

**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 High School Performing Arts Center, Edgartown-Vineyard Haven Road, Oak Bluffs, on Tuesday, November 7, 2023, 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 authorize the Select Board to take all necessary steps to lease a portion of the Town's parcel, being a portion of the property of an aggregate of approximately 18 +/- acres located at 16, 48, & 61 Vespar Ave, 347 County Road, and 0 Byron Ave, Oak Bluffs, identified on Oak Bluffs Assessor's Map 29, Parcel Numbers 156, 157, 161, 164, & 167 for the design, installation, operation and ownership of a Solar PV System and a Battery Energy Storage System for an initial term of up to thirty years, and for up to two additional five-year terms by mutual agreement of the parties. The lease will be on such terms and conditions as the Select Board determines are in the best interest of the Town and consistent with all governing laws; and

To authorize the Select Board to enter into a renewable energy power purchase, net metering credit purchase and/or an alternative on-bill credit purchase agreement, including an agreement for power and financial credits generated by a solar energy and battery energy storage facility, for an initial term of up to thirty years, and for up to two additional five-year terms by mutual agreement of the parties, on such terms and conditions as the Select Board deems to be in the best interest of the Town; and

To authorize the Select Board to negotiate and enter into an agreement for a payment in lieu of taxes ("PILOT") pursuant to M.G.L. c. 59, Section 5, Clauses 45 and 45B, or any other enabling authority, for personal property associated with a privately owned and operated solar energy facility and battery energy storage facility to be located on the Town's parcel as shown on Assessor's Map 29, Parcel Numbers 156, 157, 161, 164, & 165 for a term of up to thirty years, and for up to two additional five-year terms by mutual agreement of the parties, on such terms and conditions as the Select Board deems to be in the best interest of the Town; and

To authorize the Select Board to execute instruments and take all actions as may be necessary on behalf of the Town of Oak Bluffs to undertake the purpose of this Article; or take any other action relative thereto

By: Select Board & Energy Committee

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 5-yes, 0-no, 1 abstain.**

Executive Summary: The efforts to create a Solar PV system and battery energy storage system that was started multiple years ago stalled due to COVID, the State, and a variety of reasons. The Select Board is still desirous of pursuing this option and this article confirms/authorizes the continued pursuit of this project for the intended use as the previously approved CVEC Solar Facility at the Landfill with a new focus on regular revenue development, establishment of a PILOT (payment in lieu of taxes), and the potential for the reduction of town energy costs. A grant funding the review of all Town solar options was received, and the consultant will be assisting the town in ascertaining the best options that may be available in today's solar

**Article 2.** To see if the Town, will vote to transfer from Sale of Cemetery Lots (15492) the sum of \$10,000 (Ten Thousand Dollars) to Cemetery Perpetual Care for the upkeep and maintenance of Oak Grove Cemetery

By: Cemetery Commissioners

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 6-yes, 0-no, 0 abstain.**

Executive Summary: This article supports the regular upkeep and maintenance needs of the cemetery.

**Article 3.** To see if the Town will vote to transfer from Sale of Cemetery Lots (15492) the sum of \$20,000 (twenty thousand dollars) for water line improvements in the Oak Grove Cemetery

By: Cemetery Commissioners

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 6-yes, 0-no, 0 abstain.**

Executive Summary: This article supplements the funding approved at STM 11/21 (\$35,000) as the responses to the RFP for the work exceeded the appropriated amount and is requested to support needed water line improvements at Oak Grove cemetery.

**Article 4.** To see if the Town will transfer from the Waterways Account (15451) the sum of \$15,000 (Fifteen thousand dollars) for harbor maintenance and the replacement of pilings, floats, and moorings, or take any other action relative thereto.

By: Harbormaster

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 6-yes, 0-no, 0 abstain.**

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.

**Article 5.** To see if the Town will transfer from the Waterways Account (15451) the sum of \$20,000 (Twenty thousand dollars) for private aids to navigation maintenance/updates or take any other action relative thereto.

