

## Selectmen's Meeting Minutes 05/15/18

### Chilmark Board of Selectmen May 15, 2018 Meeting Minutes

**Present:** Chairman James Malkin, Warren Doty and Bill Rossi. Tim Carroll,

Police Chief Jonathan Klarèn, Melanie Becker, Linda Coutinho, Hillary Dryer, Deb Packer, Howard Grimm, Valarie Sonnenthal, reporters Jack Shea, Landry Harlan and MVTV videographer.

At 7:00 PM Chairman Malkin called meeting to order in the Selectmen's meeting room.

Chairman Malkin said we will take items from agenda out of order if a person is here to address them.

### Minutes:

Draft minutes from the Selectmen's April 17, 2018 meeting were reviewed. Corrections were made. Mr. Doty moved to approve minutes as corrected. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes**

### The Martha's Vineyard Film Festival (MVFF)-request:

Hillary Dryer of the MVFF said they are requesting the first and last (of their movie line up) summer movie nights at the Community Center because they fall outside of the Town Affairs Council (Summer Program) schedule. The two dates are June 27<sup>th</sup> and August 22<sup>th</sup>. Also the MVFF requests to show a free outdoor screening at Menemsha Beach on July 26, 2018. Mr. Rossi said he expects to sign an MOU with Town Affairs Council concerning the Community Center. Mr. Rossi said in this MOU is a section outlining the agreement concerning parking for events and coordination with Selectmen, Police Chief and Library and MVFF. Ms. Dryer said she did not submit the parking plan with the other materials for tonight's meeting because she has not gotten the approval of the Library Trustees. Ms. Dryer reported meeting with Library Director Ebba Hierta but that the Library Trustees need to approve the plan at their next meeting.

Ms. Dryer outlined the parking plan proposal (Town Center):

- MVFF staffer would man the Library parking lot to ensure any cars parking there are for library only. 4:45 PM - 7:00 PM
- MVFF is securing an auxiliary lot with Conroy real-estate
- Delaying start of Cinema Circus to 5:30 PM. ½ hour after library talk begins.

Mr. Rossi asked if there is a plan to run extra Tabor House -Parking lot shuttles to Menemsha for this (free public movie on Menemsha Beach) event. Ms. Dryer said they had really good ridership of the shuttle for the event last year and will arrange for the VTA to run shuttles from Menemsha to the Tabor House Parking Lot after the movie.

Mr. Doty said the Menemsha Movie night plan seems to have been working well with the addition of VTA shuttle runs. Mr. Doty said for the two additional Movie night dates in June and August if the parking arrangement is followed he would move these requests. Mr. Rossi seconded the motion with the condition that the revised parking plan is supported by the Library Trustees. Mr. Rossi said when the Library Trustees have signed off on the parking plan for 2018 to please review with Police Chief Klarèn and himself prior to the first event.

### MVFF-request Continued...

Chairman Malkin said in the MOU for the Community Center there is to be no alcohol sold at the Center. Ms. Dryer said she understood. **SO VOTED: 3 Ayes**

Chairman Malkin said 5 years ago the Selectmen formed a committee and asked the committee to review the rental policy, fees and use of the Community Center. That Committee made some recommendations to the Selectmen that never went anywhere. Chairman Malkin said this would be revisited and we will let the Martha's Vineyard film Festival know when we will have that on our agenda. Ms. Dryer thanked the Selectmen and asked that when the Selectmen discuss the recommendations (submitted by review committee) to please let her know.

Mr. Carroll said he received a message from the Summer Program that they want to move into the Community Center a week early. Mr. Carroll said they will need to coordinate with you (MVFF) about the first movie night. Ms. Dryer said she would coordinate with Alexandra London-Thompson (new director of the Summer Program).

Town Treasurer Melanie Becker said she was here for discussion about 4 North Ridge Road (Macy Lot) and the Opt out insurance agenda items.

### Macy Lot Auction vs. IFB / RFP Process:

Mr. Rossi spoke about options that municipalities can take to sell tax taken properties. Mr. Rossi said there have been some residents expressing concerns with the auctioning process and recommended delaying action till we have had a chance to review the options available. Mr. Rossi said his intent was to have the propriety auctioned in mid-July but would like a unanimous feeling from the board. Discussion ensued. Chairman Malkin tabled this agenda item to the next Selectmen's meeting.

