



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

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 the **Oak Bluffs School, Tradewind Drive, Oak Bluffs, on Tuesday, November 9, 2021 at 7:00 PM**, then and there to hear the reports and act upon the following articles.

**Article 1.** To see if the Town will vote to petition the General Court to enact the following home rule petition:

An ACT concerning the rental of Mopeds and Motor Scooters in the Town of Oak Bluffs

Section One. Notwithstanding the provisions of G. L. c. 90, § 1B, or any other general or special law to the contrary, the Town of Oak Bluffs (the “Town”) is hereby authorized to amend Chapter XV(F) of its Recodified General By-laws (April 9, 2002), as amended through September of 2017, as set out in Section Two of this Act, to prohibit the commercial lease or rental of mopeds and motor scooters to the public.

Section Two. The question shall be submitted for acceptance to the voters of the Town at its next special or annual town meeting in the form of the following warrant article: “To see if the Town will vote to delete the existing text of Chapter XV(F) of its Recodified General By-laws (April 9, 2002), as amended through September of 2017, in its entirety, and replace it with the following language: ‘The rental or leasing of mopeds and motor scooters to the public is prohibited within the Town, and no license shall be issued for an entity to engage in the business of renting or leasing mopeds or motor scooters to the public.’”

Section Three. If a majority of the voters at the special or annual town meeting in which the article provided for in Section Two vote in the affirmative, then then this Act shall take effect, but not otherwise.

Section Four. Duly issued licenses in effect at the time this Act becomes effective shall remain valid for the duration of the then existing license, but shall otherwise confer no benefit or right on the holder to operate past the effective date of the existing license.



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

**By: Select Board**

**Executive Summary:** This article seeks approval to file special legislation with the General Court of the Commonwealth of Massachusetts that would authorize the Town to amend its general bylaws to prohibit the rental or leasing of mopeds or motor scooters to the public within the Town. At the Annual Town Election of 2017, voters overwhelmingly approved a non-binding question that recommended prohibiting the rental of mopeds within the Town with said approval remaining strong to date.

**Article 2.** To see if the Town will vote to rescind all or a part of certain authorizations to borrow funds, which was approved in a prior year, where the purpose of the borrowing has been completed and/or it was unnecessary to borrow the amount approved, or take any other action relative thereto:

Article 17      April 11, 2017 ATM New Town Hall (original appropriation) \$8,578,624

**By: Select Board**

**Executive Summary:** The above noted authorization is no longer needed. It is necessary for Town Meeting to rescind the balance of the bond authorizations so it can be removed from the Town's financial records.

**Finance and Advisory Board Recommendation: 7-yes, 0 -no.**

**Article 3.** To see if the Town will transfer from the Waterways Account the sum of \$35,000 (Thirty-five thousand dollars) for harbor maintenance and the replacement of pilings, floats and moorings, or take any other action relative thereto.

**By: Harbormaster**

**Executive Summary:** This Article funds (as provided for by MGL Chapter 60B Section 2 transfer of boat excise tax) continued repair, replacement or upgrades of pilings, floats and moorings where necessary and for small scale dredging as needed.

**Finance and Advisory Board Recommendation: 5-yes, 2 -no**



## **WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS**

**Article 4.** To see if the Town will vote to appropriate the sum of \$120,000 (one hundred twenty thousand dollars) to be raised for the purpose of permitting, engineering, final design, and bid document phase of the Harbor Jetties Repair/Reconstruction project and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, funding shall be provided for by the Marina Fuel Account or the Town Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, or any other enabling authority, and to issue bonds and notes of the Town therefor, or take any other action relating thereto.

