

## Selectmen's Meeting Minutes 03/21/17

### Chilmark Board of Selectmen March 21, 2017 Meeting Minutes

**Present:** Chairman Warren Doty, Bill Rossi, Jim Malkin, Jennifer Christy, Tim Carroll, Angie Grant, TTA-Chief Ben Retmier, Jonathan Klarèn, Interim Chilmark Police Chief Tim Rich, Jennifer Christy, Rodney Bunker, John Keene, Katie Carroll, Wes Brighton, Alex Elvin, Edie Prescott and videographer for MVTV.

At 5:00 PM Chairman Doty called meeting to order in the Selectmen's Meeting Room.

Chairman Doty said that the appointment of Police Chief will be happening tonight at 6:30pm and that the Selectmen are reviewing the final draft prior to the ceremony.

#### Minutes:

Draft Minutes from Selectmen's March 7, 2017 meeting were reviewed; a correction was made. Mr. Rossi moved to approve minutes as corrected. Mr. Malkin seconded the motion.

**SO VOTED: 3 Ayes**

Draft Minutes from Selectmen's March 8, 2017 meeting were reviewed. Mr. Malkin moved to approve minutes as written. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Draft Minutes from Selectmen's March 9, 2017 meeting were reviewed. Mr. Rossi moved to approve as written. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

#### Vineyard Transit Authority (VTA):

Director of the VTA Angie Grant spoke about introducing electric busses to the VTA fleet.

Ms. Grant gave an outline of the new bus in the transit market that is 30 feet long and 96 inches wide that would work well for our communities. The bus was brought to the Vineyard and was tested on our routes and was very well received. This bus also would have a 12 year life guarantee on the batteries and bus. Ms. Grant said that up to now the best she had seen was a 6 year guarantee so this increase would be very advantageous.

Ms. Grant spoke about the infrastructure needed for charging the busses and also in-route solar canopy charging stations. Ms. Grant also gave overview of possible grant funds for this program. Ms. Grant said the VTA has ordered new electric busses (to replace 4 older busses) that they will bring into the fleet for 2018 and will charge the conventional way at the VTA campus. These will be used for Park & Rides (Edgartown & Tisbury) and route 7 will swap out the other 2 busses when in need of charging. Chairman Doty asked when we would see an electric bus running routes in Menemsha. Ms. Grant said 3 to 5 years. The West Tisbury charging infrastructure will need to be in place.

Ms. Grant said the maintenance for electric busses is estimated to be 70% less than the current diesel busses. The portion that the towns pay (Chilmark estimated total annual to VTA is \$120,000.00) is not expected to rise to purchase new busses. The fee to the town is affected by service not capital. Chairman Doty said this is an impressive and larger project than he expected and commended Ms. Grant on her ambition. Residents in Menemsha area will certainly appreciate a quiet (electric) bus service in the future.

#### Treasurer / Cape Cod Municipal Health Group Joint Purchase Agreement -Amendments:

Town Treasurer Melanie Becker who is on the CCMHG sent information of the amendment for the Selectmen. Mr. Carroll said the FY18 health insurance plans that CCMHG negotiated have been received. Mr. Carroll said the Treasurer did not necessarily endorse these plans but we don't have a choice. Mr. Malkin moved to accept the amendments. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

#### Gear Storage Area / Behind Landfill Area:

Selectmen's office received a letter from the MV Fishermen's Preservation Trust (MVFPT) and from Alec Gale in support of a gear storage area. President of the MVFPT John Keene spoke to this proposal to establish a 1 acre lot behind the landfill on town owned land for fishermen to store gear and trucks etc. to clear-out some of the congestion in Menemsha. Mr. Brighton read aloud the letter the MVFPT submitted for tonight's agenda.

Chairman Doty said the area behind the landfill is not desirable for affordable housing because the drinking water would not be appropriate for housing. The Fire Department is in need of a practice area and 2 acres of this lot would be cleared for fire drills.

