



CCYP TOWN MEETING 101 WARRANT
Emerald Resort and Conference Center
Tuesday, April 2, 2024 at 2:15 pm

Article 1: Town Budget FY25

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$91,750,617.00, or any other amount, to defray Town expenses for the Fiscal Year July 1, 2023 to June 30, 2024 as itemized below in the third column entitled FY'24 Recommendation, or take any other action relative thereto.

FY'24 BUDGET				
NO.	DEPARTMENT	FY'22 APPROP	FY'23 APPROP	FY'24 RECOMM
114	Moderator	450	500	500
123	Selectmen/Manager	487,401	487,559	639,239
	Personnel Expense	338,973	670,113	450,000
131	Finance Committee	3,400	2,875	2,875
135	Accounting	195,491	208,499	251,061
141	Assessing	392,599	354,630	410,946
145	Treasurer	271,194	539,359	530,826
146	Tax Collector	228,060	-	-
147	Tax Title	35,000	35,000	30,000
151	Legal	300,000	325,000	325,000
152	Human Resources	196,878	200,822	203,927
161	Town Clerk	209,194	209,419	220,323
162	Election and Registration	48,000	70,750	55,800
171	Natural Resources	313,356	322,012	307,528
175	Planning and Development	262,703	264,912	284,570
190	Facilities Management	747,325	847,007	971,344
195	Town Reports	12,500	12,500	12,500
196	Bind Records	7,000	7,000	3,500
197	Information Technology	708,152	711,521	723,000
	Total 100s	4,757,676	5,269,478	5,422,939
210	Police Department	4,923,555	5,126,589	5,397,283
220	Fire Department	3,925,753	4,135,558	4,422,777
241	Inspections	314,226	332,534	302,757
244	Sealer of Weights & Measures	14,350	14,709	15,500
291	Emergency Management	22,500	22,500	20,000
294	Forest Warden	1,500	1,500	1,500
297	Bourne Shellfish	4,000	4,000	4,000
299	Greenhead Fly	2,500	2,500	2,500
	Total 200s	9,208,384	9,639,890	10,166,316
300	School Department	36,058,894	36,923,875	38,273,702
313	Upper Cape Tech	2,433,216	2,668,824	2,871,394
	Total 300s	38,492,110	39,592,699	41,145,096
410	DPW-Engineering	289,071	295,937	327,037
420	DPW	1,990,283	2,652,396	2,757,467
421	Snow & Ice	400,000	400,000	400,000
424	Streetlights	20,000	20,000	20,000
	Total 400s	2,699,354	3,368,333	3,504,504

NO.	DEPARTMENT	FY'22 APPROP	FY'23 APPROP	FY'24 RECOMM
510	Health Department	237,259	245,425	256,955
522	Nursing Department	178,254	182,932	184,833
540	Social Services	35,000	35,000	35,000
541	Senior and Community Services	248,229	265,861	276,887
543	Veterans	105,000	117,500	117,500
	Total 500s	803,742	846,718	871,175
NO.	DEPARTMENT	FY'22 APPROP	FY'23 APPROP	FY'24 RECOMM
610	Library	1,031,580	1,006,435	1,061,313
630	Recreation	251,955	310,870	313,765
650	DPW - Parks	30,850	30,850	30,850
671	Hoxie / Grist Mill	3,500	56,000	51,000
693	Memorial Day	1,200	1,200	1,200
694	Historic District	15,550	10,700	10,700
	Total 600s	1,334,635	1,416,055	1,468,827
Operating Budget Subtotal		57,295,901	60,133,173	62,578,857
135	Enterprise Fund Indirect Cost Transfers			80,000
171	Waterways Fund Transfer			10,000
220	Ambulance Fund Transfer			1,950,000
	WIF Fund Transfer			20,000
630	Beach and Recreation Account Transfers			354,588
650	Cemetery Trust Fund Transfer			35,000
671	Hoxie House / Grist Mill Transfer			15,000
	Overlay Release			-
Inter-Fund Transfers Subtotal				2,464,588
132	Reserve Fund			500,000
710	Borrowing Expenses			100,000
750	Exempt Debt Outside Prop 2.5			3,394,924
750	Non-Exempt Debt Inside Prop 2.5			1,333,180
910	Group Health Insurance			12,250,000
912	Medicare			729,623
940	Property and Liability Insurance			1,650,000
941	Unemployment Account			100,000
950	Retirement Assessment			5,049,445
Fund 80	OPEB Trust Fund			1,100,000
Fund 83	Stabilization Fund			500,000
Other Budget Accounts Subtotal				26,707,172
FY'24 BUDGET TOTAL				91,750,617

Board of Selectmen recommends 5-0-0
Planning Board recommends 7-0-0
(Requested by the Finance Committee)

Article 2: Community Preservation Article

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$13,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, protecting, and digitizing historic Town of Sandwich records, documents, photographs, and other archival materials; or take any other action relative thereto.