**By: Harbormaster  
Select Board**

**Executive Summary:** This article funds permitting, design, and bidding of improvements needed to the Oak Bluffs Harbor Jetties that are failing due to age and general environmental deterioration. Although borrowing would be a general obligation of the Town, as required by Massachusetts law, funding will come from harbor-related fuel receipts, rather than through the use of tax dollars. This project was recommended in the Capital Improvement Program and will be reviewed again by the Capital Program Committee in FY23

**Finance and Advisory Board Recommendation: 7-yes, 0 -no.**

**2/3 Majority Required**



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

**Article 5.** To see whether or not the Town will vote to take whatever action is needed to authorize or approve the action by the Oak Bluffs Municipal Housing Trust in soliciting proposals for the development of affordable housing on a 7.757-acre parcel otherwise known as the “Southern Tier Property Development Proposal” located along Edgartown-Vineyard Haven Road, and shown on the Town of Oak Bluffs Assessors’ Map as Parcel 50-31.

Such vote may include authorization of the Select Board to act on their own or in conjunction with others they may appoint or re-appoint as the Town of Oak Bluffs Residential Homesite Committee to assure that the Municipal Housing Trust is able to select and enter into a development agreement and lease with a suitable developer from those individuals or entities submitting proposals in response the Request for Proposals issued by the Town and its Oak Bluffs Municipal Housing Trust on or about June 25, 2021, potentially involving a 99-year lease of said parcel with little or no lease payments to the Town or the Oak Bluffs Municipal Housing Trust.

Said vote may also involve authorizing the transfer of ownership or control of said 7.757-acre parcel from the Residential Homesite Committee to the Oak Bluffs Municipal Housing Trust if and as recommended by counsel based on a title review; or take any other action relative thereto.

**By: Select Board  
Affordable Housing Committee (AHC)**

**Executive Summary:** This article is recommended by the Select Board and the AHC to resolve title issues and enter into a long-term lease with a developer to create a mixed income housing community that adds approximately 60-65 units to the Town’s Subsidized Housing Inventory (SHI). This use is consistent with the Oak Bluffs Master Plan (<https://www.oakbluffsma.gov/DocumentCenter/View/3571/OB-Master-Plan-Adopted-on-Apr-25-2019>) and the Planning Board’s Feasibility Study of Town owned land (<https://www.oakbluffsma.gov/431/Planning-in-the-Southern-Tier>) as well as other affordable housing programs and policies.



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

**Article 6.** To see if the Town will vote to transfer the care, custody, management, and control of Town-owned 4.597 acre of land located at 519 County Road and shown on the Town of Oak Bluffs Assessors' Map as Parcel 49-11 to the Oak Bluffs Municipal Housing Trust for development and use for mixed-income housing to include Veteran affordable housing and additional affordable/community/workforce housing.

**By: Select Board  
Affordable Housing Committee (AHC)**

**Executive Summary:** This article is recommended by the Select Board and the AHC to transfer the identified property to the AHC for the purpose of entering into a long-term lease with a developer to create mixed-income housing to include Veteran affordable housing with the potential for some additional affordable and/or workforce housing. This use is consistent with the Oak Bluffs Master Plan (<https://www.oakbluffsma.gov/DocumentCenter/View/3571/OB-Master-Plan-Adopted-on-Apr-25-2019>) and the Planning Board's Feasibility Study of Town owned land (<https://www.oakbluffsma.gov/431/Planning-in-the-Southern-Tier>) as well as other affordable housing programs and policies.



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

**Article 7.** To see whether or not the Town will vote to petition the Massachusetts legislature to enact a so-called “Home Rule” act authorizing the Town to exchange land with the Martha’s Vineyard Land Bank Commission to provide so-called “affordable housing” as follows:

1. the Town shall convey to the Martha’s Vineyard Land Bank Commission, 1 parcel of land, approximately 24.29 acres in area. The parcel to be conveyed is shown on Oak Bluffs assessor’s Map 42 as lot 2.
2. the Martha’s Vineyard Land Bank Commission shall convey to the Town of Oak Bluffs, 1 parcel of land, approximately 23.71 acres area. The parcel to be conveyed is shown on a “Plan of Land in Oak Bluffs, Mass. Prepared for Martha’s Vineyard Land Bank Commission Scale 1”=120’ November 27, 2018,” by Vineyard Land Surveying, as Parcel “I”, which is a portion of the land shown on Oak Bluffs assessor’s Map 41 as lot 2.

Or take any other action relative thereto.