By: Harbormaster and Shellfish

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 6-yes, 0-no, 0 abstain.**

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 buoys, markers, signs,

and other aids to navigation within Town waterways. The resources will be used to establish a designated anchoring area in the Lagoon and other aids to navigation that are needed to ensure compliance with new FDA Shellfish regulations so that the Lagoon Pond shellfishing areas can

**Article 6.** To see if the Town will transfer from the Harbor Fuel Account (29298) the sum of \$57,300 (Fifty-seven thousand three hundred dollars) for a department truck to be used for any fuel dock emergency response calls, mobile fuel fill ups, buoy/mooring hauling and transport, towing/launching town boats, general emergency response, and all other department vehicle

By: Harbormaster

**Capital Program Committee Recommendation: Not available at time of printing**

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 5-yes, 0-no, 1 abstain.**

Executive Summary: This Article funds the acquisition of a Harbor department vehicle capable of supporting the needs of the harbor both in season and off season. The Harbor Master, or their designee, will use the vehicle for any fuel dock emergency response calls, mobile fuel fill ups, buoy/mooring hauling and transport, towing/launching town boats, general emergency response, and all other department vehicle needs which are currently being

**Article 7.** To see if the Town will vote to appropriate \$50,000 from the Fund Balance Reserved for Overlay (Overlay Surplus) for the purpose of funding the expense associated with the use of consultants and/or current/new staff to provide additional resources needed to resolve work backlogs associated with the state mandated revaluation of real and personal property, mapping, map and lot research, computer/physical record updating and maintenance, or any other related

By: Board of Assessors/Assessing Department

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 6-yes, 0-no, 0 abstain.**

Executive Summary: Overlay funds, once released by the Board of Assessors, provide resources for expenditures relating to the resolution of the backlog record keeping/ reporting/ other

**Article 8.** To see if the Town will vote to authorize the Select Board to declare the specific parcel of land identified on Assessors' Map 7, Parcel 223 (9 Panola Ave) as surplus property and available for disposition for the purpose of developing affordable housing options upon such conditions as the Select Board may deem to be in the best interests of the Town, or take any

**Map of Area: Please see Town website for Map**

By: Select Board & Affordable Housing Committee (AHC)

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 6-yes, 0-no, 0 abstain.**

Executive Summary: This article seeks to authorize the Select Board to transfer this parcel of land for the purpose of creating affordable housing. It is anticipated that a Nonprofit organization will be able to address any potential title issues and build a family home on each parcel with a homeownership preference given to Oak Bluffs residents. The transfer of this property will be based on a competitive procurement process to select a developer, and the Select Board intend to condition the transfer on the requirement that the property remain deed-restricted in perpetuity to

**Article 9.** To see if the Town will vote to authorize the Select Board to declare the specific parcel of land identified on Assessors' Map 7, Parcel 208 (44 Oak Ave) as surplus property and available for disposition for the purpose of developing affordable housing options upon such conditions as the Select Board may deem to be in the best interests of the Town, or take any

**Map of Area: Please see Town website for Map**

By: Select Board & Affordable Housing Committee (AHC)

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 6-yes, 0-no, 0 abstain.**

Executive Summary: This article seeks to authorize the Select Board to transfer this parcel of land for the purpose of creating affordable housing. It is anticipated that a Nonprofit organization will be able to address any potential title issues and build a family home on each parcel with a homeownership preference given to Oak Bluffs residents. The transfer of this property will be based on a competitive procurement process to select a developer, and the Selectmen intend to condition the transfer on the requirement that the property remain deed-restricted in perpetuity to

**Article 10.** To see if the Town will vote to amend its Personnel By-law, Schedule A, Classification Schedule, as presented in Appendix A, of the warrant or take any action relative thereto.

By: Select Board & Personnel Board

**Personnel Board Recommendation is in favor of this article (5 voting): 5-yes, 0-no, 0 abstain.**

**Finance and Advisory Board Recommendation is in favor of this article (6 voting): 6-yes, 0-no, 0 abstain.**

Executive Summary: This Article sets the classification grades and compensation ranges for Town employees administered under the Personnel By-laws. In 2023, the Town contracted with the Edward J. Collins Jr. Center for Public Management to conduct a market survey and

classification review to update pay ranges and position classifications, which were last amended in 2018. The changes to the classification scale are needed to better reflect and prepare for current and anticipated staffing needs to accomplish our short- and long-term goals of the Town.

**Article 11.** To see if the Town will vote to amend its Personnel By-law, Schedule B, Compensation Schedule, of the Personnel Bylaws as printed Appendix B of the warrant or take any action relative thereto.

By: Select Board & Personnel Board

**Personnel Board Recommendation is in favor of this article (5 voting): 4-yes, 1-no, 0 abstain.**

**Finance and Advisory Board Recommendation is (6 voting): 1-yes, 2-no, 3 abstain.**

*The members of the FinComm voting no or abstaining did not feel they had enough information relating to how the aggregate compensation increases resulting from the change to the compensation ranges would affect the 2025 budget. It was suggested that perhaps delaying this Article until the Annual Town Meeting when the 2025 budget was known would be the more*

Executive Summary: This Article sets the classification grades and compensation ranges for Town employees administered under the Personnel By-laws. In 2023, the Town contracted with the Edward J. Collins Jr. Center for Public Management to conduct a market survey and classification review to update pay ranges and position classifications, which were last amended in 2018. The changes to the compensation scale are needed to better reflect and prepare for

**Article 12.** To see if the Town will vote to adopt the recodified General Bylaws included as Attachment C in the warrant as the official town bylaws.

