

**WARRANT FOR
ANNUAL TOWN MEETING
JUNE 13, 2020**

County of Dukes County, ss:

To either of the Constables in the Town of Edgartown in the County of Dukes County, GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and Town affairs, to meet adjacent to the Edgartown School in said Edgartown on Saturday, the thirteenth day of June, Two Thousand Twenty at one thirty o'clock in the afternoon, then and there to act on the Articles in the Special Town Meeting Warrant and the Articles in this Warrant, with the exception of Article One.

And to meet again in the Town Hall Meeting Room, entrance from South Summer Street parking lot, in said Edgartown on Thursday, the eighteenth day of June, Two Thousand twenty at ten o'clock in the forenoon, at the polling place, then and there to act on Article One of the Warrant by the election of Officers on the Official Ballot.

The polls for voting on the Official Ballot will be open at ten o'clock in the forenoon, and shall be closed at seven o'clock in the afternoon.

Answer **YES** or **NO** to the following question:

Question 2. Shall the Town of Edgartown be allowed to assess an additional \$100,000.00 in real estate and personal property taxes for rebuilding and resurfacing of certain Town streets for the Fiscal Year beginning July first, two thousand and twenty?

Question 3. Shall the Town of Edgartown be allowed to assess an additional \$100,000.00 in real estate and personal property taxes for building and repairing of various Town sidewalks, bike paths, parking lots, and storm water drainage systems, for the Fiscal Year beginning July first, two thousand and twenty?

Question 4. Shall the Town of Edgartown be allowed to assess an additional \$177,046.50 in real estate and personal property taxes to supplement 26.51% of the Vineyard Transit Authority's Budget, for the Fiscal Year beginning July first, two thousand and twenty?

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

1. One Selectmen for Three Years
2. One Assessor for Three Years
3. One Board of Health Member for Three Years
4. Two Financial Advisory Committee Members for Three Years
5. Two Financial Advisory Committee Members for One Year
6. Two Library Trustees for Three Years
7. One Park Commissioner for Three Years
8. One Planning Board Member for Five Years
9. One School Committee Member for Three Years
10. One Wastewater Treatment Commissioner for Three Years
11. One Water Commissioner for Three Years

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

ARTICLE 3. To choose all other necessary Town Officers who are elected from the floor of the Town Meeting.

ARTICLE 4. To see if the Town will vote to raise the necessary sums of money to defray

the general expenses of the Town for Fiscal Year 2021 and to make appropriations therefore.

ARTICLE 5. To see if the Town will vote to appropriate and set aside for later expenditure from the Community Preservation Fund established pursuant to Chapter 44B of the Massachusetts General Laws, Fiscal Year 2021 revenues in the following amounts to the following reserves.

\$120,000 to be appropriated to the Community Preservation Open Space Reserve Fund;
\$120,000 to be appropriated to the Community Preservation Affordable Housing Reserve Fund;
\$120,000 to be appropriated to the Community Preservation Historic Preservation Reserve Fund;
\$500,000 to be appropriated to the Community Preservation Budgeted Reserve;
\$20,000 to be appropriated to the Community Preservation Administrative Expenses Account.

Submitted by the Community Preservation Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 6. To see if the Town will vote to appropriate from the Community Preservation Affordable Housing Fund the sum of \$112,000.00 to be paid to The Dukes County Regional Housing Authority to fund the Rental Assistance Program for Edgartown Families for Fiscal Year 2021.

Submitted by the Community Preservation Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 7. To see if the Town will vote to appropriate from the Community Preservation Affordable Housing Fund the amount of \$8,000.00 and from the Community Preservation Fiscal Year 2020 Budgeted Reserve the amount of \$115,900.00 for a total of \$123,900.00 to fund the PALS program through The Resource Inc. (TRI). The PALS program will provide interest-free loans to Edgartown families earning less than 100% median income to fund emergency needed structural home repairs to ensure safe and sanitary housing conditions.

Submitted by the Community Preservation Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 8. To see if the Town will vote to appropriate from the Community Preservation Open Space and Recreation Fund the sum of \$25,000.00 for the Town to conduct beach nourishment at Bend in the Road Beach.