An Act relative to the AUTHORITY OF THE MARTHA’S VINEYARD COMMISSION AND THE TOWN OF OAK BLUFFS TO EXCHANGE PARCELS OF LAND.

HOUSE , No.

The Commonwealth of Massachusetts

---

In the Year Two Thousand and Twenty-One

Whereas, the Town of Oak Bluffs (hereinafter the “Town”) and the Martha’s Vineyard Commission (hereinafter the “Commission”) each own land located contiguous with each other in Oak Bluffs; and,

Whereas, the Town owns a “landlocked” parcel that it wishes to use for the construction of so-called “affordable housing”; and,

Whereas, the Town has an urgent need to provide so-called “affordable housing” and has identified a parcel of open-space land (hereinafter the “open-space land”) owned by the Commission that has the required road frontage and is adjacent to the parcel on which the Town wants to provide such affordable housing; and,

Whereas, the two parcels, for all intents and purposes, are identical in acreage, general configuration and natural features; and,







**WARRANT FOR SPECIAL TOWN MEETING  
COMMONWEALTH OF MASSACHUSETTS**

|                     |                    |          |       |       |       |       |       |       |       |
|---------------------|--------------------|----------|-------|-------|-------|-------|-------|-------|-------|
| <b>IT</b>           | Assistant          |          |       |       |       |       |       |       |       |
| <b>Police</b>       | Part-time ACO      |          |       |       |       |       |       |       |       |
| <b>Shellfish</b>    | Deputy Constable   |          |       |       |       |       |       |       |       |
|                     |                    | <b>H</b> | 23.22 | 23.80 | 24.40 | 25.01 | 25.63 | 26.27 | 26.93 |
| <b>Police</b>       | Year Round Special |          |       |       |       |       |       |       |       |
| <b>General Gov.</b> | ZBA/ Conservation  |          |       |       |       |       |       |       |       |
|                     |                    | <b>I</b> | 26.07 | 26.72 | 27.39 | 28.07 | 28.78 | 29.50 | 30.23 |
| <b>EMT</b>          | Per-Diem           |          |       |       |       |       |       |       |       |
|                     |                    | <b>J</b> | 29.21 | 29.94 | 30.69 | 31.46 | 32.24 | 33.05 | 33.87 |
| <b>Paramedic</b>    | Per -Diem          |          |       |       |       |       |       |       |       |

**Article 10.** To see if the Town will vote to adopt the following Island wide goals in response to the developing climate change crisis or take any other action related thereto:

- Reduce fossil fuel use on the island (from a 2018 baseline):
  - 50% by 2030
  - 100% by 2040
- Increase the fraction of our electricity use that is renewable:
  - To 50% by 2030
  - To 100% by 2040
- Foster biosphere carbon capture through:
  - Adoption of regenerative agriculture and landscaping
  - Protection and expansion of wetlands
  - Preservation of woodland resources

And further, to request that the Town Energy Committee annually monitor progress toward the achievement of these goals

**By: Energy Climate Committee**

**Executive Summary:** This is part of an Island wide, non-binding, goal setting plan already adopted by the five other island towns to address issues associated with climate change.



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

**Article 11.** To see if the Town will vote to redirect One Hundred Thousand Dollars (\$100,000) in unspent funds from the May 2021 Special Town Meeting Article 1 and re-appropriate such funds for the lease/purchase of computer equipment and peripherals for Town Hall, servers for the Library, relocation expenses from temporary Town Hall, and any other associated Town Hall owner provided project costs

**By: Select Board**

**Executive Summary:** In anticipation of potential expense deficits for FY21, the Town voted at a STM to provide \$100,000 to cover those deficits which due to fiscal cooperation from Department Heads did not occur.

The Town Hall Renovation/Reconstruction has multiple owner provided requirements one of which is for workspace computers, peripherals, relocation expenses not provided for within the construction budget. Current systems are several years old, frequently unable to be updated, and availability and currency of programs and applications are inconsistent across departments. Systems are normally purchased piecemeal or through one-time free cash appropriations. Due to the rapidly changing computer environment, we feel it is more pragmatic and effective to move to a leasing program so that systems can be regularly updated before becoming obsolete, provides for consistency across departments, enhances compatibility with current industry standards, and moves the expense to the regular budget, which can then be planned for more effectively, as an annual expense.