Board of Selectmen recommends 5-0-0
Planning Board recommends 7-0-0
Community Preservation Committee recommends 7-0-0.
(Requested by the Community Preservation Committee)

Article 3: Zoning Bylaw Amendment - Protective Rights to Short-Term Rentals

PREAMBLE:

Tourism has been a pillar of the Nantucket economy for decades. Generations of Nantucket families have made or supplemented their incomes by welcoming and serving visitors in many ways, including renting

their homes. However, a recent Massachusetts Supreme Judicial Court decision (Styller v. Lynnfield) threatens the ability of Nantucket residents to rent their homes on a short-term basis (stays of less than 30 days). In the Styller decision, the state's highest court ruled that zoning bylaws, such as Nantucket's, do not allow short-term rentals in residential zoning areas.

In order to address the impact of the Styller decision, this zoning article clearly defines and protects residents' rights to short-term rent their homes. It ensures that Nantucket residents can continue to short-term rent their own property even in residential zoning areas. This article also clearly allows for seasonal residents to short-term rent, while discouraging the conversion of neighborhood homes into purely commercial short-term rental businesses by off-island corporate investors. This article only applies to short-term stays – any rental of one month or longer is not affected.

The purpose of this article is to protect Nantucket homeowners, while also seeking to protect our neighborhoods and housing. We can do that by helping to manage and sustain economic growth and honor our tourism tradition by preserving our community's character.

To see if the Town will vote to amend the Zoning Bylaws by amending Chapter 139 as follows, and further to authorize the Town Clerk to make non-substantive, ministerial revisions to the numbering of this bylaw in order that it be in compliance with the numbering format of the Code of the Town of Nantucket; or to take any other action relative thereto.

(Original in black with changes shown in red)

§139-2 DEFINITIONS AND WORD USAGE

SHORT TERM RENTAL

Any rental of a residential dwelling unit, or of a bedroom within a dwelling unit, in exchange for payment, as residential accommodations for a duration of less than thirty (30) consecutive days.

§139-15 ACCESSORY USES

In addition to the principal buildings, structures and uses permitted in a district, there shall be allowed in that district as accessory uses, such activities as are subordinate and customarily incident to such permitted uses.

Short-Term Rentals shall be permitted as Accessory Uses in all residential districts (R-1, SR-1, ROH, SOH, R-5, R-5L, R-10, R-10L, SR-10, R-20, SR-20, R-40, VR, LUG-1, LUG-2, LUG-3, MMD) as follows: (1) Residents may use their primary residence for Short-Term Rentals by right; and (2) as of January 1, 2023, non-Residents may use their dwelling units for Short-Term Rentals upon issuance of a Special Permit from the Zoning Board of Appeals upon a finding that the proposed Short-Term Rental is an Accessory Use as defined in this Bylaw. As of January 1, 2023, all other use of Short-Term Rentals in residential districts is prohibited. For the purposes of this provision, a "Resident" is a person whose primary residence is Nantucket as determined by federal tax filings.

Board of Selectmen Will Recommend From the Floor
Planning Board Will Recommend From the Floor
Zoning Board of Appeals Will Recommend From the Floor

(Requested by the Zoning Board of Appeals)

Article 4: Home Rule Petition/ Special Act to Authorize Parking Fines Higher than Allowed in General Laws Chapter 90, Section 20A½.

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to provide as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill so submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO PARKING VIOLATIONS IN THE TOWN OF PROVINCETOWN

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding sections 20A or 20A½ of chapter 90 or any general or special law to the contrary, the select board of the town of Provincetown may establish a schedule of fines for parking violations. The fines in said schedule shall not exceed \$100; provided, however, that the fine for the violation of parking a motor vehicle within a posted bus stop shall be \$100; and provided, further, that the fine for the violation of parking a motor vehicle within 10 feet of a fire hydrant shall not be more than \$150; and provided, further, that the fine for the violation of parking a motor vehicle in violation of handicap parking rules or regulations shall not be more than \$300.

SECTION 2. The schedule of fines authorized pursuant to section 1 may provide that fines paid after 21 days of issuance but before the parking clerk reports to the registrar as provided in said sections 20A or 20A½ be increased by up to \$25, and increased up to \$50 if paid after such report to the registrar.

SECTION 3. This act shall take effect upon its passage.

**Board of Selectmen Will Recommend From the Floor
Finance Committee Will Recommend From the Floor**

(Requested by the Town Manager)

Article 5: Citizens Petition for Single Use Plastic Water Bottle Ban Bylaw:

To see if the Town will vote to adopt the following as a general bylaw and to insert it into the Code of the Town of Yarmouth, Massachusetts as Chapter 136 § 136-1.

Effective on December 31, 2023, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Yarmouth. Enforcement of this regulation will begin December 31, 2023.