Submitted by the Community Preservation Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 9. To see if the Town will appropriate from the Community Preservation Open Space and Recreation Fund the amount of \$75,000.00 for the further planning and creation of a park at the Yellow House property at 66 Main St.

Submitted by the Community Preservation Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 10. To see if the Town will vote to appropriate from the Community Preservation Historic Preservation Fund the amount of \$98,000.00 for Phase 2 of the Cooke House property restoration by the MV Museum. Phase 2 covers restoration and reinforcement to the foundation, sills and joists to help support the historic structure and prolong its useful life.

Submitted by the Community Preservation Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 11. To see if the Town will vote to appropriate from the Community Preservation Historic Preservation Fund the amount of \$3,500.00 for the MV Agricultural Society toward the preservation of records and restoration of an ox cart. This is Edgartown's portion of a regional project with a total of \$18,000.00.

Submitted by the Community Preservation Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 12. To see if the Town will vote to appropriate from the Community Preservation Historic Preservation Fund the amount of \$900.00 and from the Community Preservation Fiscal Year 2020 Budgeted Reserve the amount of \$39,100.00 for the sum of \$40,000.00 to further implement the recommendations for the restoration of historic gravestones in Edgartown from the study funded in Fiscal Year 2014 for the Cemetery Commission.

Submitted by the Community Preservation Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 13. To see if the Town will vote to appropriate from the Community Preservation Fiscal Year 2020 Budgeted Reserve the sum of \$30,500.00 and from the Community Preservation Unbudgeted Reserve the sum of \$169,500.00 for a total of \$200,000.00 for Phase 2 of the historic preservation and capital improvements to the Town Wharf.

Submitted by the Community Preservation Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 14. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$20,000.00 to provide funds for an integrated pest management program as needed by various departments.

Submitted by the Board of Selectmen

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 15. To see if the Town will vote to appropriate from Free Cash, the sum of \$350,000.00, to the Town's General Purpose Stabilization Fund under Massachusetts General Laws Chapter 40, Section 5B, effective for Fiscal Year 2021 beginning on July 1, 2020, or take any other action relative thereto.

Submitted by Board of Selectmen

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 16. To see if the Town will vote to appropriate from Free Cash, the sum of \$50,000.00 to the Town's Other Post Employment Benefits Trust Fund, effective for Fiscal Year 2021 beginning on July 1, 2020, or take any other action relative thereto.

Submitted by Board of Selectmen

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 17. To see if the Town will vote to appropriate from Free Cash, the sum of \$50,000.00 for capital improvements and repairs to the interior and exterior of Town Hall.

Submitted by Board of Selectmen

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 18. To see if the Town will vote to appropriate from Free Cash, the sum of \$15,000.00 for a solar consultant to draft a request for proposal or invitation to bid on future Town solar projects.

Submitted by Board of Selectmen

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 19. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$10,000.00 for the Conservation Commission's Property Maintenance Fund.

Submitted by the Conservation Commission

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 20. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$121,901.00, to support the Vineyard Health Care Access Program in accordance with the Inter-municipal Agreement, as the same may be amended from time to time.

Submitted by the Dukes County Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 21. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$16,796.00, to support the Dukes County Social Services in accordance with the Inter-municipal Agreement, as the same may be amended from time to time.

Submitted by the Dukes County Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 22. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$9,807.00, to support the Substance Use Disorder and 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.

Submitted by the Dukes County Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 23. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$193,987.00, 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.

Submitted by the Dukes County Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 24. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$26,152.00, to support the CORE program to provide coordinated counseling, outreach, and referral services to our 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.

Submitted by the Dukes County Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 25. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$10,232.00, 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.

Submitted by the Dukes County Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 26. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$36,564.00, 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.

Submitted by the Dukes County Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 27. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$23,826.00 to cover the County of Dukes County FY2021 budget shortfall. The funding is contingent on all Island Towns paying for such formulated costs in Fiscal Year 2021.

