

**WARRANT FOR THE
ANNUAL TOWN MEETING
MAY 12, 2015
TOWN OF AQUINNAH
THE COMMONWEALTH OF MASSACHUSETTS**

County of Dukes County, ss
To either of the Constables of the Town of Aquinnah:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Aquinnah who are qualified to vote in elections and town affairs to meet at the **Aquinnah Old Town Hall in said Town on the Twelfth day of May 2015, at 7:00 PM**, then and there to act upon the articles of this Warrant, with the exception of Article One. And to meet **again at the Aquinnah Town Offices Building on the Thirteenth day of May 2015, at twelve noon**, then and there to act on Article One of the Warrant by the election of officers and override questions found on the Official Ballot.

The polls for voting on the Official Ballot will open at 12 PM on Wednesday, May 13, 2015, and will close at 7 PM.

**ARTICLE ONE
Town Clerk**

To elect the following officers on the Official Ballot:
One Selectman for Three Years
One Planning Board Members for Three Years
One Board of Health Member for Three Years
One Library Trustee Member for Three Years
One Board of Assessors Member for Three Years
One Land Bank Commission Member for Three Years.

ANSWER YES OR NO to the following questions:

QUESTION ONE: Shall the Town of Aquinnah be allowed to assess an additional One Hundred Twenty Thousand Dollars (\$120,000.00) in real estate and personal property taxes for the purpose of funding a portion of the Town's share of the Martha's Vineyard Regional High School District's operating budget for the fiscal year beginning July 1st, 2016?

QUESTION TWO: Shall the Town of Aquinnah be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued to the County of Dukes County in order to purchase and improve a building to provide health and human services for county residents as authorized by Chapter 287 of the Acts of 2014?

QUESTION THREE: Shall the Town of Aquinnah be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the Town's allocable share of the bond issued by the Martha's Vineyard Regional High School District for the purpose of paying the costs of designing, constructing, originally equipping and furnishing a new administrative building, including the payment of all other costs incidental and related thereto?

QUESTION FOUR: Shall the Town of Aquinnah be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued to the Town of Aquinnah in order to purchase the real property located at Numbers 9 & 13 Aquinnah Circle?

ARTICLE TWO
Moderator

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

ARTICLE THREE
Board of Selectmen

To see if the Town will vote to raise and appropriate the sums of money required to defray the general expenses of the Town as itemized in the FY 2016 operating budget and to fix the salaries and compensation of all elected officers and employees of the Town as itemized therein, and to fund said appropriations through the tax levy, with the exception of certain public safety wages which will be defrayed in part by a transfer in the amount of **\$7,000.00** (Seven thousand dollars) from the Waterways Special Revenue Fund and **\$40,000.00** (Forty thousand dollars) from the Assessors release of overlay surplus; provided, however that the amount set forth under the education budget for the Martha's Vineyard High School Assessment shall be raised and appropriated only if a majority of voters casting ballots at a Town election, including, but not limited to, the Annual Town election to be held on Wednesday, May 13, 2015, vote in the affirmative to override Proposition 2 ½ by **\$120,000.00** (One hundred twenty four thousand dollars), or take any other action relative thereto.

ARTICLE FOUR
Board of Selectmen

To see if the Town will vote to appropriate the sum of **\$35,599.000** (Thirty five thousand nine hundred ninety nine dollars) as determined by the State Legislature and the State Department of Transportation for highway construction or improvements from the 2016 Chapter 90 Local Transportation apportionment, said sum to be subject to State enactment of the bond bill and of new revenues to support that bill, and to allow the Treasurer to borrow against all expenditures in anticipation of reimbursement by the State, or take any other action relative thereto.

ARTICLE FIVE
Martha's Vineyard Superintendent of Schools

To see if the Town will vote to approve the indebtedness authorized by the Regional District School Committee of the Martha's Vineyard Regional High School District for the purpose of paying costs of designing, construction, originally equipping and furnishing a new administrative building, including the payment of all other costs incidental and related thereto, or to take any other action relative thereto.

