expected to continue with this borrowing as well.

Original Finance and Advisory Board Recommendation (8 voting): 8 -yes, 0-no, 0-abstain.

Two-thirds Majority Required

Motion Article 2:

That the Town votes to appropriate the sum of \$26,000,000 (twenty six million dollars) or some LESSER amount to fund and pay costs to design and upgrade the existing wastewater treatment facility and to add additional sewer system capacity intended to accommodate needs identified in the wastewater planning process, and all other costs incidental and related thereto; and to meet this appropriation the Treasurer, with the approval of the Select Board, is hereby authorized to borrow said amount under and pursuant to M.G.L Chapter 44, § 7 & 8, pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore. All or any portion of this amount may be borrowed through the Massachusetts Clean Water Trust (the "Trust"), and in that regard the Treasurer, the Select Board and any other appropriate

officers of the Town are authorized to execute and deliver all customary agreements required by the Trust to accomplish such a borrowing or borrowings. The amount authorized to be borrowed for this project shall be reduced to the extent of any grants and/or gifts received by the Town on account of this project. The repayment of debt issued pursuant to this vote shall be split between the Town's general fund and its wastewater users. The Select Board and any other appropriate officers of the Town are authorized to assess betterments to recover costs of these improvements in accordance with the General Laws.

HEREIN FAIL NOT AND GIVE PUBLIC NOTICE BY CAUSING THIS NOTICE TO BE POSTED IN TWO (2) OR MORE PLACES IN THE TOWN AT LEAST FOURTEEN (14) DAYS BEFORE THE TIME OF SAID MEETING AND MAKE DUE RETURN OF THIS WARRANT WITH YOUR DOINGS TO THE TOWN CLERK AT THE TIME AND PLACE SPECIFIED.

GIVEN UNDER OUR HANDS THIS _____ DAY OF _____ 2024.

EMMA GREEN-BEACH

GAIL M. BARMAKIAN

DION ALLEY

THOMAS J. HALLAHAN

MARK LEONARD

SELECT BOARD
TOWN OF OAK BLUFFS

PURSUANT TO THE FOREGOING INSTRUCTIONS, I HEREBY NOTIFY AND WARN THE INHABITANTS OF THE TOWN OF OAK BLUFFS, QUALIFIED TO VOTE AS EXPRESSED IN THIS WARRANT TO VOTE AT THE TIME AND PLACE SPECIFIED.

Attest:

Constable

OFFICER'S RETURN

COUNTY OF DUKES COUNTY, ss

IN ACCORDANCE WITH THE FOREGOING INSTRUCTIONS, I HEREBY CERTIFY THAT I DID ON THE _____ DAY OF _____ 2024 GIVE PUBLIC NOTICE BY CAUSING ATTESTED COPIES OF THIS WARRANT TO BE POSTED IN TWO (2) OR MORE PLACES IN THE TOWN OF OAK BLUFFS, AND I HEREBY MAKE RETURN OF THIS WARRANT THIS _____ DAY OF _____ 2024.

Attest:

Constable