Submitted by the Dukes County Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 28. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum \$20,015.00 to fund the Dukes County Stabilization Fund. The funding is contingent on all Island Towns paying for such formulated costs in Fiscal Year 2021.

Submitted by the Dukes County Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 29. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$68,153.00, the Town's proportionate share of the Fiscal Year 2021, \$300,000.00 maintenance cost of the State-funded development, and upgrades of the Dukes County Regional Emergency Communication Center and Radio System, such share based on the apportionment formula equal to an average of 16.67% fixed share of Island-wide maintenance costs, plus 28.77% variable share of such costs based on dispatch volume, for the total share of 22.72%. The funding is contingent on all Island Towns paying for such maintenance costs in Fiscal Year 2021 according to the agreed upon dispatch and fixed cost formula.

Submitted by Dukes County Sheriff

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 30. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$45,000.00 for the removal and replacement of one original hot water tank at the Edgartown School.

Submitted by the Edgartown School

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 31. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$25,037.00 to be paid to the Martha's Vineyard Regional High School District as the Town's share of the costs of the District's capital project for the replacement of the dust collection system in Building Trades, including without limitation design, engineering, installation, and any other costs incidental and 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; or to take any other action relative thereto.

The total costs of the dust collection system replacement project is \$225,000.00 which the District hopes to partially fund through a matching grant of \$100,000.00; the application for the matching grants requires appropriation by the Member Towns of their share of the costs of the project prior to the District's application for the grants; as such, the member Towns are being asked to appropriate funds for their portion of the total cost of the project in advance of the District's receipt of grant.

Submitted by the Martha's Vineyard Regional High School District

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 32. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$15,425.00 to fund the Town of Edgartown's share of the administrative expenses for the All Island School Committee's contract for Adult and Community Education.

Submitted by MV Superintendent's Office and Adult & Community Education of M.V

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 33. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$55,282.00 to purchase and equip one new police cruiser and further, to authorize the Chief of Police and Board of Selectmen to dispose of one cruiser in the best interest of the Town.

Submitted by the Police Chief

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 34. To see if the Town will transfer the \$11,949.61 remaining from the ladder truck lighting upgrades (2018 ATM article 36) to the Fire Truck Stabilization Fund.

Submitted by the Fire Chief

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 35. To see if the Town will accept an easement from the Sherriff's Meadow Foundation to install and maintain an underground storage tank, well, driveway and lighting on the parcel of land located at #79 Litchfield Road (Assessor's Map 35- Lot 10). If approved, this easement will allow for the installation of a tank that will store water to be used by the Fire Department for fire suppression.

2/3 VOTE REQUIRED

Submitted by the Fire Chief/Emergency Manager

NEITHER RECOMMENDED NOR NOT RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 36. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$60,000.00 to the Finance Advisory Committee Reserve Fund.

Submitted by the Financial Advisory Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 37. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$44,000.00 to fund various Shellfish Committee programs to be administered by the Shellfish Department.

Submitted by the Shellfish Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 38. To see if the Town will vote to appropriate from Free Cash the sum of \$38,000.00 to fund the Town's Fiscal Year 2021 membership fee in the Martha's Vineyard Shellfish Group.

Submitted by the Shellfish Committee

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 39. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$50,000.00 and from Receipts Reserved for Waterways the sum of \$10,000.00 for a total of \$60,000.00 for the maintenance and replacement of moorings, buoys, spiles, tie-off stakes, floats, walkways, and equipment necessary for marine operations on Town owned docks and property.

Submitted by the Harbormaster

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 40. To see if the Town will vote to raise and appropriate the sum of \$100,000.00 for the rebuilding and resurfacing of various Town streets, provided that a majority of voters casting a ballot (Question #2) thereon at the Annual Town Election to be held on June 18, 2020, vote in the affirmative to allow the Town to exceed its Fiscal Year 2021 Proposition 2½ spending cap.