ARTICLE SIX
Police Department

To see if the Town will vote to raise and appropriate the sum of **\$4,900.00** (Four thousand nine hundred dollars) for the purchase of equipment for the Police Department's Polaris Ranger All Terrain Vehicle, or take any action relative thereto.

**ARTICLE SEVEN
Personnel Committee/Board of Selectmen**

To see if the Town will vote to reclassify the position of Treasurer/Benefits Administrator to Treasurer/Human Resources Director, or take any other action relative thereto.

**ARTICLE EIGHT
Board of Assessors**

To see if the Town will vote to raise and appropriate the sum of **\$2,500** (Two thousand five hundred dollars), to be expended by the Board of Assessors for the fiscal year 2016 interim certification of real and personal property, or take any other action relative thereto.

**ARTICLE NINE
Police Department**

To see if the Town will vote to appropriate from the Capital Improvement Stabilization Account the sum of **\$36,500.00** (thirty-six thousand five hundred dollars) to purchase and equip a new vehicle for the Police Department, or take any other action relative thereto.
(2/3 VOTE REQUIRED)

**ARTICLE TEN
Board of Selectmen**

To see if the Town will vote to authorize the use of the following revolving funds pursuant to M.G.L. Chap. 44, Sec. 53E1/2, upon the recommendation of the Board of Selectmen, for the fiscal year beginning July 1, 2015, with the specific receipts credited to each fund, the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year, and the disposition of the balance of each fund at the end of the current fiscal year, as follows:

Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY14 Spending Limit	Disposition of FY16 F/B
Wiring Inspections	Building Insp./ Selectmen	Wiring Inspection fees charged to homeowners	To pay wiring inspector	\$12,000	Balance available for expenditure
Plumbing Inspections	Building Insp./ Selectmen	Plumbing Inspection fees charged to homeowners	To pay plumbing inspector	\$ 6,000	Balance available for expenditure
Gas Inspections	Building Insp./ Selectmen	Gas Inspection fees charged to homeowners	To pay gas inspector	\$ 6,000	Balance available for expenditure
Fire Inspections	Fire Chief/ Selectmen	Fire Inspection fees charged to homeowners	To pay insp. & asst. inspector	\$ 3,500	Balance available for expenditure
Trench Inspections	Selectmen	Trench Inspection fees charged to landowners	To pay trench inspector	\$ 500	Balance available for expenditure
TOTAL SPENDING				\$ 28,000	

ARTICLE ELEVEN

Police Department

To see if the Town will vote to raise and appropriate the sum of **\$7,627.00** (Seven Thousand Six Hundred Twenty Seven Dollars) to pay the Town of Aquinnah's Public Safety (Police, Fire, and EMS) share for the upgrade of the 911/Dukes County Communications Center computer system, or take any action relative thereto.

ARTICLE TWELVE

Personnel Committee/Board of Selectmen

To see if the Town will vote to raise and appropriate the sum of **\$5,000.00** (Five Thousand dollars), to do a town wide employee classification study, or take any action relative thereto.

ARTICLE THIRTEEN

Dukes County Commissioners

To see if the Town will vote to approve the debt authorized by the County of Dukes County to pay costs of purchasing and improving a building to provide health and human services for county residents, as authorized by Chapter 287 of the Acts of 2014; to acknowledge that the assessment on account of this debt by the County shall be based on no more than a 15 year term and such debt shall be divided among the towns by the "50/50" formula for fiscal year 2016 (50% equalized valuation as computed by the Mass. Department of Revenue for FY2016 and 50% population per the December 2014 town census), which amount is not to exceed \$1,600,000.00 plus interest and which will be determined upon the sale of Bonds and which will constitute a charge or fee for services subscribed to by the Town at local option, within the meaning of Chapter 59, Section 20A of the General Laws, Provided that the other towns on Martha's Vineyard also vote to approve this, or take any other action relative thereto.