By: Select Board

Executive Summary: This article seeks to accomplish the following:

- Reorganize the existing approved General Bylaws into a format that is easier to use, update, and amend moving forward
- Add General By-Law changes that have been approved since 2018 but are not included in the current “adopted” by laws document
- Change the words Selectmen or Board of Selectmen to Select Board and Chairman to

Once these approved changes take effect, the process of updating, modifying, modernizing, and maintaining the General Bylaws will be significantly streamlined, leading to improved accuracy and usability for all users of the document.

APPENDIX A

PERSONNEL BY-LAW AMENDMENT

Schedule A: Classification Schedule for Non-Union Employees

| Grade Level         | Position Title                               |
|---------------------|--|
| I                   |  |
| II                  | Administrative Assistant (Marina)            |
|                     | Administrative Assistant (Police)            |
|                     | Administrative Assistant (Select Board)      |
|                     | Administrative Assistant (Fire)              |
| III                 |  |
| IV                  | Executive Assistant I (Police)               |
|                     | Executive Assistant I (Fire)                 |
|                     | Deputy Shellfish Constable                   |
|                     | Animal Control Officer                       |
|                     | Assistant Town Accountant                    |
|                     | Assistant Treasurer-Collector                |
| V                   | Parks and Recreation Manager                 |
|                     | Executive Assistant II -Select Board         |
|                     | Planning Board & Zoning Boards Administrator |
|                     | EMS Coordinator                              |
| VI                  | COA Administrator                            |
|                     | Deputy Fire Chief                            |
|                     | Town Accountant                              |
|                     | Treasurer - Collector                        |
|                     | Human Resources Director                     |
|                     | Library Director                             |
|                     | Principal Assessor                           |
|                     | IT Manager                                   |
|                     | Harbor Master                                |
|                     | Wastewater Facilities Manager                |
| Shellfish Constable |  |
| VII                 | Highway Superintendent                       |
|                     | Assistant Town Administrator                 |
| VIII                | Town Administrator                           |

Recommended for Adoption Personnel Board - 9/25/2023

APPENDIX B

PERSONNEL BY-LAW AMENDMENT

SCHEDULE B: Compensation Schedule for Non-Union Employees.

| Grade | Min      | Max     |
|-------|----------|---------|
| I     | \$23.50  | \$30.55 |
| II    | \$27.50  | \$35.75 |
| III   | \$29.00  | \$37.70 |
| IV    | \$31.50  | \$40.95 |
| V     | \$35.50  | \$46.15 |
| VI    | \$46.00  | \$59.80 |
| VII   | \$53.50  | \$69.55 |
| VIII  | Contract |         |

Recommended by Personnel Board: 9/25/2023

Recommended by Select Board:

Adopted Special Town Meeting:

APPENDIX C

Town of Oak Bluffs

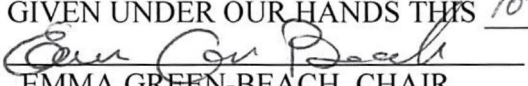
Re-Codified General By-Laws

November 7, 2023

Please check Town website for Appendix C

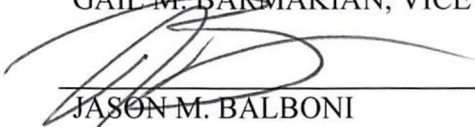


HEREIN FAIL NOT AND GIVE PUBLIC NOTICE BY CAUSING THIS NOTICE TO BE POSTED IN TWO (2) OR MORE PLACES IN THE TOWN AT LEAST FOURTEEN (14) DAYS BEFORE THE TIME OF SAID MEETING AND MAKE DUE RETURN OF THIS WARRANT WITH YOUR DOINGS TO THE TOWN CLERK AT THE TIME AND PLACE SPECIFIED.

GIVEN UNDER OUR HANDS THIS 10<sup>th</sup> DAY OF OCTOBER 2023,  
  
EMMA GREEN-BEACH, CHAIR

  
GAIL M. BARMAKIAN, VICE CHAIR

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DION AILEY

  
\_\_\_\_\_  
JASON M. BALBONI

  
\_\_\_\_\_  
THOMAS J. HALLAHAN, Sc. D.

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 ISTRUCTIONS, I HEREBY CERTIFY THAT I DID ON THE 13<sup>th</sup> DAY OF OCTOBER 2023 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 13<sup>th</sup> DAY OF OCTOBER 2023.

Attest:

\_\_\_\_\_