Submitted by the Highway Superintendent

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 41. To see if the Town will vote to raise and appropriate the sum of \$100,00.00 for the building and repairing of various Town sidewalks, bike paths, parking lots, and storm water drainage systems, provided that a majority of voters casting a ballot (Question #3) thereon at the Annual Town Election to be held on June 18, 2020, vote in the affirmative to allow the Town to exceed its Fiscal Year 2020 Proposition 2½ spending cap.

Submitted by the Highway Superintendent

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 42. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$25,000.00 to clean the catch basins.

Submitted by the Highway Superintendent

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 43. To see if the Town will vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allotted by the Commonwealth for the construction, reconstruction, and improvements of the Town infrastructure, and to authorize the Board of Selectmen to borrow in anticipation of the reimbursement of funds. (Chapter 303, Acts of 2008, in the amount of \$237,803.00).

Submitted by the Highway Superintendent

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 44. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$52,000.00 to be used for the rental and maintenance of the portable toilets at South Beach, Robinson Road Recreation Area, and Edgartown Park and Ride.

Submitted by the Park Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 45. To see if the Town will vote to appropriate from Free Cash, for expenditure in Fiscal Year 2021, the sum of \$74,000.00 for the Wastewater Department's Equipment and Collection System Maintenance account.

Submitted by the Wastewater Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 46. To see if the Town will vote to authorize the Water Department to transfer the sum of \$80,000.00 from the Water Department's Surplus to the Water Department Expense account for improvements necessary for the Town's water system including: the installation, replacement, cleaning, and relining of water mains and appurtenances; the installation and replacement of water service lines and water meters; construction equipment; construction and restoration of pump stations, wells, water treatment, office, standpipe, and other structures, buildings, facilities, and grounds; water quality improvements; and for costs incidental and related thereto for Fiscal Year 2021. This article will have no impact on water user's charges or tax rate.

Submitted by the Water Commissioners

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 47. To see if the Town will vote to raise and appropriate the additional sum of \$177,046.50 to supplement 26.51% of the Vineyard Transit Authority's Budget, provided that a majority of voters casting a ballot (Question #4) thereon at the Annual Town Election to be held on June 18, 2020, vote in the affirmative to allow the Town to exceed its Fiscal Year 2021 Proposition 2½ spending cap. The funding is contingent on all Island Towns paying for such formulated costs in Fiscal Year 2021.

Submitted by the Vineyard Transit Authority

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 48. To see if the Town will vote to approve the following General Bylaw :

Section 1: Regulated Conduct

1.1 It shall be unlawful to sell or distribute (a) non-carbonated, unflavored water, and (b) soft drinks in plastic (including polyethylene terephthalate – PET) bottles of less than 34 ounces in the Town of Edgartown. For the purposes of this bylaw, 'soft drink' means any beverage containing carbonated water, a sweetener (including fruit juice) and/or a flavoring.

1.2 Sales or distribution of drinking water in plastic bottles occurring subsequent to a declaration (by the Emergency Management Director or other duly authorized Town, County, Commonwealth or Federal official) of an emergency affecting the availability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

Section 2: Enforcement Process and Violations

2.1 Enforcement of this bylaw shall be the responsibility of the Board of Selectmen or its designee(s). The Board of Selectmen shall determine the inspection process and shall incorporate the process into other Town duties as appropriate.

2.2 Any person, individually or by his servant or agent, who violates any provision of this bylaw may be penalized by a non-criminal disposition pursuant to G.L. Chapter 40, Section 21D and the Town's non-criminal disposition bylaw. The following penalties apply:

- first violation: written warning
- second violation: \$50 fine
- third and subsequent violations: \$100 fine
 - Each day the violation continues constitutes a separate violation.

Section 3. Suspension of the Bylaw

3.1 If the Board of Selectmen determines that the cost of implementing and enforcing this bylaw has become unreasonable, they shall conduct a Public Hearing to inform the citizens of such costs. Subsequent to the Public Hearing, the Board of Selectmen may continue this bylaw in force or may suspend it permanently or for such length of time as they may determine.

