

## **Draft Chilmark Board of Selectmen August 7, 2012 Meeting Minutes**

**Present:** Chairman Jonathan Mayhew, Warren Doty, Bill Rossi, Tim Carroll, Jonathan Revere, Lenny Jason.

At 7:31pm Chairman Mayhew called meeting to order in the Selectmen's Meeting Room.

### Minutes:

Draft minutes from the July 17, 2012 Selectmen's meeting were reviewed. Corrections were made to these draft minutes. Mr. Doty moved to approve the minutes as corrected. Mr. Rossi seconded the motion. **SO VOTED: 3Ayes**

### Tea Lane Farm Closing:

Mr. Doty said that the Tea Lane Farm closing with Krishana Collins is to be postponed until August 21<sup>st</sup>. The postponement was requested by her lawyer because Ms. Collins is still in the process of acquiring Farmer's Insurance. This is expected to be completed within the next two weeks.

### Dukes County Regional Housing Authority Audit:

Mr. Carroll said that the DCRHA has an auditor coming August 20, 2012 to audit the Middle Line Road rental units FY2012 paperwork. He discussed the expense with the DCRHA and was told that it was a requirement written into the three year management contract with the town. The total for the audit will be \$2,000.00 this year.

Mr. Carroll said that this was a very high figure for the size of the MLR rental budget and recommended striking this from the management contract in future years. Mr. Carroll said he would check with Chilmark's auditors to see if MLR Rentals can be included in DCRHA audits in the future.

The DCRHA has sent a request for \$500.00 as a retainer for this audit. Mr. Doty moved to pay this retainer and bill for this year and seek striking from contract next year. Mr. Rossi seconded the motion. **SO VOTED: 2 Ayes, 1 Abstain** (*Jonathan Mayhew has a conflict of interest; family member owns abutting property to MLR.*)

### Nomansland Island Oyster survey:

Mr. Carroll said that the Nomansland Island Oyster survey planed for week of August 13, 2012 has been cancelled. Mr. Carroll said this project might happen next year.

### Green Communities:

Tim Carroll said that at a recent Solar Conference the DEP asked if Chilmark would reconsider becoming a green community. At that time Mr. Carroll told them we would not entertain a zoning bylaw that established Wind Turbine placement by-right. They told Mr. Carroll that isn't a requirement anymore and asked if Seth Pickering could come make a presentation to the Planning Board and Selectmen.

The Planning Board has already contacted Mr. Carroll saying they are interested in having Mr. Pickering come make a presentation. The Selectmen agreed to Mr. Carroll inviting the DEP to make a presentation in the near future.

DCR - Seaport Advisory Council Grant:

Mr. Carroll presented the Selectmen with the grant contract from the Department of Conservation and Recreation, Division of Waterways. This is the standard state contract form to be signed. Mr. Carroll requested the Selectmen approve his signing of document to receive the \$629,023.00 for Phase III of the Menemsha Harbor improvement plans.

Mr. Doty moved to have Mr. Carroll sign these documents on behalf of the town. Mr. Rossi seconded the motion

**SO VOTED: 3 Ayes**

Board of Appeals Request for Counsel:

The Selectmen's have received written request from the Zoning Board of Appeals requesting approval to seek Special Town Counsel from Brian Hurley concerning the Iscol's appeal due to Town Counsel having a conflict of interest in this case. Mr. Doty asked why Dan Perry, who was appointed Special Town Counsel for a similar question last month, was not suitable. There was discussion. Mr. Rossi, Mr. Jason, and Mr. Doty spoke in support of Mr. Perry.

Mr. Doty moved that the ZBA contact Dan Perry for legal counsel as Ron Rappaport has a conflict of interest. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

*7:50pm David Norton arrived.*

Fire Department:

Chief Norton requested that the Town of Chilmark take responsibility of the fire well at Old Farm Road. Mr. Norton said the electric bill is usually about \$60.00 per year and the bill should be transferred to Town of Chilmark. Discussion about all of the town's fire wells and their locations and maintenance ensued. Tim Carroll expressed concern about a lack of legal easements for the fire wells. Sheep Hill is a newer fire well that will need to be addressed in the future.

Mr. Doty moved to pay the Old Farm Road fire well electric bill, and to proceed with legal process to take over all responsibilities of this fire well. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes**

Mr. Doty commended Chief Norton and all involved for a very fine family and community event with this most recent Back Yard Bash.

At 8:10 pm Mr. Rossi moved to adjourn. Mr. Doty seconded. **SO VOTED: 3 Ayes**

Draft minutes respectfully submitted by Diana DeBlase