

## Selectmen's Meeting Minutes 09/18/18

### Chilmark Board of Selectmen September 18, 2018 Meeting Minutes

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

Tim Carroll, Tri-Town Ambulance Chief Ben Retmier & Deputy Chief Matt Montanile, Jason Blandini, Traci Cooney, Alex Dorr, Micah Agnoli, Jennifer Haynes, Peter Cook, Ann Wallace, Howard Grimm, Jane Slater, Jess Roddy, Barbara Armstrong, Rob Hannemann, Maggie Downey, Clark Goff, news reporters Rich Saltzberg and Landry Harland, MVTV videographer Lynn Christoffers.

At 5:00 PM Chairman Malkin called meeting to order in the Selectmen's meeting room.

### Minutes:

Draft minutes from Selectmen's September 4, 2018 meeting were reviewed, corrections were made. Mr. Doty moved to approve minutes as corrected. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes**

While slideshow preparations were being made Chairman Malkin said he would like to take a moment to recognize the Fire Department and Emergency personnel for their efforts fighting a fire here on Middle Road. Chairman Malkin said Chilmark was working at this from the night into the next day. Chairman Malkin said he would also like to recognize and thank the other Island Towns for their mutual aid during this fire.

Mr. Doty said in a small town like ours when you don't have calls daily or even weekly the importance of being prepared is very important. This was a big fire call at 3:00AM. Our department is well trained and responded to this extremely well.

### Cape Light Compact (CLC) - 3 Year Efficiency Plan:

Maggie Downey from CLC presented a three year efficiency plan accompanied with slides with the projector. Ms. Downey said this is the 4<sup>th</sup> three year plan that the Cape and Islands have put together. Cape Light Compact is created by 21 towns on the cape and Islands. CLC goals are to provide Energy Efficiency Programs, Advocacy and competitive electric supply options.

*The following link is the information presented at this meeting:*

[http://www.chilmarkma.gov/Pages/ChilmarkMA\\_SelectAgenda/2018/09182018/BOS%203-Year%20Plan%20Outreach%20Presentation%2019-21%20091018%20v.1%20AB%20m.pdf](http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2018/09182018/BOS%203-Year%20Plan%20Outreach%20Presentation%2019-21%20091018%20v.1%20AB%20m.pdf)

After the presentation Mr. Doty said our Chilmark Community Center is currently being heated by oil and we have an increased need for cooling in the summer (there is no cooling system at this time). Mr. Doty said the Summer Program is very anxious to have us explore heat pumps and mini splitters for their evening events. Mr. Doty asked if this fits into any of the programs that were described. Ms. Downey said yes; not the 700 residential program but if you have PV there we have 300 commercial batteries we are seeking installation sites.

Mr. Carroll said he got a call from a resident who said they are on a 2 month waitlist for an energy audit.

Ms. Downey said she did check and that is an unacceptable time table for the audits and if this can't be remedied by bringing more inspectors we may have to seek alternate vendors for the energy audits.

Rob Hannemann said Ms. Downey has explained well what Cape Light Compact does for us.

### Town Energy Committee - Create & Advertise for Members:

Mr. Hannemann gave some background:

- 2 years ago Mr. Hannemann asked for Chilmark to consider participating in an Island wide energy committee. Mr. Hannemann is now the chairman of that committee.
- Towns moving to become "Green Communities"
- Mr. Hannemann recommended Chilmark having an Energy Committee

The school heating renovations could be reviewed and recommended by the Energy Committee.  
Also the Community Center cooling & heating upgrades and the plans for new Public Safety Building.

- Recommended a Committee of 5 be formed to be the Chilmark Energy Committee.

Mr. Doty moved to appoint a 5 member Energy Committee for the Town of Chilmark and to appoint Rob Hannemann as the first chairman of the committee. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Update on RFP fore Municipal Electrical Accounts:

Ms. Downey spoke about the Municipal RFP for fixed pricing for a year for budgeting purposes. Ms. Carroll said if we want to be eligible for “greener status” we need to be present for the RFP opening. Rate has been fixed at 9.6 cents for a few years now. Clarification was made that a proxy would be determined if the town wanted to pay more for greener option at an RFP opening. Ms. Downey cannot be that person.

Selectmen thanked both Ms. Downey and Mr. Hannemann for the information and recommendations they supplied.