ARTICLE FOURTEEN

Dukes County Commissioners

To see if the Town will vote to raise and appropriate the sum of **\$7,280.00** (Seven thousand two hundred eighty dollars) to pay the Town's FY 2016 assessed share of the County of Dukes County debt authorized by Chapter 287 of the Acts of 2014 for a building to provide health and human services for county residents and any related issuance costs, and authorize the Board of Selectmen to enter into an inter-municipal agreement with the County of Dukes County to provide services for the elderly on the island.

ARTICLE FIFTEEN

Board of Selectmen

To see if the Town will vote to amend the annual salary scales of the Compensation Plan (Section 6.0) of the Personnel Bylaw, so that they reflect a 1.5% increase, which is a cost of living adjustment becoming effective July 1, 2015.

ARTICLE SIXTEEN

Board of Selectmen

To see if the Town will vote to raise and appropriate the sum of **\$2,583.00** (Two thousand five hundred eighty three dollars) to fund the Town's share of the administrative expenses of the All Island School Committee's contract for Adult and Community Education in Fiscal Year 2015.

ARTICLE SEVENTEEN
Dukes County Commissioners

To see if the Town will vote to raise and appropriate the sum of **\$11,570.93**, as the Town's proportionate share (3.25%) of the Fiscal Year 2016 adjusted cost of \$356,028.70, to fund the Island Senior Center (Center for Living Program), or take any other action relative thereto.

ARTICLE EIGHTEEN
Dukes County Commissioners

To see if the Town will vote to raise and appropriate the sum of **\$2,593.50**, as the Town's proportionate share (3.25%), of the Fiscal Year 2016 adjusted cost of \$79,800 to fund the First Stop Information and Referral Service as recommended by the Health Aging Task Force and to authorize the Board of Selectmen to enter into an inter-municipal agreement with Dukes County to provide this service, or take any other action relative thereto.

ARTICLE NINETEEN
Personnel Committee

To see if the Town will vote to amend the Personnel By-Laws of Aquinnah by changing the following section:

10.0 Sick Leave

10.1 Coverage

Permanent full-time employees and, effective July 1, 2015, permanent part-time employees shall be eligible for paid sick leave. Temporary and seasonal employees shall not be eligible for paid sick leave.

10.2 Granting of Sick Leave

Accrual of sick leave for employees who have completed the required probationary period shall be at the rate of one day each month of service completed. Upon completion of the probationary period an employee shall be credited with six (6) days of sick leave. Permanent part-time employees, in the employ of the Town for six (6) months or longer as of July 1, 2015, shall be granted an available balance of six (6) paid sick leave days. For permanent part-time employees who have not completed a probationary period as of July 1, 2015, the available balance will be pro-rated.

For permanent full-time and part-time employees, sick leave accrual day shall be based on the average number of hours of work such employee performs in an average day of service. Such paid leave accrual day shall be determined by dividing the average, regular weekly schedule of work hours by the regular work days for an employee. For example, a 20-hour a week employee, who maintains a work schedule of 4 days a week, would earn a paid leave day equal to 5 hours per month.

If a permanent part-time employee's status changes to a permanent full-time, as may be determined by the Town, any accumulated sick leave balance shall be retained by such employee, and used for compensated absences payout purposes upon resignation or retirement, as defined in Sec. 10.5.2.

10.3 Use of Sick Leave

Sick leave shall be granted to an employee only when the employee is incapacitated from the performance of duties by own physical or mental illness, injury or medical condition that requires home care, professional medical diagnosis or care, or

preventative medical care; personal sickness including pregnancy, injury or a quarantine by public health authorities. Self-imposed injury, illness or disability resulting from the use of alcohol or drugs, may not be considered proper claim for leave under this section, except in the case of an employee under the care of a physician or participating in a recognized treatment or rehabilitation program. An employee may also use paid sick leave if he or she has to miss work to attend the employee's routine medical appointment or to address the psychological, physical, or legal effects of domestic violence.

