Town of Chilmark
SPECIAL TOWN MEETING
October 20, 2014

MODERATOR: Everett H. Poole
TOWN CLERK: Jennifer L. Christy
REGISTRARS: Laurisa Rich, Susan Heilbron
CONSTABLE: Marshall E. Carroll, III
TELLERS: Rodney Bunker, Scott McDowell

At the close of voter registration on October 10, 2014 there were nine hundred and thirty-nine (939) registered voters in the Town of Chilmark. With eighty-six (86) voters present at the Special Town Meeting, 9% of the total number of registered voters, the Moderator called the meeting to order at 7:30PM.

Constable Marshall E. Carroll, III attested to the posting of the warrant.

Article 1. The Moderator read the article. The article was moved and seconded. There was no discussion. The Moderator called for a vote.
The Moderator declared the article passed unanimously.

Article 2. The Moderator read the article. The article was moved and seconded. There was brief discussion. Mr. Jason inquired whether the machine was the same as that used in the past. Mr. Jason asked if a different machine could be used that would be less destructive and result in a more aesthetic cut. Selectman Doty explained the use of the "flail" mower. Mr. Doty noted that the recent hiring of Mark Clements for the job last year has resulted in a better treatment of the roadsides and still clears three to four feet of brush. There was no more discussion. The Moderator called for a vote.
The Moderator declared the article passed.

Article 3. The Moderator read the article. The article was moved and seconded. There was no discussion. The Moderator called for a vote.
The Moderator declared the article passed unanimously.

Article 4. The Moderator read the article. The article was moved and seconded. There was no discussion. The Moderator called for a vote.
The Moderator declared the article passed unanimously.

Article 5. The Moderator read the article. The article was moved and seconded. There was no discussion. The Moderator called for a vote.
The Moderator declared the article passed unanimously.

Article 6. The Moderator read the article. The article was moved and seconded. There was no discussion. The Moderator called for a vote.
The Moderator declared the article passed unanimously.

Article 7. The Moderator read the article. The article was moved and seconded. There was no discussion. The Moderator called for a vote.

The Moderator declared the article passed unanimously.

Article 8. The Moderator read the article. The article was moved and seconded. There was very brief discussion. Mr. Lagemann noted the high cost and inquired about the actual cost that Chilmark will incur. Selectman Rossi replied that the cost is primarily due to the more extensive permitting and the uncertainty of the cost of petroleum and asphalt. Mr. Rossi noted the cost to the Town would be 12% and all four towns would have to vote in favor of this project. There was no more discussion. The Moderator called for a vote.

The Moderator declared the article carried.

Article 9. The Moderator noted the need for a 2/3rds vote in order to pass the article and read the article. The article was moved and seconded. Ms. Stadecker questioned why there is a need to borrow in order to repair and repave roads. Selectman Rossi explained the reasoning behind borrowing funds for this purpose and noted the advantage of spreading out the payment of the project over a length of time. Mr. Doyle agreed with Ms. Stadecker and stated borrowing for this purpose is not an advisable way to proceed. Selectmen Doty explained the circumstances surrounding the decision to borrow rather than appropriate available funds. He noted the opportunity to refinance a bond, the higher costs of paving and the large number of miles needing to be done due to a lag in repaving over recent years. Mr. Doty noted this is the first time the town has borrowed in order to pave. Ms. Kuh asked if there was any plan to widen the roads. Selectman Mayhew stated there is no current plan to widen roads but noted that widening is an idea that should be considered again. Mr. Lagemann noted the move towards repaving as opposed to repairing of roads and questioned the high cost of repaving. Selectman Doty agreed that there are some roads that could be repaired as opposed to repaved and asked the Executive Secretary, Tim Carroll, to comment on the details of the move towards more repaving. Mr. Carroll explained that crack sealant available now is not compatible with asphalt and the sealant is causing asphalt to fail. He noted other sealing methods that are no longer allowed due to conservation concerns and noted the cost benefit does not seem to be large with repairing. Mr. Zeltzer noted the danger of uneven and cracked roads for bicyclists and walkers. There was no more discussion. The Moderator stated the article would need a 2/3rds vote to pass and asked all those in favor to please rise. The tellers, Rodney Bunker & Scott McDowell, counted those voters. The Moderator asked voters to be seated. The tellers reported their count to the Moderator. The Moderator asked those opposed to rise.

The Moderator declared Article 9 is carried, 60-5.

Article 10. The Moderator read the article calling for reports from Town Committees. The Moderator called on James Malkin to report from the Town Committee on Squibnocket. Mr. Malkin read the committee report:

> The Town Committee on Squibnocket is comprised of:
> Jim Malkin, Dan Greenbaum, Janet Weidner, Steve Flanders, Jane Slater, Alison Burger, Billy Meegan and Ron Rappaport (ex-officio.)
>
> We began holding open meetings in June; they were heavily attended even though they began at 8AM. The meetings have lasted from one to two hours. There have been 13 meetings.