Normally unexpended special fund articles would be returned to the fund from which they were appropriated to be reincorporated into the next certified free cash balance; however, in this particular circumstance, the need to provide funding for the Owner Provided portions of the Town Hall Renovation/Reconstruction project are a much needed and reasonable reappropriation of resources

**Finance and Advisory Board Recommendation: 7-yes, 0 -no.**



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

**Article 12.** To see if the Town will vote to transfer from Free Cash \$100,000 (One hundred thousand dollars) for the lease/purchase of computer equipment and peripherals for Town Hall, servers for the Library, relocation expenses from temporary Town Hall, and any other associated Town Hall owner provided project costs, or take any other action related thereto.

**By: Select Board**

**Executive Summary:** The Town Hall Renovation/Reconstruction has multiple owner provided requirements one of which is for workspace computers, peripherals, relocation expenses not provided for within the construction budget. Current systems are several years old, frequently unable to be updated, and availability and currency of programs and applications are inconsistent across departments. Systems are normally purchased piecemeal or through one-time free cash appropriations. Due to the rapidly changing computer environment, we feel it is more pragmatic and effective to move to a leasing program so that systems can be regularly updated before becoming obsolete, provides for consistency across departments, enhances compatibility with current industry standards, and moves the expense to the regular budget, which can then be planned for more effectively, as an annual expense.

**Finance and Advisory Board Recommendation: 7-yes, 0 -no.**

**Article 13.** To see if the Town will vote to transfer from Free Cash \$500,000 (Five hundred thousand dollars) to the Stabilization Fund, or take any other action related thereto.

**By: Select Board**

**Executive Summary:** This Article transfers funds from Free Cash to the Town's Stabilization Fund as part of our Financial Policy to maintain a Stabilization Fund balance between 5-13% of the approved Town Budget which in turn helps to maintain the Town's AA bond rating.

**Finance and Advisory Board Recommendation: 6-yes, 0 -no, 1-abstain**



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

**Article 14.** To see if the Town will vote to transfer from Free Cash \$250,000 (Two hundred fifty thousand dollars) for an extra payment to our OPEB liability, or take any other action related thereto.

**By: Select Board**

**Executive Summary:** This Article transfers funds from Free Cash to fund an extra payment to the Town's OPEB liability as part of our Financial Policy

**Finance and Advisory Board Recommendation: 6-yes, 0 –no, 1-abstain**

**Article 15.** To see if the Town will vote to transfer from Free Cash \$200,000 (Two hundred thousand dollars) to provide for the buyback of accrued OBPD comp time, or take any other action related thereto.

**By: Select Board**

**Executive Summary:** This Article transfers funds from Free Cash to fund the buy back of a portion of the Town's OBPD non-current comp time liability. The Town has been implementing policies to prevent the additional accrual of comp time beyond legally allowed amounts; however, the prior accrued comp time is long standing non-current liability that we would like to reduce as resources permit.

**Finance and Advisory Board Recommendation: 7-yes, 0 –no,**

**Article 16.** To see if the Town will vote to transfer from Free Cash the sum of \$150,000 (one hundred fifty thousand dollars) to fund the residential placement of two elementary school students, or take any other action relative thereto.

**By: Select Board**

**Executive Summary:** This Article provides funds residential placement costs for two local students as required by their respective special education plans.



## **WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS**

**Finance and Advisory Board Recommendation: 7-yes, 0 –no,**

**Article 17.** To see if the Town will vote to transfer the sum of \$100,000 (One hundred thousand dollars) from the Wastewater Retained Earnings Account to waste water equipment repairs or other shortfalls, or take any other action relative thereto.

**By: Wastewater Commission**

**Executive Summary:** This article provides funding to address unforeseen equipment breakdowns or shortfalls which may impede the operation of the Town’s wastewater system.