10.4 Use of Sick Leave – Family Illness in Immediate Family

The department head or appointing authority may allow paid time off not to exceed seven (7) days to care for the employee's child, spouse, parent, or a parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care; or to attend a routine medical appointment for the employee's child, spouse, parent, or parent of spouse. in case of serious illness in the immediate family of the employee which requires the personal presence of such employee. The seven (7) days need not be consecutive calendar days; they are charged to sick leave and are allowed on an annual basis. They may not be accumulated if not used. Immediate family for the purpose of this section shall, except in unusual circumstances, include husband, wife, domestic partner, children, parent, brothers or sisters.10.5 Accrual of Sick Leave (*Amended 5/10/2011 ATM*)

10-5.1 Year-round benefits-eligible employees shall accrue sick leave at the rate of twelve (12) days per year. Leave shall be earned at the rate of one (1) day per month, as defined in Sec. 10.2. Unused sick leave may accumulate from year to year to a maximum accumulation of one hundred twenty (120) days. A day of earned sick leave shall be equal to an employee's current average daily number of hours worked in a work week, as defined in Sec. 10.2.

10.5.2 If a permanent full-time employee who chooses to resign or retire has accumulated sick leave; has worked for the Town for at least five (5) years; and is in good standing, he or she shall be compensated for accrued sick leave at the following rates:

5 – 10 years of continuous employment – 25% of 120 days;

More than 10 years of continuous employment – 50% of 120 days.

Permanent part-time employees shall not be compensated for accrued sick leave at the time of resignation or retirement. Employees who were terminated by the Town involuntarily shall not receive compensation for accumulated and unused sick leave.

10.6 Notification

Sick leave will commence on the date and time that notification of the employee's sickness, injury or quarantining is given to that department head by the employee or the employee's family or physician. Notification shall be made to the employee's supervisor, if possible, prior to starting time but no later than one hour after starting time.

10.7 Certification of Illness

A department head may request a physician's certificate of illness after three days absence or after a series of repeated absences during the year.

No allowance for such leave may be granted to an employee unless an adequate register, in such form as may be approved by the Selectmen, is maintained by the employee's department head or appointing authority. Such register shall show records of sick leave, both accrued and granted, for the employee. Copies of such a register shall be provided to the employee and submitted to the Selectmen and

Treasurer at least quarterly. Department heads or appointing authorities shall clearly indicate on their payrolls all payments for such sick leave, and are responsible for the control of such sick leave in their department, Sick leave, which is inadequately documented may be revoked by the Selectmen.

10.8 Worker's Compensation

At the discretion of the employee, and with Personnel Committee approval, accumulated sick leave, vacation time and overtime may be used to compensate for the difference between the worker's compensation benefit and the employee's normal base pay, or take any action relative thereto.

ARTICLE TWENTY **Personnel Committee**

To see if the Town will vote to amend the Personnel By-Laws of Aquinnah by changing the following section:

3.0 Recruitment and Appointment

3.1 Coverage

All employees. Also independent contractors, as appropriate, based on the scope of responsibilities.

3.2 Policy

The town shall make every effort to attract and employ qualified persons. Every person regardless of age, race, religious creed, color, nationality origin, ancestry, religion, sex, gender identity, criminal record (inquiries only), handicap (disability), mental illness, retaliation, sexual harassment, sexual orientation, genetics, or active military or handicap; applying for employment in the town will receive equal treatment. The recruitment, selection and promotion of candidates and employees shall be based solely on job related criteria as established in the position descriptions and in accordance with proper personnel practices.

3.3 Recruitment and Appointment *(Amended 5/14/2013)*

All ~~appointing authorities~~ department heads, in consultation with the Personnel Board and Human Resources Director, shall be responsible for the recruitment and selection of personnel. The qualifications, classification and salary range for positions shall be established in accordance with the classification and compensation plan.

(a) Notice of Vacancies. Department heads shall, upon the identification of a vacancy or on the authorization of a new position, prepare a job vacancy notice. The job vacancy notice shall include: job title, major duties of the position, qualifications, salary, a closing date for applications, and application instructions.

(b) Posting and Advertisement of Job Vacancy Notices. Notices of vacant positions, not including emergency appointments, shall be posted for fourteen (14) business days on the town hall bulletin board. Job vacancy notices shall be placed in a local newspaper at least fourteen (14) days prior to the close of applications. Advertising should be adequate to ensure that a sufficient number of qualified applicants apply for available vacancies.