Section 4: Effective Date

4.1 This bylaw takes effect on May 1, 2021.

Submitted by Plastic Free MV

NEITHER RECOMMENDED NOR NOT RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

THE UNDERSIGNED HEREBY PETITION THAT THE FOLLOWING THREE (3) ARTICLES BE PLACED BEFORE THE VOTERS AT THE EDGARTOWN ANNUAL TOWN MEETING TO BE HELD IN APRIL, 2020:

ARTICLE 49: To see if the Town will vote to authorize the Board of Selectmen to take by eminent domain, under Chapter 79 of the Massachusetts General Laws, such easements or rights of way in land or such interests as may be necessary for the layout of the following ways shown on a plan of land entitled "Plan of Land of Ocean Heights, Edgartown, Mass." Surveyed September 17, 1903 by Walter B. Foster, C.E., Hingham, Mass., recorded in the Dukes County Registry of Deeds in Plan Book 4, Pages 36 and 37, to which plan reference is hereby made for a more particular description:

- (1) the way known as Eighth Street North (also known as North 8th Street) from the Edgartown - Vineyard Haven Road to the Boulevard,
- (2) the way known as Tenth Street North (also known as North 10th Street) from the Edgartown - Vineyard Haven Road to the Boulevard,
- (3) the way known as Seventeenth Street North (also known as North 17th Street) from the Edgartown - Vineyard Haven Road to the Boulevard,
- (4) the way known as Twentieth Street North (also known as North 20th Street) from the Edgartown - Vineyard Haven Road to the Boulevard, and
- (5) the way known as Twenty Second Street North (also known as North 22th Street) from Twenty First Street North (also known as N. 21st Street) to the Boulevard,

Or to take any other action relative thereto.

Submitted by Petition

NOT RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 50: To see if the Town will vote to raise and appropriate or appropriate from available funds such sums as may be necessary estimated to be the sum of Thirty Five Thousand Dollars (\$35,000.00) (WHICH IS ONLY \$7,000.00 PER ROAD) for the expense and land damages resulting from the taking by eminent domain, under Chapter 79 of the Massachusetts General Laws, of such easements or rights of way in land or such interests as may be necessary for the of the following ways shown on a plan of land entitled "Plan of Land of Ocean Heights, Edgartown, Mass." Surveyed September 17, 1903 by Walter B. Foster, C.E., Hingham, Mass., recorded in the Dukes County Registry of Deeds in Plan Book 4, Pages 36 and 37, to which plan reference is hereby made for a more particular description:

- (1) the way known as Eighth Street North (also known as North 8th Street) from the Edgartown - Vineyard Haven Road to the Boulevard,
- (2) the way known as Tenth Street North (also known as North 10th Street) from the

Edgartown - Vineyard Haven Road to the Boulevard,
(3) the way known as Seventeenth Street North (also known as North 17th Street) from the Edgartown - Vineyard Haven Road to the Boulevard,
(4) the way known as Twentieth Street North (also known as North 20th Street) from the Edgartown - Vineyard Haven Road to the Boulevard, and
(5) the way known as Twenty Second Street North (also known as North 22th Street) from Twenty First Street North (also known as N. 21st Street) to the Boulevard,

Or to take any other action relative thereto.

Submitted by Petition

NOT RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 51: To see if the Town will vote to raise and appropriate or appropriate from available funds such sums as may be necessary not to exceed in Fiscal Year 2020 the sum of Fifty Thousand Dollars (\$50,000.00) (WHICH IS ONLY \$10,000.00 PER ROAD) for the “brushing out” and grading of the roadbeds to Town Street standards of the following ways shown on a plan of land entitled “Plan of Land of Ocean Heights, Edgartown, Mass.” Surveyed September 17, 1903 by Walter B. Foster, C.E., Hingham, Mass., recorded in the Dukes County Registry of Deeds in Plan Book 4, Pages 36 and 37, to which plan reference is hereby made for a more particular description:

(1) the way known as Eighth Street North (also known as North 8th Street) from the Edgartown - Vineyard Haven Road to the Boulevard,
(2) the way known as Tenth Street North (also known as North 10th Street) from the Edgartown - Vineyard Haven Road to the Boulevard,
(3) the way known as Seventeenth Street North (also known as North 17th Street) from the Edgartown - Vineyard Haven Road to the Boulevard,
(4) the way known as Twentieth Street North (also known as North 20th Street) from the Edgartown - Vineyard Haven Road to the Boulevard, and
(5) the way known as Twenty Second Street North (also known as North 22th Street) from Twenty First Street North (also known as N. 21st Street) to the Boulevard,

Or to take any other action relative thereto.