Mr. Rossi said this is an easy plan to get behind; the plan just needs to be ironed out. Mr. Keene offered to cut the road and put hardener down (on the access road) and clear the land of trees for free in hopes to sway the Selectmen's approval.

Mr. Rossi said the letter from Mr. Gale spoke of storing a freezer and he believes that Mr. Gale should be responsible for paying for the electricity to run it. Mr. Brighton said Edgartown's storage for fishermen has a rent attached to it. Rent would also be included in the Chilmark plan. The lot fee might be compared to Edgartown to get an idea of what Chilmark should charge. Discussion turned to lot sizes for each space. Mr. Brighton thought 100 feet x 100 feet would be a good size. Mr. Brighton said possibly planning (for the future) space for 20 fishermen to store gear in the area.

Mr. Malkin recommended drawing up a plan for the area prior to clearing the lot. Katie Carroll said the MVFPT Board could draft a land use recommendation. She said she is not saying they would manage this plan but work out a land use plan and return with that to the Selectmen.

Mr. Keene said they don't want all of the commercial fishing gear removed from Menemsha giving it a sterile look because having a fishing village is very important to our community.

Mr. Carroll said the Town has to vote (2/3) to move forward in the use of this land prior to moving forward with it. Selectmen have given a very positive response for this plan and especially for the offer from Mr. Keene. Chairman Doty asked if the MVFPT envisioned the need for chain-link fencing for the storage areas. Mr. Brighton recommended chain-link fencing. Mr. Malkin will work with this group to establish a preliminary plan.

Chairman Doty said that Mr. Gale proposed to move the freezer out of Menemsha immediately if he were permitted to move it next to the solar grid panel and would install electrical meter and pay for the costs.

#### Gear Storage Area / Behind Landfill Area Continued...

Chairman Doty said this should be a temporary plan and then a permanent area would be established at the proposed area discussed by the MVFPT tonight. Chairman Doty said he would work with Mr. Gale on this project.

#### Admin. Asst. to Town Accountant:

Executive Secretary Carroll said the 90 day trial period for this position has been completed and the Town Accountant is requesting to officially advertise for this position. Mr. Malkin said the Human Resources recommended that this position be reviewed for its necessity prior to creating a new position. Mr. Malkin said the Accountant reported accomplishing more with this Assistant to the Accountant's office. Mr. Malkin said in the advertisement we should state we have a strong in-house candidate.

Mr. Malkin moved to approve this Administrative Assistant to the Accountant as a permanent position at 8 hours a week. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

#### Inspector of Animals - 2017 Appointment:

Mr. Carroll presented the paperwork from MDAR for re-appointing Chris Murphy as the Inspector of Animals. Mr. Rossi moved to appoint Chris Murphy as Inspector of Animals.

Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

#### Building Maintenance Projects - Community Center, Town Hall & Library:

Maintenance Supervisor of Town Buildings, Rodney Bunker presented projects to the Selectmen.

- Library exterior painting: Mr. Bunker said the building is approximately 14 years old and the exterior paint is beginning to fail so it's time to get this done. Mr. Bunker solicited quotes from 5 vendors; and has 2 viable quotes. Mr. Bunker recommended awarding this to Mr. Garvin. Mr. Garvin has a history of good work for the town. Mr. Bunker requested \$12,000.00 to cover the expenses for this project on the ATM warrant. Mr. Malkin moved to award this project to Garvin Painters. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes**

- Community Center Shingling: Mr. Bunker said this project will be to shingle the sidewall facing the basketball court and back wall by fire escape. Mr. Bunker solicited quotes from 3 vendors and after receiving the quotes recommends the Selectmen award this project to Mr. Flaherty. Mr. Malkin moved to award this project to Mr. Flaherty. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

- Town Hall Chimney (existing removed from rooftop up and replace with like design). Mr. Bunker solicited 3 quotes for this project and received 2 viable quotes. Mr. Bunker reported he met with the Historical Commission and they supported the work as long as the rebuilt chimney follows the same kind of look that was there. Mr. Bunker recommended the Selectmen award this contract to Mr. Baird of Baird Masonry.