(c) Applications. All candidates applying for employment in the town shall complete an official employment application form and return the form to the appointing authority prior to the end of the working day of the closing date specified for the position announcement. Each applicant shall sign the form, and the truth of all statements shall be certified by the applicant's signature. All candidates who complete the application form accurately and honestly shall be entitled to a fair and equitable review of their qualifications.

(d) Examinations. The appointing authority may require an examination as one part of the selection process. Examinations may be written, oral, practical, physical or any combination thereof and shall be relevant to the requirements of the position.

(e) References. A candidate's former employers, supervisors, or other references shall be contacted as part of the selection process. References and other background investigations, at the Town's discretion and as may be related to the position for which the candidate is applying, shall be documented and made part of the applicant's file. All reference checks and investigations shall be completed prior to the offer of employment. The Town shall conduct a background investigation using a Background Checks Procedure, incorporated herein by reference, which may be updated from time to time.

(f) Application Records. The application, documentation of reference checks, and related documents submitted shall be maintained by the department head. After filling of a vacancy, all materials shall be turned over to the Selectmen. The Selectmen shall maintain application records for the period required by law. Appointing authorities, department heads and the Selectman shall, to the extent possible, maintain the confidentiality of any application.

3.4 Appointment

All appointments shall be made in writing by the appointing authority and shall be subject to the limitation of its appropriation. The written notice of appointment shall include the salary, the starting dates, and appropriate additional information.

3.5 Failure to Report

An applicant, who accepts an appointment and fails to report within three (3) days after the date set by the appointing authority, shall be deemed to have declined the appointment and the offer of employment shall be withdrawn.

Or take any action relative thereto.

ARTICLE TWENTY ONE Personnel Committee

To see if the Town will vote to amend the Personnel By-Laws of Aquinnah by changing the following section:

11.0 Bereavement Leave

11-1 Coverage

11.1 Purpose

The Bereavement Leave Policy establishes uniform guidelines for providing paid time off to employees for absences related to the death of family members and fellow employees or retirees of the Town.

11.2 Coverage

All full-time, active employees are eligible for benefits under this policy. According with Sec. 1.5(c), this leave shall be based on the average number of hours or days of work such employee is required to perform.

11.3 Policy

~~Emergency leave of up to three (3) days may be granted for a death in the employee's immediate family. Immediate family shall include: wife, husband, partner, mother, father, grandfather, grandmother, child, brother, sister, mother in law, father in law, sister in law, brother in law, or grandchild. Compensation shall be limited only to the time lost from the employee's normal time schedule.~~

Paid bereavement leave will be granted according to the following schedule:

- (a) Employees are allowed up to five (5) consecutive days off from regularly scheduled duty with regular pay in the event of the death of the employee's family member, as defined in Sec. 11-5 of the By-Law. To be eligible for paid bereavement leave, the employee generally must attend the funeral of the deceased family member.

- (b) Employees are allowed up to four (4) hours of bereavement leave to attend the funeral of a fellow regular employee or retiree of the Town, provided such absence from duty will not interfere with normal operations of the Town.

11.4 Procedure.

- (a) An employee who wishes to take time off due to the death of a family member or fellow employee or retiree of the Town should notify his or her supervisor immediately.
- (b) An employee may be required by the Town to provide satisfactory evidence of the death in the family.
- (c) Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements.
- (d) An employee may, with his or her supervisor's approval, use any available vacation or personal leave for additional time off as necessary. The approval of such additional time will be subject to the restrictions in Sec. 11.4(c).
- (e) Bereavement pay is calculated based on the base pay rate at the time of absence, and it will not include any special forms of compensation, such as incentives, commissions, bonuses, overtime or shift differentials.

11.5 Definition of Family Members.

For the purposes of bereavement leave in Sec. 11 of the By-Law, the individuals with the following relationships to the employee are considered family members or immediate relatives as defined in the Aquinnah Personnel By-Laws, Appendix A.