### Health Insurance - Oak Bluffs policy to offer \$1,500 & \$2,000 to switch:

Ms. Becker said this year the Town of Oak Bluffs is offering employees who go to an alternate town's health plan up to \$2,000.00. For example employees could go on a family plan with an employee of another town would get a \$2,000.00 incentive to do so. Ms. Becker said Mr. Carroll asked her to look into the financial impact it could have on Chilmark budget. Ms. Becker said if this were to happen in fiscal year 2019 the impact would possibly be \$65,733.00.

Chairman Malkin said this came to the Chilmark Human Resource Board already and gave a summary of what this is about.

- If you have a partner or spouse who is a member of another health plan and employee elects to move to the other plan (out of Oak Bluffs) Oak Bluffs will give a cash reward (incentive).

Chairman Malkin said this plan of Oak Bluffs does not benefit our island community. Ms. Becker said that this would cost the island tax payers more than the cost to insure employees. Mr. Carroll said the reason this has been brought to you is this is open enrollment month for insurance plans. Mr. Carroll said you could agree to do nothing or you could send a letter to Oak Bluffs expressing your concerns or you could adopt a similar incentives policy.

### Health Insurance - Oak Bluffs policy to offer \$1,500 & \$2,000 to switch Continued...

Mr. Carroll said we may enter into an inter-municipality agreement for employees to take individual policies rather than make a single town hold the financial commitment to employees. Mr. Rossi recommended entering into an MOU with other island towns. Mr. Doty moved to write Oak Bluffs to encourage entering into an island wide agreement. Chairman Malkin recommended drafting an MOU and sending to all of the Boards of the Selectmen on the Vineyard. Mr. Carroll recommended a letter to Oak Bluffs and cc all other island towns. Ms. Becker recommended sending it to all municipal group members on Martha's Vineyard.

Mr. Doty restated his motion to write Oak Bluffs encouraging towns to enter into an island wide agreement. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

*Chairman Malkin and Treasurer Becker will work on a draft letter to Oak Bluffs Selectmen.*

Ms. Coutinho said she was present for the Peaked Hill Pasture Road Housing discussion.

Peaked hill Pastures - Affordable Housing - possible subcommittee:

Mr. Rossi said he attended the Planning Board meeting last night. Mr. Rossi asked for the Planning Board to give an indication of what density we were looking at for affordable housing in the area. After the meeting with the Planning Board Mr. Rossi said he believes that we should form a committee of 5 to assess and have recommendations about this proposal to bring to public hearings and to Annual Town Meeting. Discussion ensued. Mr. Doty recommended a 7 member committee to get the variety wanted for this process. Ms. Sonnenthal recommended a mixed use plan for the site; not just young families or seniors but a mix.

For the makeup of the Peaked Hill Pastures housing project committee Mr. Carroll recommended:

1 Planning Board Committee member, 1 Housing Committee member, 1 Selectman and 4 at large members from the community. Mr. Carroll will advertise for this committee and also post on our web site.

Chairman Malkin said he would sit on this committee as the Selectman representative. This committee will probably meet for 3 - 4 months possibly up to 1 meeting per week. Both Mr. Rossi and Mr. Doty supported that decision. Mr. Doty said at the public hearings he would like to be involved.

Ron Rappaport - Peaked Hill Pasture Road:

Mr. Carroll said on the subject of Peaked Hill here is a request from legal counsel Ron Rappaport. *Mr. Carroll gave Selectmen a document.* Chairman Malkin said this document is dated the 15<sup>th</sup> of May 2018 (today). Chairman Malkin said he would only like to cover items that are on the agenda, unless it is a matter of serious urgency or vital importance.

Mr. Rossi said he got a call from Mr. Rappaport about this earlier today and did not have a problem with this. Chairman Malkin said he has no issues with this.

Ron Rappaport - Peaked Hill Pasture Road Continued...

Mr. Doty said he moved to approve Ron Rappaport representing MV Land Bank in the Peaked Hill Pasture Road. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Mr. Rossi said he believes this item is of vital importance so having it discussed and acted on tonight is appropriate. Chairman Malkin agreed.

Mr. Carroll said as far as the agenda postings go; all parties and departments interested in having an item on the agenda if submitted after noon on Fridays it will not be posted for the agenda for Tuesday meeting. Agenda Items for a Selectmen's meeting must be submitted before noon the Friday preceding the Tuesday meeting.

Menemsha-walk around & preparations for season:

Chairman Malkin said this agenda ties into our discussion (6-d on agenda) Harbor - Projects West Dock Parking, Transient Dock electrical project, pedestal repairs, water testing and maintenance.

