

AQUINNAH ANNUAL TOWN MEETING
MAY 9, 2023
MINUTES

Quorum met, meeting began at: 7:16
98 Voters Present

ARTICLE TWO

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

Moment of recognition of the finance committee, especially Allen Rugg

Mike Hebert reports on Aquinnah Housing Authority

ARTICLE THREE

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 2024 operating budget and 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; provided however, that the amount of One Hundred Ten Thousand Dollars (\$110,000.00) set out under a portion of the Up-Island Regional School District shall be raised and appropriated only if a majority of the voters casting ballots at the Annual town election to be held on May 11, 2023, vote in the affirmative to override Proposition 2-1/2, so called. (Recommended by Finance Committee)

ARTICLE FOUR PASSED

ARTICLE FIVE

To see if the Town will vote to take from available funds the sum of Eighteen Thousand Eight Hundred Seventy-Six Dollars and Twenty Cents (\$18,876.20) to be paid to the Up-Island regional School District as the Town's share of the costs of the District's capital project for the purchase and installation of services, supplies, equipment and materials related to electrical service upgrades and heating system equipment replacement in or on the West Tisbury School building, including 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 take any other action relative thereto. (Recommended by Finance Committee)

Motion to postpone indefinitely James Benoit

Roxane Second

Yes 100% Unanimous

Total – 78

ELECTRONIC VOTING SYSTEM

Article Five to postponed indefinitely Passed

ARTICLE SIX

To see if the Town will vote to take from available funds the sum of Two Thousand Nine Hundred Ninety Dollars (\$2,990.00) to fund the Town's share of the expenses of the All-Island School Committee's contract for continuing community education in Fiscal Year 2024, or take any other action relative thereto. (Recommended by Finance Committee)

Yes 63

Motion made by Roxane Ackerman to amend Article Nine to change amount to 53,406.06

Seconded by Jim Benoit

Yes 79

No 5

ELECTRONIC VOTING SYSTEM

AMENDMENT PASSED

Article 9 AS AMENDED

Yes 55

No 24

ELECTRONIC VOTING SYSTEM

ARTICLE NINE AS AMENDED PASSED

ARTICLE TEN

To see if the Town will vote to take from available funds the sum of Twenty Three Thousand Four Hundred Seventy-Six Thousand Dollars and Ninety-Seven Cents (\$23,476.97) as the Town's share of Fiscal Year 2024 costs of the Martha's Vineyard Public Safety Communications System in accordance with the Cooperative Agreement for Emergency Communications and Dispatch Services. Funding is contingent on all Island Towns paying for such cost in Fiscal Year 2024 according to the agreed upon dispatch and fixed cost formula, or take any other action relative thereto. (Recommended by Finance Committee)

Yes 80

No 3

ELECTRONIC VOTING SYSTEM

ARTICLE TEN PASSED

a copy of which is on file with the Town Clerk, or take any other action relative thereto. This shall take effect only if Aquinnah is approved by the Massachusetts Department of Energy Resources as a Participating Community pursuant to 225 CMR 24.

§ 2 Purpose

The purpose of this bylaw is to protect the health and welfare of Town inhabitants and to protect the environment by reducing greenhouse gas emissions, which cause climate change, and by reducing other air pollutants. The Town seeks to do this by participating in 225 CMR 24, also referred to as the Fossil Fuel Free Demonstration, to prohibit new building construction and Major Renovations that are not fossil fuel free.

Amendment made:

Motion made: 225 CMR 24

Yes 65

No 1

ELECTRONIC VOTING SYSTEM

AMENDED TO THE ARTICLE PASSED

AMENDED ARTICLE TWEELEVE

Yes 56

No 33

ELECTRONIC VOTING SYSTEM

ARTICLE TWELVE AS AMENDED PASSED

FOSSIL FUEL FREE DEMONSTRATION

Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC) to incorporate the energy efficiency of the Stretch energy code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

Major Renovation -- Alteration of an existing building in which the work area exceeds 50 percent of the building area. [See 2015 IEBC section 505.1]

Work Area – The portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work areas exclude other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by the IEBC code. [See 2015 IEBC section 202]

§ 2 Purpose

The purpose of this bylaw is to protect the health and welfare of Town inhabitants and to protect the environment by reducing greenhouse gas emissions, which cause climate change, and by reducing other air pollutants. The Town seeks to do this by participating in XX CMR XX, also referred to as the Fossil Fuel Free Demonstration, to prohibit new building construction and Major Renovations that are not fossil fuel free.