Or take any action relative thereto.

**ARTICLE TWENTY TWO
Community Preservation Committee**

To see if the Town will vote to appropriate or reserve for later appropriation monies for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of Community Preservation projects and all other necessary and proper expenses for the year, from projected fiscal year 2016 Community Preservation revenues of **\$175,000 (one-hundred and seventy five thousand dollars)**. Thirty percent of those funds shall be allotted in the following amounts as required by Community Preservation Act legislation:

\$17,500 (seventeen thousand five hundred dollars) to the Community Preservation Open Space Reserve, and

\$17,500 (seventeen thousand five hundred dollars) to the Community Preservation Historic Reserve, and

\$17,500 (seventeen thousand five hundred dollars) to the Community Preservation Housing Reserve.

In addition, the remaining seventy percent of funds raised during FY2016 shall be reserved for appropriation in the following manner as recommended by the Aquinnah Community Preservation Committee:

\$34,500 (thirty four thousand five hundred dollars) to the Community Preservation Open Space Reserve, and

\$74,000 (seventy four thousand dollars) to the Community Preservation Historic

Preservation Reserve, and
\$12,000 (twelve thousand dollars) to the Community Preservation Community Housing Reserve, and
\$2,000 (two thousand dollars) to the Community Preservation Budgeted Reserve or take any other action relative thereto.

ARTICLE TWENTY THREE
Community Preservation Committee

To see if the Town will vote to appropriate monies, from currently reserved Community Preservation revenues, for the undertaking of the following Community Housing, Historic Preservation, Open Space, Recreation, and Administrative efforts, as recommended by the Community Preservation Committee:

FOR HISTORIC PRESERVATION:

\$60,000 (sixty thousand dollars) from the Community Preservation Historic Preservation Reserve for restoration and relocation of the Gay Head Light, as proposed by the Save the Gay Head Lighthouse Committee, and

\$11,300 (eleven thousand three hundred dollars) from the Community Preservation Historic Preservation Reserve for mortgage costs related to the acquisition of the Edwin DeVries Vanderhoop Homestead, and

\$6,000 (six thousand dollars) from the Community Preservation Historic Preservation Reserve for emergency restoration and repairs to the roof of the future Martha's Vineyard Museum Building (also known as the Marine Hospital Building) in Vineyard Haven, MA, and

FOR COMMUNITY HOUSING:

\$24,720 (twenty four thousand seven hundred and twenty dollars) from the Community Preservation Community Housing Reserve for mortgage costs related to the purchase of property at 45 State Road for the purpose of creating affordable housing, and

\$12,000 (twelve thousand dollars) from the Community Preservation Community Housing Reserve for the subsidy of affordable rents in Aquinnah through the DCRHA Rental Assistance program, and

FOR OPEN SPACE AND RECREATION:

\$31,630 (thirty one thousand six hundred thirty dollars) from the Community Preservation Open Space and Recreation Reserve for costs related to the the payment of the bond issued to acquire Numbers 9 and 13 Aquinnah Circle, as approved by the November 6, 2014 Special Town Meeting, and

\$5,000 (five thousand dollars) from the Community Preservation Open Space and Recreation Reserve for further stone wall restoration and / or driveway work behind Aquinnah Town Hall, and

\$8,700 (eight thousand seven hundred dollars) from the Community Preservation Open Space and Recreation Reserve for needed restoration and improvements to the MVRHS track, and

FOR ADMINISTRATIVE:

\$2,000 (two thousand dollars) from the Community Preservation Budgeted Reserve for CPA administrative expenses, or take any other action relative thereto.

And you are hereby directed to serve this warrant by posting up attested copies at the Schoolhouse Library and Town Hall in said Town, at least seven days prior to time of said meeting. Hereof, fail not, and make due return of this warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 29 day of April in the year of our Lord Two Thousand and Fifteen, we the undersigned members of the Board of Selectmen.

Jim Newman, Chairman

Spencer Booker, Vice Chairman

Julianne Vanderhoop

Heidi Vanderhoop
Aquinnah Constable

posted April 30 , 2015