Chairman Malkin asked when we would like to hold our pre-season walk around Menemsha. Mr. Doty recommended Wednesday May 23, 2018 in Menemsha at 9:00 AM. Mr. Rossi and Chairman Malkin agreed to the date and time. Mr. Doty asked if we could have Steve Broderick come so we can hear his plans for the Skylark (head boat in Menemsha). Chairman Malkin said the Selectmen approved permitting Mr. Broderick running this boat out of Menemsha with 3 conditions.

- All parking is off site and Mr. Broderick will provide transportation into Menemsha.
- Mr. Broderick keeps Skylark in a spot of our Harbormaster's designation.
- Should we get increase commercial activity and that space is needed the Harbormaster will relocate the Skylark.

Ms. Packer said the town needs to be proactive in removing the 3 pilings that are considered a hazard to navigation before the season gets started. Ms. Packer said her brother told her that Alec Gale has a rig that is capable of plucking the pilings out. Chairman Malkin said he talked with Dennis (Harbormaster) about getting those pilings out. Chairman Malkin said Chuck Hodgkinson has been contacted by Alec Gale as well as Chip Vanderhoop. Mr. Gale told Harbormaster Jason that he did not feel comfortable doing the work because he did not want Chip Vanderhoop to be mad at him. Harbormaster Jason will talk with John (Packer) to see if he has work in this area and might be able to add this to his work load. Harbormaster Jason has talked with Vineyard Shipyard who is checking to see if they have a way to remove these piles. Chairman Malkin said we are trying to get this done by Memorial Day. Ms. Packer thanked the Selectmen for working to see this through.

Chairman Malkin said the harbor shack has been remodeled for Tamar (new administrative assistant to harbor department) to go down there Memorial Day and will be working out of that location.

Chairman Malkin said that is also when the Assistant Harbormasters will be working their shifts.

Cole Powers (wiring inspector) report concerning the electrical current in Menemsha Harbor testing prior to season opening. Mr. Carroll distributed the report from Cole Powers Harbor preparations continued...to Selectmen. The report states that the test showed a perfect score. The test was performed both underload and de-energized there was no electrical current present in Menemsha harbor waters in any of the tests.

Chairman Malkin said Lenny Jason brought a good point up at our last meeting about testing prior to any transient boats in the harbor. Chairman Malkin said it seems like it might have been a grounding issue with boats coming into our harbor. Chairman Malkin said we will still need to complete repairs and upgrades. Robert Young per Chairman Makin's request (electrical contractor & inspector for Edgartown and Chilmark resident) has come and inspected and recommended some repairs prior to the season opening. Chairman Malkin said he requested a quote for this work to be done by Mr. Young and has yet to see this quote but would like the work done by Memorial Day.

Annual Appointments - Requests for Reappointment:

Mr. Carroll said so far three people have asked to be re-appointed to the Boards and Committees they serve on. Chairman Malkin tabled annual appointments till the Selectmen's June 5, 2018 meeting.

Chairman Malkin said that the MV Commission has a grant to hire an engineer to work with island towns on transportation projects. There is an Island Transportation Commission and Dan Greenbaum was our representative. Chilmark has yet to fill that position since Mr. Greenbaum passed away. Mr. Carroll said Lenny Jason and Keith Emin are both members, but Dan had been a real active member. Chairman Malkin asked Mr. Carroll to talk with Jen Rand of West Tisbury concerning getting Chilmark involved in this (MVC) grant project.

Harbormaster - process for hiring new Harbormaster:

Chairman Malkin said in February we are going to search for a new Harbormaster. We will be doing this process the same way we did the Police Chief position.

We will have:

- Selectmen will appoint a search committee
- Advertise the position

- Receive applications
- Interviews will be conducted

The Committee will go through all of the applications and make 3 recommendations to the Selectmen. The Selectmen will then make a hiring decision based on these final candidates. Mr. Rossi recommended the hire start date be April 1, 2019. Mr. Rossi also recommended starting the process this fall. Mr. Rossi said he wanted to stress the importance of funding the position at Special Town Meeting in a warrant article this fall. Mr. Carroll said in February we have at least 3 nights a week of FinCom / Selectmen Budget Hearings meetings. Discussion ensued.

Chairman Malkin said we will work on a time line that starts in January with Harbormaster Position start date April 1, 2019.