The Charge to the Committee from the Town Moderator, in accordance with the amendment passed at the last town meeting was to address two critical problems in the Squibnocket Beach area:

a.) To assist Squibnocket Farms in developing alternatives for access to Squibnocket Point for both vehicles and utilities and

b.) Improved access for Chilmark residents to beach resources, including parking and an expanded beach for swimming and recreation.

The Committee sent requests for proposals and input to all abutters within 2,000 feet of Squibnocket Pond, to all Town Committees, to the Board of Selectmen and to the Town of Aquinnah to distribute as appropriate to their emergency services.

The Committee received proposals from an association called the Squibnocket Farm Homeowners Association, which proposed an elevated roadway, from a Limited Liability Corporation called Friends of Squibnocket, which proposed the construction of a dune and an associated roadway. The Committee heard suggestions from Chris Murphy proposing removing the revetment and allowing nature to take its course, from Tim Rich suggesting that the Vytlacil property at the end of Squibnocket Road be purchased by the Blacksmith Valley residents to locate the end of an elevated roadway further to the north and from Duncan Caldwell proposing that barges be sunk off the beach to change the flow of sand along Squibnocket.

The Committee heard from the Board of Assessors, the Historical Committee, the Beach Committee, the Squibnocket Pond District Advisory Committee and the Selectmen. All of these groups indicated that the priority should be preservation of beach and access for the Town and appropriate parking thereto in accordance with the Town's Master Plan, passed in 1985 and modified in the supplement of 1990-92 and 2000-2003.

Lenny Jason and Clarissa Allen volunteered as knowledgeable citizens of the town to meet with the Squibnocket Farm Homeowners and the FOS LLC to see if there could be common ground on a solution. The Committee has not heard back regarding their efforts.

The Committee has engaged consultants, examined regulations and has been examining data, both that presented by proposals and that gathered by the Committee. The Committee has engaged or is about to engage Coastal Engineers, Cost Estimators and Environmental Experts. The Committee has made two site visits to all homes within 2,000 feet of the Pond and examined impacts to view shed. The Committee has made a preliminary study of one vs. two lane-elevated roadways. The Committee is looking at alternative sites for an emergency use only elevated roadway with a smaller footprint that would be tied to a dune/roadway solution.

The Charge to the Committee from the Town's amendment sets no time limit or due date on its work. As the voters are aware, the Town of Chilmark received a State Grant for $280,000, which was presented at April Town Meeting and is conditional upon town approval of the project. The State money is provided to facilitate four elements of the project:

1 – the relocation of the parking lot to a more stable location.
2 – the expanded Town Beach for continued recreation.
3 – Skiff access to Squibnocket Pond for recreation and commercial use.
4 – the removal of the revetment and return of the current parking lot to its prior state for both recreation and storm water flow benefits.

The state will release the money upon receipts for work performed on these four elements prior to the end of this fiscal year, ending June 2015.

The Committee has asked the Town to explore rolling the grant into next year and Tim Carroll has explored this with Coastal Zone management. The answer was received on 8 October and we were told we could resubmit the proposal by the 10th (within two days) for consideration for funding in the next fiscal year. The Committee asked the town to resubmit the proposal and it was resubmitted. We don't know when or if that resubmission will be evaluated.

At the 13th meeting of the Town Committee on Squibnocket, this progress report was discussed and approved by vote. The Committee is continuing its work to develop alternatives for consideration. The Committee would like guidance from the town as to whether it should provide a recommendation to the town in time for a special town meeting in Winter so as to use as much of the $280,000 as possible.

The Committee requests the moderator to allow a vote on a non-binding resolution to guide the Committee.

Mr. Malkin requested a non-binding straw vote on the following motion: "Shall the Town Committee on Squibnocket use its best efforts to attempt to complete its report for a Special Town Meeting this winter so as to take advantage of the $280,000 grant from the State of Massachusetts which expires at the end of the current fiscal year?" The motion was seconded. Mr. Orphanos requested clarification. The Moderator

clarified that the four elements, as noted in the report, would be funded by the $280,000. Ms. Roddy asked if the committee preferred an expedited schedule. Mr. Malkin stated the committee would not feel the process would be expedited, but that the committee is looking for guidance from the town and feels confident that it has the resources and will take the time necessary to bring a report to a winter Special Town Meeting. Mr. Goldman inquired about the possibility of the State extending the deadline for the use of the grant money. Mr. Malkin stated the committee has heard extensive reports and gathered a great amount of information that would enable it to provide a report and recommendation to the town in the winter, irrespective of a possible extension of the deadline for the use of the grant money. Mr. Orphanos asked for further clarification. Mr. Malkin stated the committee will make its best efforts to make a recommendation to the town in the winter if that is the wish of the voters. After no more discussion, the Moderator called for a vote. The Moderator noted this vote is just to decide whether the committee should "rush or take its time." He asked all those in favor to stand. Those in favor stood. It appeared the majority of the voters present stood in favor. He asked all those opposed to stand. Those opposed stood. It appeared eight (8) people stood in opposition. The Moderator declared the Town Committee on Squibnocket has received a strong recommendation.
With no more business brought before the meeting, the Moderator declared the meeting dissolved at 8:05PM

Respectfully submitted,
Jennifer L. Christy, Town Clerk
October 22, 2014