**Finance and Advisory Board Recommendation: 7-yes, 0 -no.**

**Article 18.** To see if the Town will vote to transfer from Sale of Cemetery Lots the sum of \$35,000 (Thirty-five thousand dollars) for water line improvements in the Oak Grove Cemetery

**By: Cemetery Commissioners**

**Executive Summary:** This article provides funding for needed water line improvements at Oak Grove cemetery

**Finance and Advisory Board Recommendation: 7-yes, 0 -no.**

**Article 19.** To see if the Town will vote to rescind its acceptance of the provisions of Massachusetts General Laws Chapter 48, Section 42 under Article 8 at the Town Meeting held on June 26, 1996, and, in its place, to accept Massachusetts General Laws Chapter 48, Section 42A concerning Fire Chiefs, or take any other action relative thereto.

**By: Select Board**

**Executive Summary:** Approval of this article would replace the Town’s adoption of the so-called “strong chief” statute with the so-called “weak chief” statute governing the powers and



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

authority of the Fire Chief. The intent is not to diminish the role of the Fire Chief but to ensure that all Town Department Heads practice sound Budgetary, Personnel, and other departmental considerations and interact as seamlessly as possible within the framework of the overall needs of the Town. This would not apply to the current Fire Chief.

**Article 20.** To see if the Town will vote to rescind its acceptance of the provisions of Massachusetts General Laws Chapter 41, Section 97A under Article 6 at the Town Meeting held on April 9, 2002 and, in its place, to accept Massachusetts General Laws Chapter 41, Section 97 concerning Police Chiefs, or take any other action relative thereto.

**By: Select Board**

**Executive Summary:** Approval of this article would replace the Town's adoption of the so-called "strong chief" statute with the so-called "weak chief" statute governing the powers and authority of the Police Chief. The intent is not to diminish the role of the Police Chief but to ensure that all Town Department Heads practice sound Budgetary, Personnel, and other departmental considerations and interact as seamlessly as possible within the framework of the overall needs of the Town. This would not apply to the current Police Chief.

**Article 21.** We the undersigned registered voters of the town of Oak Bluffs are requesting that the selectperson's decision to change diagonal parking to parallel parking along circuit Ave. go to a ballot question at the next election in the Spring of 2022. Additionally, we believe that Circuit Ave and Healey Square portion of the Streetscape project take priority over any other part of the project

**By: Petition Article**



## WARRANT FOR SPECIAL TOWN MEETING COMMONWEALTH OF MASSACHUSETTS

**Article 22.** To see if the Town will vote to amend the vote taken under Article 9 at the Oak Bluffs annual town meeting on June 16, 2020 by adding that any borrowing authorized under Article 9 shall be contingent on the passage of a proposition 2 ½ Debt Exclusion Ballot Vote

MOTION-That the town appropriates Two Million Seven Hundred Seventy-Four Thousand Dollars (2,774,000) to pay costs of replacing sidewalks and public infrastructure in the Circuit Avenue, Healey Square and Kennebec Avenue business district in conjunction with the Town's Streetscape Master Planning process, including final design and specifications and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. C44 s 7(1), or any other enabling authority, and to issue bonds and notes of the town therefor provided however that any borrowing authorized hereunder shall be contingent upon the passage of a proposition 2 ½ Debt Exclusion Ballot vote. Any premium received by the town upon the sale of any bonds or notes approved by the vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. C44 s 20, thereby reducing the amount authorized to be borrowed to pay such costs by like amount.

**By: Petition Article**

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 OCTOBER, 2021.

\_\_\_\_\_  
Brian Packish, Chair

\_\_\_\_\_  
Jason Balboni

\_\_\_\_\_  
Gail M. Barmakian,



**WARRANT FOR SPECIAL TOWN MEETING  
COMMONWEALTH OF MASSACHUSETTS**

\_\_\_\_\_  
Emma Green-Beach

\_\_\_\_\_  
Ryan Ruley

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 OCTOBER, 2021 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 OCTOBER, 2021.

Attest:

\_\_\_\_\_  
Constable