§ 3 Applicability

The restrictions in this bylaw apply to residential and commercial buildings that qualify as new construction or Major Renovation. These restrictions shall not apply to research laboratories for scientific or

3. Medical offices regulated by the department of public health as a health care facility,
4. Buildings heated with Clean Biomass Heating Systems as defined in 225 CMR 23 as the only combustion equipment,
5. Multi-family buildings over 12,000 square feet with permit application filed prior to January 1, 2027 may utilize gas or propane for domestic water heating as the only combustion equipment.

§ 6. Building Permits

On and after the Effective Date,

- a. Any application for a building permit for a new building or a Major Renovation must identify the means of heating, cooling, and hot water that will be used in the building.
- b. The Town will grant a building permit for a new building or a Major Renovation only if the building will comply with the restrictions in this bylaw.

§ 7. Waivers

- a. The Review Board may grant a waiver of the provisions of this bylaw in the event that compliance makes a project financially infeasible or impractical to implement. Compliance with this bylaw may be considered infeasible or impractical to implement if, without limitation:
- b.
 1. as a result of factors beyond the control of the proponent, the additional cost of the project over the long term, including any available subsidies, would make the project economically unviable; or

§ 1 Definitions

§ 2 Purpose

§ 3 Applicability

§ 4 Specialized Code

§ 1 Definitions

International Energy Conservation Code (IECC) – The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards and published in state regulations as part of 780 CMR.

Specialized Energy Code – Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, the Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC) to incorporate the energy efficiency of the Stretch Energy Code and further reduce the climate impacts of buildings built to this code, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

Stretch Energy Code - Codified by the combination of 225 CMR 22 and 23, not including Appendices RC and CC, the Stretch Energy Code is a comprehensive set of amendments to the International Energy

Conservation Code (IECC) seeking to achieve all lifecycle cost-effective energy efficiency in accordance with the Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code.

§ 2 Purpose

The purpose of 225 CMR 22 and 23 including Appendices RC and CC, also referred to as the Specialized Energy Code, is to provide a more energy efficient and low greenhouse gas emissions alternative to the Stretch Energy Code or the baseline Massachusetts Energy Code, applicable to the relevant sections of the building code for both new construction and existing buildings.

§ 3 Applicability

This energy code applies to residential and commercial buildings.

§ 4 Specialized Code

The Specialized Code, as codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including any future editions, amendments, or modifications, is herein incorporated by reference into the Town of Aquinnah General Bylaws, Chapter XXX.

The Specialized Code is enforceable by the inspector of buildings.

ARTICLE FOURTEEN (4/5 vote required)

To see if the Town will vote to take from available funds the sum of Six Thousand Eight Hundred Twenty-Five Dollars (\$6,825.00) to pay Crosswater Landscape for services related to landscape maintenance at Aquinnah Circle in FY 2022, or take any other action relative thereto.

To see if the Town will vote to take from available funds the amount of Sixteen Thousand Dollars (\$16,000.00) for the purpose of funding sailing programs offered during the summer, or take any other action relative thereto. (Recommended by Finance Committee)

Yes 71

No 6

ELECTRONIC VOTING SYSTEM

ARTICLE SEVENTEEN PASSED

ARTICLE EIGHTEEN (2/3 vote required)

To see if the Town will vote to take the necessary steps to convey its title to Set-Off Lot 341 to the Heirs of Shirley A. Francis Jardin. (By petition)

Yes 54

No 23

ELECTRONIC VOTING SYSTEM

ARTICLE EIGHTEEN PASSED

ARTICLE NINETEEN

To see if the Town will vote to take from available funds the sum of Fifteen Thousand Dollars (\$15,000.00) to purchase and install equipment to facilitate video conferencing of meetings at the Town Offices, or take any other action relative thereto. (Recommended by Finance Committee)

