WARRANT FOR

SPECIAL TOWN MEETING

October 25, 2011

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 in the Old Whaling Church (Methodist Church) on Main Street in said Edgartown on Tuesday, the twenty fifth day of October, Two Thousand Eleven at seven o'clock in the evening, then and there to act on the Articles in this Warrant:

ARTICLE 1. To see if the town will vote to appropriate from Free Cash the sum of $10,000.00 to be placed in the Tax Title Foreclosure account to be used in conjunction with tax title takings, foreclosures, and associated legal costs.

Submitted by the Town Treasurer

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICE 2. To see if the Town will vote to appropriate from Free Cash the sum of $27,000.00 for the installation and training of utility billing software which will be fully integrated with the Town of Edgartown's accounting system,. This will centralize the utility billing and receiving process as has been requested by the auditors.

Submitted by the IT Department and Board of Selectmen

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 3. To see if the Town will vote to appropriate from Free Cash the sum of $28,911.50 to reimburse the Edgartown Police Fiscal Year 2012 Salary Account for final payments to an officer that retired.

Submitted by the Police Chief

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 4. To see if the Town will vote to appropriate from Free Cash the sum of $40,000.00 to purchase a new air compressor.

Submitted by Fire Chief

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 5. To see if the Town will vote to appropriate $20,000.00 from the Community Preservation Unreserved Fund to fund interpretive plaques for historical artifacts at the Edgartown Fire Museum.

Submitted by the Edgartown Firemen's Association

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 6. To see if the Town will vote to appropriate from Free Cash the sum of $9,950.00 to purchase a new outboard to replace the 75 H.P. Yamaha outboard currently owned by the Edgartown Shellfish Department and further to authorize the Selectmen to dispose of the old outboard in the best interests of the Town.

Submitted by the Shellfish Department

RECOMMENDED BY THE FINANCIAL ADVISORY COMMITTEE

ARTICLE 7. To see if the town will vote to appropriate from Free Cash the sum of $108,000.00 to complete the Oak Bluffs dredging project. *** Please note this is the balance of the funds Oak Bluffs paid to the Town of Edgartown last year. The project was not completed. At the end of the Fiscal Year 2011 the funds rolled into Free Cash.**

Submitted by the Dredge Committee

RECOMMENDED BY FINANCIAL ADVISORY COMMITTEE

ARTICLE 8. To see if the Town will vote to allow the sum of $10,000.00 from the Edgartown Library Building Expansion Account to be used for real estate appraisals, engineering drawings and any other steps necessary to develop a plan to sell all or a portion thereof of the Warren House property located at 62 North Water Street (Map 20D – Lot 232).

Submitted by the Library Building Design Committee

RECOMMENDED BY FINANCIAL ADVISORY COMMITTEE

ARTICLE 9. To see if the Town will vote to remove one overhead street light on Braley's Way on pole #35/4. This light is at the intersection of Braley's Way and the Eel Pond Parking Lot. This will be conditional upon the abutter paying for, installing, and maintaining a suitable replacement of the overhead street light with a street lantern in the vicinity of where the overhead street light is to be removed.

Submitted by the Highway Superintendent

NEITHER RECOMMENDED NOR NOT RECOMMENDED BY FINANCIAL ADVISORY COMMITTEE

ARTICLE 10. To see if the Town will vote to appropriate from Free Cash the sum of $4,657.00 to be added to the Martha's Vineyard Commission's 2012 Assessment, bringing the total assessment for Fiscal Year 2012 to $291,486.00. The corrected assessment was submitted after the warrant for Annual Town Meeting had gone to print.

Submitted by the Martha's Vineyard Commission

RECOMMENDED BY FINANCIAL ADVISORY COMMITTEE

ARTICLE 11. To see if the Town will vote to appropriate from Free Cash the sum of $2,100.00 to fund approved salary expenses for Council on Aging for fiscal Year 2012.

Submitted by the Council on Aging

RECOMMENDED BY FINANCIAL ADVISORY COMMITTEE

ARTICLE 12. To see if the Town will vote to authorize the Board of Selectmen to change the use of the silos on Katama Farm and a portion of the land thereunder at 14 Aero Avenue (assessors' parcel 45-423), and to lease and grant a non-exclusive easement or easements over/under a portion of the property for electric and telephone utilities to providers of personal wireless facilities for the purpose of installing and operating wireless telecommunications facilities, upon such terms and conditions as the Board of Selectmen deem appropriate, or take any action in relation thereto.

Submitted by the Board of Selectmen and Wireless Committee **2/3 Vote Required**

NEITHER RECOMMENDED NOR NOT RECOMMENDED

ARTICLE 13. To see if the Town will vote to appropriate from Free Cash the sum of $5,000.00 for consulting fees to advise the Town on the leasing of land and managing wireless providers.

Submitted by the Board of Selectmen and Wireless Committee

RECOMMENDED BY FINANCIAL ADVISORY COMMITTEE

ARTICLE 14. To see if the Town will amend zoning bylaw 11.3.A. as follows:

"11.3.A. Elevated Decks and Elevated Porches
Definition: For the purpose of this bylaw, an elevated deck or elevated porch is any accessible walking surface larger than 8' in any dimension, and more than 7'6" above the mean natural grade.

Elevated decks and elevated porches which meet the following criteria are permitted:

a. They shall be constructed entirely above livable area including first floor porches and decks (not patios or terraces on grade.)

b. ELIMINATE: "They shall be accessed only from the inside of the dwelling unless required as part of a mandatory second means of egress, through a door or doors with minimum dimensions of 2'-8" x 6'-6" hung in vertical plane."

b. The walkable surface area of the deck or elevated porch shall not be higher than the level of the second floor of the dwelling.

Exception: Elevated decks or porches not meeting these criteria may be granted a special permit by the Special Permit Granting Authority provided that the proposed deck or porch is based on historical precedent such as a widow's walk or is designed as an integral part of the dwelling and, in the opinion of the Special Permit Granting Authority is not out of keeping with the architecture of Edgartown."

*** Please note this change was voted at the Annual Town Meeting on April 12, 2011 in Article 44. It needs to be re-voted because the original Public Hearing was not held within six months of the Annual Town Meeting.**

Submitted by the Edgartown Planning Board **2/3 VOTE REQUIRED**

NEITHER RECOMMENDED NOR NOT RECOMMENDED BY FINANCIAL ADVISORY COMMITTEE

ARTICLE 15. To see if the Town will vote to appropriate from Free Cash the sum of $9,669.00 to pay the following Fiscal Year 2011 unpaid bills:

- Martha's Vineyard Insurance Agency $9,669.00 Wastewater Department

9/10 VOTE REQUIRED

RECOMMENDED BY 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, fourteen days, at least, before the time of holding said meeting or by posting it in six or more conspicuous places in Town at least fourteen 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 3rd day of October in the year of our Lord Two Thousand Eleven.

_____
Arthur Smadbeck, Chairman

_____
Michael J. Donaroma

_____
Margaret E. Serpa
BOARD OF SELECTMEN
Town of Edgartown