Tri Town Ambulance - Request to adopt Chapter 467 Acts of 2008:

Tri Town Ambulance Chief Ben Retmier presented his request. Chief Retmier said right now the fulltime paramedics are in group 1 of retirement plan. Meaning they are eligible for retirement at age 65 for 2 of us and 67 years of age for the rest. Chief Retmier said putting the fulltime paramedic employees at group 4 would allow for retirement benefits to begin at age 55 and retirement at 65. Chief Retmier said this is what the island police department employees and firefighters throughout the Commonwealth have. Chief Retmier said most Commonwealth paramedics are also already at group 4. Chief Retmier reported that both West Tisbury & Aquinnah Selectmen have agreed to change the TTA paramedics to group 4. Chief Retmier asked Chilmark Selectmen their permission to have the paramedics at TTA be moved to group 4.

Mr. Doty, Chilmark’s representative on the TTA Committee said we discussed this issue at our meetings and unanimously recommend this request. Mr. Doty said there is added cost to this change but we support and recommend this change.

Mr. Rossi moved to approve Chilmark adopting Chapter 467 Acts of 2008 for all fulltime year-round EMTs & Paramedics to be moved from group 1 to group 4 for retirement. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Assessment of Previous Fiscal Year TTA - retirement:

Mr. Carroll said we are still working on this project with the Accountant and the Dukes County Retirement Board. Mr. Carroll said we are waiting on a report from the actuarial company. Mr. Doty said a 10 year actuary of Tri Town Ambulance would be good to have.

TTA Chief - Facility Concerns:

Chief Retmier expressed his continued concern that Chilmark move forward in building a facility in Chilmark to house the TTA offices and vehicles. Chief Retmier said he appreciates all of the efforts to try and accommodate the TTA but they (TTA) have outgrown the present facilities.

Chief Retmier asked for an update of what is happening for the building of the Public Safety Building. Chairman Malkin said the Selectmen are constantly aware of this issue. Chairman Malkin said we understand that this is a major issue for our town and for Tri-Town Ambulance.

Mr. Carroll referred to a plan (Public Safety Building) posted on the wall of the Selectmen’s meeting room and said we hopefully will be reviewing this plan later this evening. Mr. Carroll said we are scheduled to go to the Conservation Commission the second meeting in October and recommended TTA attend that meeting. 3<sup>rd</sup> Wednesday in October 17, 2018 at 12:30 pm

Mr. Rossi said our goal is to have something for the voters to approve at our Annual Town Meeting in April.

Nighttime Noise Complaint -Possible Bylaw:

Mr. Carroll spoke about the noise complaints report prepared by the police department. Mr. Carroll said this calendar year the Chilmark Police Department has received 3 nighttime noise complaints. Mr. Doty said he got a call at 8:30 AM on a Sunday morning from someone complaining about music being very loud the night before. Mr. Doty said this was a wedding celebration that continued past 11:00 PM a few Saturdays ago. Mr. Doty said he spoke to the manager of the Beach Plum Inn and was told it was not them. Manager at the Beach Plum said they received calls that night from folks who thought it was them but they end all of the amplified music at the Beach Plum at 9:30 PM.

Mr. Rossi recommended a bylaw of: 10:00PM no amplified music at any Chilmark venues and a fine for any venues that don’t abide by the bylaw. Discussion ensued. Mr. Rossi recommended with each violation the consequence is one less venue allowed at the facility. Mr. Rossi said he believed the maximum allotment of events is five per season. Mr. Carroll said he did not believe that was written anywhere. Mr. Carroll said Clarissa Allen has a specified number with the Martha’s Vineyard Land Bank agreement of 5. Mr. Doty said this recent noise violation was at the Captain Flanders House.

Chairman Malkin asked if a bylaw would be more effective or if we should enforce the rule better.

Mr. Rossi said this rule needs to be publicized and clearly understood that we don't allow any amplified music after 10:00 PM. Discussion ensued. Barbara Armstrong said the Beach Plum Inn (also manages Menemsha Inn) has been very respectful of the noise request this year. Ms. Armstrong said this past noisy night was the Captain Flanders Inn though it was hard to tell she originally thought it might have been the Beach Plum Inn.

Mr. Rossi moved to request the Chilmark Planning Board explore the idea of drafting a bylaw that states no amplified music after 10:00 PM. Mr. Doty seconded the motion.

**SO VOTED: 3 Ayes**

*Ms. Armstrong thanked the Selectmen.*

#### 4 North Ridge - Update:

Mr. Rossi said he spoke with Reid at Vineyard Land Surveying. Reid said they have the brush cut along the boundaries of the property. Mr. Rossi said they are working on the review process with Natural Heritage listing any endangered species. Mr. Rossi said the process usually is completed in a month.