Submitted by Petition

NOT RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 52. To see if the Town will accept the provisions of Section 17C of Chapter 90 of the General Laws.

Submitted by Petition

NEITHER RECOMMENDED NOR NOT RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 53. To see if the Town will vote to amend the Edgartown General Bylaw Section 132-1 Construction Noise:

132-1. Construction Noise.

132-2. Exemptions.

132-3. Enforcement.

[HISTORY: [Adopted ATM 04-12-2011, Art. 14, Approved by A.G. 12-14-11]

132-1. Construction Noise

It shall be unlawful for any person or persons to create, assist in creating, continue or allow to continue any loud noise related to non-public construction activities, as outlined below,

between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and Saturdays, which either annoys, disturbs, injures or endangers the reasonable quiet, comfort, repose or the health and safety of others within the Town. **It shall be unlawful for any person or persons to create, assist in creating, continue or allow to continue any loud noise related to non-public construction activities, as outlined below, between the hours of 5:00 p.m. and 8:00 a.m. on weekdays and Saturdays, in the R5 Zoning District between Memorial Day and Labor Day, which either annoys, disturbs, injures or endangers the reasonable quiet, comfort, repose or the health and safety of others within the Town.** Additionally, it shall be unlawful for any person or persons to create, assist in creating, continue or allow to continue any excessive, unnecessary or unusually loud noise related to non-public construction activities as outlined below at any time on Sundays or the following holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.

Construction shall mean those activities requiring a building permit, and shall also include any site preparation, earth removal, grading, assembly, erection, substantial repair, alteration or similar action, including demolition, for or of private streets, structures, utilities or similar non-public property. Construction noise shall be that noise generated by manual or mechanical activities associated with construction.

132.2 Exemptions

A. Noise associated with emergency work or emergency vehicles is exempt from the provisions of this bylaw. Emergency work shall mean any work performed in an effort to protect, provide, or restore public safety, or work by private or public utilities when restoring utility service. Emergency vehicles shall mean any vehicle operated in an effort to protect, provide, or restore public safety including, but not limited to, ambulances, police vehicles, and fire vehicles.

B. Noise associated with construction activities undertaken with authorization of the Police Chief and/or Building Inspector in order to complete a project, which is in the public interest, in a timely and expeditious manner.

C. Noise associated with Town snow removal, street sweeping, highway maintenance and cleaning is exempt for the provisions of this bylaw.

D. This bylaw shall not apply to homeowners performing regular maintenance and tasks on their own property, including emergency repairs with professional assistance.

132.3 Enforcement

Violations under this bylaw shall be enforced by the Police Department (with notice to the Building Inspector). Such acts shall constitute prima facie evidence of a violation of this chapter. Penalties shall include fines of: 1st offense: \$100.00, 2nd offense: \$200.00, and 3rd offense: \$300.00 and any offense thereafter. Any violation shall also entitle the Building Inspector to issue a cease and desist order or revoke the building permit.

Submitted by Petition

NEITHER RECOMMENDED NOR NOT RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

And you are directed to serve this Warrant by publishing an attested copy thereof in one newspaper having general circulation in said Edgartown, seven days, at least, before the time of holding said meeting or by posting it in six or more conspicuous places in Town at least seven days before the time of said meeting.

HEREOF FAIL NOT, and make due return of the Warrant with your doings thereon to the Town Clerk at the time and place of meeting as aforesaid.

Given under our hands this 15th day of May in the year of our Lord Two Thousand Twenty.

Arthur Smadbeck, Chairman

Michael J. Donaroma

Margaret E. Serpa

BOARD OF SELECTMEM
Town of Edgartown