#### MOU- Chilmark Town Affairs Council (CTAC) & Tennis program MOU :

Chairman Malkin said he read the MOU and thinks it's great. Mr. Rossi (who worked many hours on this MOU) said they worked on all of the subjects of concern from both parties (Town of Chilmark & the CTAC). Mr. Rossi reported that the Community Center Advisory Committee is happy with this MOU.

Chairman Malkin asked that the parties mentioned in the MOU get a copy of the MOU so the changes are clear and understood. Mr. Doty moved to approve signing the MOU with the Town Affairs Council. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Mr. Doty moved to approve signing the offseason tennis courts MOU. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

#### Center for Living Board- Resignation of Susan Murphy:

Selectmen's office received notice that Susan Murphy has resigned from the Board of Center for Living. Chairman Malkin asked if we had someone interested in serving in that vacated position. Mr. Doty said he has asked some people and they said they would get back to him. Chairman Malkin tabled this to the next Selectmen's meeting.

#### Fire Chief - General updates, Possible contract, Station design changes with Pacheco-Ross:

Chairman Malkin said we are negotiating with our Fire Chief on a contract. Mr. Carroll reported the design updates made since the last plans submitted will be available Friday. Mr. Doty said his initial response from seeing the last plans was disappointment but since communicating about our concerns the adjustments are an improvement. Discussion ensued. Mr. Carroll said the Fire Department reviewed the latest plans and came up with some good revisions.

Points that were submitted to Pacheco Ross from our review:

- Not to reduce the parking
- Fire trucks access to station be Menemsha Cross Road
- Other vehicles access station by Middle Road
- 4 bays we currently have be put on the front of the station facing Menemsha Cross Road
- Visually the building would be similar to what exists now but 3 feet taller and a few feet further back

Chairman Malkin said he was absolutely delighted to hear Chief Norton (Fire Chief) say it's (the plan) almost perfect. Mr. Doty said we still have an issue with the Conservation Commission as it is within the buffer zone. Chairman Malkin said we look forward to receiving the revised plans Friday.

#### Human Resource Board - Policy changes:

Selectmen's office received recommended revisions to the HRB Procedures Manual. Revisions were clearly defined in red in the recommended changes. Complete document can be viewed at this link:

#### Human Resource Board - Policy changes continued...

[http://www.chilmarkma.gov/Pages/ChilmarkMA\\_SelectAgenda/2018/05152018/Town%20of%20Chilmark%20HR%20Procedures%20Manual%20as%20recommended%20to%20the.pdf](http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2018/05152018/Town%20of%20Chilmark%20HR%20Procedures%20Manual%20as%20recommended%20to%20the.pdf)

Chairman Malkin said he attended 3 of the HRB meetings that these recommended changes were created, and recommended approving the changes. Mr. Doty moved to approve the changes to the procedures manual. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

#### Cape Light Compact (CLC) - update:

Mr. Carroll said there are updates to the activities of the CLC. Mr. Carroll said there is a \$100.00 rebate for residential size refrigerators. Their participation in the ongoing rate case with Eversource has resulted in a savings of \$8,000,000.00 to Massachusetts customers.

#### Board of Health Temporary Staffing Plan - Temp Employee:

Mr. Carroll discussed the plan for completing inspections for the food establishments and the tests needed for septic and well installations. Selectmen reviewed the recommended temporary employees; John Powers - percolation, Meegan Lancaster-food establishment inspections and Kevin Burchill as office Administrative Assistant. Mr. Doty moved to approve this temporary staffing for the Board of Health. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Katie Carroll covered for the Board of Health office work and requested reimbursement for this time. Chairman Malkin recommended pay rate same as the Health Agent for Ms. Carroll.

Mr. Doty moved to approve this request. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

#### Cyber security & audit:

Mr. Carroll said rather than going into Executive Session to discuss this if you are interested he will show you. Mr. Carroll said essentially we are doing better backups and testing our systems.

#### Playground Project:

Mr. Carroll said he was asked to replace the Elephant play toy with a bigger climbing - spinning element. Mr. Carroll said there is a significant price increase with this change. Mr. Carroll said the increase would be covered by funds raised by the PTO. Mr. Carroll said he is requesting Selectmen's permission to negotiate with the vendor. Chairman Malkin said he is not in favor of expanding this project. Mr. Carroll said the response he got back from the School Principal when he relayed that message was this is actually one of the original items submitted when the design was distributed but they were concerned that they did not have enough funding so they submitted alternate design specifications. Discussion ensued.