A single-use plastic bottle is a beverage container made from any type of plastic resin, which may contain recycled material, and may be sold as recyclable, biodegradable, or compostable. Sales or distribution of non-carbonated, unflavored drinking water in single-use 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.

Enforcement of this article shall be the responsibility of the Town Administrator or his/her designee. The

Town Administrator shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate.

Any establishment conducting sales in violation of this article shall be subject to a non-criminal disposition fine as specified in G. L. c. 40 § 21D. The following penalties apply:

First violation: written warning

Second violation: \$150 fine

Third and subsequent violations: \$300 fine

Any such fines collected shall be payable to the Town of Yarmouth. Each day the violation continues constitutes a separate violation. After detection of an initial violation, the designated inspection authority will be required to verify subsequent compliance until compliance with this bylaw is established. All businesses will be routinely inspected until the Town Administrator deems the inspection to be no longer required.

Board of Selectmen Will Recommend From the Floor
Finance Committee Will Recommend From the Floor

(Submitted by Petition)

HOW DO I MAKE A MOTION?

TABLE OF BASIC POINTS OF MOTIONS

Rank	Type of Motion	2nd Req'd	May Debate	May Amend	Vote Req'd	May Recon.	May Interrupt
	Main Motions						
None	Main Motion	Yes	Yes	Yes	Varies	Yes	No
Same	Reconsider or Rescind	Yes	Same	No	Majority	No	No
None	Take from the Table	Yes	No	No	Majority	No	No
None	Advance an Article	Yes	Yes	Yes	Majority	Yes	No
	Privileged Motions						
1	Dissolve or adjourn sine die	Yes	No	No	Majority	No	No
2	Adjourn to a fixed time or recess	Yes	Yes	Yes	Majority	No	No
3	Point of no quorum	No	No	No	None	No	No
4	Fix the time to (or at) which to adjourn	Yes	Yes	Yes	Majority	Yes	No
5	Question of privilege	No	No	No	None	No	Yes
	Subsidiary Motions						
6	Lay on the table	Yes	No	No	2/3	Yes	No
7	The previous question	Yes	No	No	2/3	No	No
8	Limit or extend debate	Yes	No	No	2/3	No	No
9	Postpone to a time certain	Yes	Yes	Yes	Majority	Yes	No
10	Commit or refer	Yes	Yes	Yes	Majority	Yes	No
11	Amend (or substitute)	Yes	Yes	Yes	Majority	Yes	No
12	Postpone indefinitely	Yes	Yes	No	Majority	Yes	No
	Incidental Motions						
Same	Point of Order	No	No	No	None	No	Yes
Same	Appeal	Yes	Yes	No	Majority	Yes	No
Same	Division of a question	Yes	Yes	Yes	Majority	No	No
Same	Separate consideration	Yes	Yes	Yes	Majority	No	No
Same	Fix the method of voting	Yes	Yes	Yes	Majority	Yes	No
Same	Nominations to committees	No	No	No	Plurality	No	No
Same	Withdraw or modify a motion	No	No	No	Majority	No	No
Same	Suspension of rules	Yes	No	No	2/3*	No	No

* UNANIMOUS IF RULE PROTECTS MINORITIES; OUT OF ORDER IF RULE PROTECTS ABSENTEES
SOURCE: TOWN MEETING TIME, 3RD EDITION

COMMON TOWN FINANCE TERMS

APPROPRIATION	An authorization granted by Town Meeting to expend money and incur obligations for specific public purposes.
AVAILABLE FUNDS	Balances remaining in various funds that are available for expenditure. Examples include Water Department special revenue account reserves, Fire Department ambulance account, and Free Cash.
ENTERPRISE FUND	A separate account for municipal services for which a fee is charged in exchange for goods or services. It allows a community to demonstrate the portion of total costs of a service that is recovered through user fees. This is a multi-year fund for which any end-of-year surplus is retained in the Enterprise Fund.
OFFSET ACCOUNT	An account set up to restrict fees collected by a particular department for expenditure by that department. Any surplus funds remaining at the end of the fiscal year are returned to the General Fund.
FISCAL YEAR	The Town’s fiscal year begins July 1st and ends on June 30th.
FREE CASH	Remaining, unrestricted funds from operations of the previous fiscal year including actual receipts in excess of estimates and unspent amounts in budget line-items.
OVERLAY RESERVE	An account set up to pay for real estate exemptions and abatements.
RAISE & APPROPRIATE	A phrase used to identify a funding source for an expenditure which refers to money generated by the tax levy or other anticipated local receipts.
RESERVE FUND	An account appropriated within the operating budget to provide for unforeseen expenditures <i>during the fiscal year</i> . Expenditures of funds deposited to this account require approval of the Finance Committee. Funds remaining at the end of the fiscal year are returned to the General Fund.
STABILIZATION FUND	A multi-year fund established as a “rainy day” account to address extraordinary or unforeseen future expenditures during the current <i>or future fiscal years</i> . This account can also be used to accumulate funds for capital expenditures in a future year.