Mr. Malkin moved to award this project to Mr. Baird. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Special Town Meeting Warrant:

Chairman Doty asked Jennifer Christy (Town Clerk & Administrative Assistant to the Planning Board) to report about the Planning Board Hearing and report about that.

Ms. Christy said the Planning Board held an advertised public hearing of the proposed amendments to Zoning Bylaws 11 and 12 pertaining to the Squibnocket Coastal district. The Planning Board considered all public input and recommended the 2 warrant articles. Mr. Malkin recommended that the Planning Board have a information memorandum to hand out at the STM, and to also have a member of the Planning Board at STM to be able to explain the amendments.

Selectmen reviewed and moved to post the STM for April 24, 2017 at 7:00 PM with Annual Town Meeting to follow at 7:30 PM. Mr. Rossi moved, Mr. Malkin seconded.

**SO VOTED: 3 Ayes** *warrant is as follows:*

**Article 1.** To see if the Town will *vote* to amend Section 11.6.A.2 of the Chilmark Zoning By-laws by: ( 1) renumbering the current subsection 11.6.A.2.b as 11.6.A.2.c;(2) re-numbering the current subsection I 1.6.A.2.c as 11.6.A.2.d;(3) adding the following text as subsection 11.6.A.2.b; and (4) amending subsection J 1.6.A.2.d(4), as re-numbered and as shown below with the *italicized text*, as follows:  
b. With respect only to those portions of the Chilmark Coastal District that are located within the Squibnocket Pond District (the boundaries of which are defined in Section 3. 1.H of this bylaw), reconstruction and/or relocation of existing roadways, including the addition of elevated sections or causeways, provided that the Conservation Commission approves the proposed work within its jurisdiction under an order of conditions (following referral to and approval by the Martha's Vineyard Commission if required by St. 1977, c. 83 1, as amended, or the regulations promulgated thereunder). For roadways, including the addition of elevated sections or causeways, in connection with a project providing a public benefit as approved by a two thirds majority vote of a Special or Annual Town Meeting, the restriction set forth in Section 11.6.A.2.d.4 shall not be applicable and the Conservation Commission's review and the Martha's Vineyard Commission's review ( if required) under this provision shall be the sole review required under Article I 1 of the Zoning By-laws. This provision does not eliminate review of roadways, including those with the addition of elevated sections or causeways, not submitted to Town Meeting for approval as providing a public benefit.  
4) Roads that do not exceed ten ( 10) feet, *but roads may have an additional area to accommodate pedestrian travel, provided that the entire width does not exceed fifteen (15)feet.*

**Article 2.** To see if the Town will vote to amend Section 12.3.B.1 of the Chilmark Zoning By- laws by: ( 1) re-numbering the current subsection 12.3.B. 1 .g as 12.3.B. 1.h; and (2) adding the following text as subsection 12.3.B.1.g, so that the two provisions read as follows:  
g. Reconstruction and/or relocation of existing roadways, including the addition of elevated sections or causeways, provided that the Conservation Commission approves the proposed work within its jurisdiction under an order of conditions (following referral to and approval by the Martha's Vineyard Commission if required by St. 1977, c. 83 1, as amended, or the regulations promulgated thereunder) . For roadways, including the addition of elevated sections or causeways, in connection with a project providing a public benefit as approved by a two thirds majority vote of a Special or Annual Town Meeting, the dimensional requirements established in the Zoning By-laws shall not apply and the Conservation Commission's review and the Martha's Vineyard Commission's review (if required) under this provision shall be the sole review required under Article 12 of the Zoning By-laws.

Special Town Meeting Warrant (STM) Continued...

This provision does not eliminate review of roadways, including those with the addition of elevated sections or causeways, not submitted to Town Meeting for approval as providing a public benefit.

h. Uses allowed in Zone A.