Mr. Doty moved to stick with the plan that was already approved. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

#### Storage Project:

Mr. Carroll said that the boxes we have moved to the library basement have needed to be access more than 3 times in a single week. Mr. Carroll said certain departments have pushed back at the suggestion of moving their files to the library as they need them at hand. Mr. Doty directed Mr. Carroll to utilize the storage in the basement of the library. Chairman Malkin said the Selectmen support Mr. Carroll moving the boxes to the library basement because Town Hall storage is not working the way it is now.

#### Annual Performance Appraisals - Selectmen's assignments:

Mr. Carroll said this is on the agenda as a reminder the employee evaluations that are under Selectmen's direct authority are due. Mr. Rossi said he will have the Police Chief and Building Inspector evaluations ready by Friday.

Mr. Doty said he will complete Tri Town Ambulance Chief and Shellfish Constable.

Chairman Malkin said he has finished the Harbormaster evaluation and he will deliver it to the office. Mr. Rossi asked who was doing the Town Administrator. Mr. Carroll said the contract said the contract calls for a process (not determined at this time).

#### Community Preservation Committee:

Mr. Carroll said these (documents) are before the Selectmen for their signatures. These are CPA funds granted to applicant at ATM. Mr. Doty moved to sign the documents for the CPA grant for the MV Museum. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

*Selectmen signed documents with Notary Tim Carroll*

#### Paving - Triangle, North Road & Basin Road:

Mr. Carroll referred to quotes from Lawrence Lynch that is in the agenda packets. Mr. Carroll said at Annual Town Meeting the town voted to put \$80,000.00 toward paving the triangle. The Lynch quote for triangle is \$68,448.88. Discussion ensued about what additional sections would be paved, where and when they would be done.

Mr. Carroll recommended postponing paving until the fall and working out a better plan.

With Chilmark roads in fine shape for the coming season Mr. Doty moved this recommendation. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Chairman Malkin asked what we are going to do to fill the West Dock (hole in the roadway). Mr. Carroll said if you authorize us to move forward we will try to get a load of hot mix to fill the hole. If not we will have to get as much cold patch as possible but you need to turn the project over from the harbor to somebody else. Chairman Malkin said that would be moving from Harbor department to Town Administrator and on to Highway. Mr. Doty recommended tying (same time as delivery to Squib.) into the Squibnocket paving project.

#### Town Clerk's recommendation of replacement Registrar:

Town Clerk Ms. Christy submitted a recommendation to the Selectmen on appointing Kimberly Cottrill to the seat vacated by Laurisa Rich. Mr. Doty moved to appoint Kimberly Cottrill as a Chilmark Registrar. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

#### Aquinnah Lot A Public Hearing:

Chairman Malkin said there will be a public hearing of the Aquinnah Planning Board Tuesday May 22, 2018 at 8:40 PM in the Aquinnah Town Offices. The hearing is about Lot A. Lessee Vernon Welch applying to construct a seasonal removable boat ramp. Chairman Malkin authorized Mr. Carroll to attend meeting as we (Chilmark) are abutters to this property.

Mr. Carroll handed Selectmen the latest Town Revenue Report for them to take home and read as it is not on the agenda for tonight. Mr. Carroll also wanted to discuss a letter that was sent by the Chairman to the DEP. Chairman Malkin said he sent a letter to the DEP as a follow-up on the 3 pilings near lot F that are to be removed from Chilmark waters because our harbormaster has deemed them hazard to navigation. Mr. Malkin distributed copies of letter to Mr. Rossi and Mr. Doty.

At 8:32 PM with no further items for discussion Mr. Doty moved to adjourn. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Minutes respectfully submitted by Diana DeBlase. **Approved 07/10/2018**

Document list:

- Draft minutes from Selectmen's April 17, 2018 meeting
- Town Affairs Council MOU and off season Tennis agreement
- Request from the Martha's Vineyard Film Festival for additional movie nights in June and August and request to hold movie free to public in Menemsha.
- Ron Rappaport notice regarding representing MV Land Bank at Peaked Hill Pastures
- Line changes to HRB policy
- Update from Cape Light Compact
- Temporary staffing plan for Board of Health
- Community Preservation Commission grant agreement for MV Museum project.
- Quotes from Lawrence Lynch for asphalt
- Recommendation from Town Clerk to appoint replacement Registrar
- Aquinnah Planning Board public hearing notice
- Clerk's updated voter count
- Copy of letter sent to DEP about removal of piles follow-up
- Town revenue report