Yes 46

No 29

ELECTRONIC VOTING SYSTEM

ARTICLE NINETEEN PASSED

ARTICLE TWENTY

To see if the Town will vote to take from available funds the sum of Four Thousand Five Hundred (\$4,500.00) Dollars to purchase and install wireless speaker system for the Town Hall, or take any other action relative thereto. (Recommended by Finance Committee)

3A, or take any other action relative thereto. (Recommended by Finance Committee)

Motion to table indefinitely – Elaine Vanderhoop

2nd. Barbara Bassett

Yes 9

No 62

ELECTRONIC VOTING SYSTEM

MOTION TO TABLE INDEFINITELY FAILED

Motion made to make an amendment to keep the 6%

And to table the 2.5 % administration fee.

Jim Wallen made a motion

Jim Benoit 2nd

Yes 65

No 5

ELECTRONIC VOTING SYSTEM

TO AMEND ARTICLE TWENTY-THREE PASSED

As Amended above

Yes 59

No 5

ELECTRONIC VOTING SYSTEM

AMENDED ARTICLE TWENTY-THREE PASSED

ARTICLE TWENTY-FOUR

To see if the Town will vote to take from available funds the sum of Sixty Thousand Dollars (\$60,000.00) to purchase and install mini-split heating/cooling units in the offices of the Tax Collector, Town Clerk,

ARTICLE TWENTY-SEVEN

To see if the Town will vote to appropriate, or reserve, 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 2024 Community Preservation revenues of **Three Hundred Thousand Dollars (\$300,000)**. Thirty percent of those funds shall be allotted in the following amounts as required by Community Preservation legislation:

\$30,000 to the Community Preservation Open Space and Recreation Reserve; and,

\$30,000 to the Community Preservation Historic Reserve; and,

\$30,000 to the Community Preservation Housing Reserve; and,

In addition, the remaining seventy percent of funds raised during the Fiscal Year 2024 shall be reserved for appropriation or use in the following manner as recommended by the Aquinnah Community Preservation Committee:

\$15,000 to the Community Preservation Community Housing Reserve; and,

\$20,000 to the Community Preservation Historic Preservation Reserve; and,

\$172,000 to the Community Preservation Open Space and Recreation Reserve; and,

\$3,000 to FY '24 CPA administrative expenses, or take any other action relative thereto.

Yes 53

No 5

ELECTRONIC VOTING SYSTEM

ARTICLE TWENTY-SEVEN PASSED

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

\$25,000 (twenty-five thousand dollars) from the Community Preservation Community Housing Reserve for costs related to the development of affordable housing as proposed by Harbor Homes, and

\$20,000 (twenty thousand dollars) from the Community Preservation Housing Reserve for the subsidy of affordable rents in Aquinnah through the DCRHA's Rental Assistance program, and

\$10,000 (ten thousand dollars) from the Community Preservation Housing Reserve for pre-development and permitting costs for Affordable Housing efforts in Aquinnah, and

\$2,900 (two thousand nine hundred dollars) to be transferred from previously appropriated FY '22 Covid-19 Rental Subsidy funds, to the DCRHA's Aquinnah Rental Assistance program, or take any other action relative thereto.

Yes 52

No 3

ELECTRONIC VOTING SYSTEM

ARTICLE TWENTY-NINE PASSED

ARTICLE THIRTY

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

\$125,000 (one hundred twenty-five thousand dollars) from the Community Preservation Open Space and Recreation Reserve for the proposed playground behind Aquinnah Town Hall, and

ARTICLE THIRTY-TWO

To see if the town will raise and appropriate the sum of Thirteen Thousand Three Dollars (\$13,003.00) to pay charges for FY 2024 lease on the Town Police Cruiser, or take any other action relative thereto. (Recommended by Finance Committee)

Yes 57

No 4

ELECTRONIC VOTING SYSTEM

ARTICLE THIRTY-TWO PASSED

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 Eleventh day of April, in the year of our Lord Two Thousand and Twenty-Three we the undersigned members of the Board of Selectmen.

Respectfully Submitted
Gabriella Camilleri
Aquinnah Town Clerk