Annual Town Meeting Warrant:

Mr. Carroll presented the Selectmen with final wording of the ATM warrant for them to vote to approve. The exact wording can be viewed at

[http://www.chilmarkma.gov/Pages/ChilmarkMA\\_SelectAgenda/2017/03212017/ATM2017Warrant%20draft%20legal.pdf](http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2017/03212017/ATM2017Warrant%20draft%20legal.pdf)

Mr. Rossi moved to approve the ATM warrant as presented tonight. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Chairman Doty confirmed with FinCom Chairman Carroll that the FinCom will hold a meeting prior to the ATM to process their recommendations for the changes and additions to the ATM.

Tri-Town Ambulance Amendment to the Inter Municipal Agreement:

Ambulance Chief Ben Retmier presented the amendment to the Inter Municipal Agreement.

The following proposed amendment must be approved by each of the three towns forming the Tri Town Ambulance; Aquinnah, Chilmark and West Tisbury.

Chairman Doty gave an outline of the makeup of the Tri-Town Ambulance Committee (he is a member) and discussed the thorough report generated by our Town Accountant that supported this recommendation.

Mr. Malkin moved to approve this amendment to the Tri-Town Ambulance Inter Municipal Agreement. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

*Arrivals for the Police Chief Appointment:* Aquinnah Police Chief Randhi Belain, Chilmark Officers :Whitney Hyde, William Fielder, Sean Slavin, Andrew Downs, Matthew Bradlee, Spider Andresen, Kyle Sutherland, West Tisbury Police Chief Dan Rossi, State Police Sergeant Joseph Pimental, Aquinnah Sergeant Paul Manning, , USGC Chief Reimer, Sheriff Ogden, Kim Klarèn, Kelly Klarèn, Ken Romero, Jeff Caruthers, Margaret Maida and Jeffrey Maida.

AT 6:30 PM

Chilmark Police Chief Labor Contract:

Chairman Doty reported on the process fulfilled to complete the contract for our new Police Chief. Contract was reviewed. Contract is a three year contract beginning 3/21/17 to 3/20/20.

Mr. Malkin moved to approve and sign this agreement. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes** *contract was signed*

Police Sargent:

Chairman Doty said with our appointment of Jonathan Klarèn formerly our Police Sargent we will now need to fill that vacated position. Selectmen directed Executive Secretary Carroll to post this vacancy with a strong in-house candidate.

Swearing in Ceremony:

At 6:30 Chairman Doty asked all present to partake in the ceremony and official swearing in of our new Police Chief Jonathan Klarèn. Town Clerk Jennifer Christy carried out the swearing in of Chief Klarèn.

At 6:45 PM with no further items for discussion Mr. Malkin moved to adjourn. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Minutes respectfully submitted by Diana DeBlase.

Document list:

- Draft minutes from Selectmen's 03/07/17, 03/08/17 & 03/09/17 meetings
- Review of Administrative Assistant to Town Accountant by Ms. Biskis
- Request to post position for Administrative Assistant to Town Accountant
- Cape cod Municipal Health Group (CCMHG) Agreement for Joint Negotiations & Purchase (JPA) of Health Coverage as amended 10/19/16
- Summary of Substantive proposed changes to CCMHG for JPA
- Inspector of Animal appointment application form
- Quotes Supplied by Building Maintenance Supervisor for repairs to Library and CCC
- Special Town Meeting warrant 04/24/17 7:00 PM
- Annual Town Meeting warrant 04/24/17 7:30 PM
- Tri-Town Ambulance amendment to inter municipal agreement
- FUND 29 from 2006-2017 Calendar Receipts for TTA prepared by Accountant Biskis
- Town offer to Mr. Klarèn for position of Police Chief
- Police Chief labor / employment contract
- Oath of office for Police Chief
- Injured on duty workshop signup 4/5/17
- ComCast notice of changes to service in Chilmark
- Vineyard Independent Partnership letter of thanks to Selectmen for 3/25/17 dance
- Mass DEP Cape & Islands Geographic Response Plan
- Summary of activity report for month of December from Cape Light Compact