#### Pedestrian Pathway - Update:

Mr. Doty referred to a plan on the wall prepared with Bill Brewster (Architectural Planner).

Mr. Doty said the connecting path across the road (Basin Rd.) from the Bite is on the Dimauro property. Mr. Doty said we met with Mr. & Mrs. Dimauro this morning and they like this plan. Mr. Doty said this path will be five feet wide. Mr. Doty said they have an existing stonewall on either side of their driveway and we would install the same type of stone wall, but as a retaining wall. Mr.

Doty said the next step is to get a quote for this project and move ahead to install the pedestrian pathway.

Mr. Carroll said a few items that the Dimauro's request are;

- The visibility driving from their driveway doesn't diminish
- Don't want a flat stonewall top (no sitting) for the retaining wall
- The trash collection is stepped up in the area; putting out public trashcans and maintaining them

Mr. Carroll said he spoke with Reid Silva at Vineyard Land Surveying and they are now going to put this plan onto the land to see it in place and find what will need attention. Once this is done we will approach a contractor for an estimate. Mr. Carroll said we do have anonymous donors who will finance this project. Mr. Carroll said once we get the go ahead we will return to the ConCom for a Notice of Intent and we plan on going before the ConCom in November of 2018 for this pathway.

Mr. Rossi asked how the pathway across from the Homeport parking lot was going. Mr. Carroll said the design is not ready yet. There were some features that had yet to be located. That was finalized last week and Bill Brewster will work on this plan now.

Mr. Carroll said on North Road (the pathway across from Homeport Parking lot) between the north fire hydrant and Menemsha Blues; hopefully we will have something from surveyors this week. If we do Mr. Carroll will immediately seek quotes, so come November 19<sup>th</sup> (Special Town Meeting) there can be a warrant article to fund this sidewalk.

Chairman Malkin said pertaining to North Road there is a broken sign. Mr. Carroll said it was removed and we are working to get a replacement.

#### MV Chamber Music Society - Holiday concert request:

Mr. Carroll said this is before the Selectmen because this is a fundraiser. Mr. Carroll said the members were originally called the Chilmark Chamber Players. The MVCMS are requesting Friday November 23, 2018. Mr. Carroll said they usually hold their winter concert at the Whaling Church in Edgartown but the Whaling Church is getting restoration work done this fall - winter.

Mr. Carroll said he proposes we charge them the \$200.00 (1 day event fee). And tell them they can't sell alcohol and it has to be open to the public. Mr. Carroll said in the past they have served wine & cheese with a \$30.00 ticket entrance to event.

Mr. Doty said they play every Tuesday night during the summer at the Chilmark Community Center and he is supportive of this request. Chairman Malkin said he also supports this but we are a dry town and they will need to abide accordingly. Mr. Doty said no alcohol for sale. Mr. Doty then moved to approve the MVCMS rent the CCC for November 23, 2018 with the condition they pay \$200.00 rental fee in addition to the cleaning deposit and don't sell alcohol. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes**

#### Friends of Middle Road - appreciation of roadside trimming:

Chairman Malkin said we have a letter from the Friends of Middle Road commending the Highway department for a good job brush cutting the roadsides. The letter also asked the town to consider opening up farther back to stonewall and field vistas. The letter mentioned certain areas on Middle Road. Mr. Carroll said we don't clear farther by the Keith Field because of the soft shoulder. Mr. Doty said our Highway Department is doing a good job and we should leave this to their discretion. Chairman

Malkin asked if Chairman of the Historical Commission (Jane Slater) had a comment. Ms. Slater said she agreed with Selectmen Doty's comment.

Mr. Doty move to leave this to the Highway Superintendent. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes**

Housing Committee Chairman Memo - recommend Town Purchase Beetlebung Farm:

Mr. Rossi said he was at the Housing Committee meeting when someone said that property might be coming to market and recommended to see if town would be interested. Mr. Rossi said he talked to the principals involved and they will be putting it on the market today or tomorrow. Mr. Rossi said if there is interest we will need to act quickly. Jessica Roddy from the Chilmark Housing Committee said that is a perfect place for affordable housing possibilities. Mr. Rossi said he believed we could incorporate dual purposes at this property. Chairman Malkin said we should seek this property for the use that the town sees appropriate.

Hunting Permit Renewals - G Demers, J Rogers:

Mr. Doty moved to renew the hunting permits for Mr. Demers and Mr. Rogers as requested in their applications. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Mr. Carroll requested to review the hunting policy and make any updates that need to be done. Mr. Doty will work with Mr. Carroll on the review and updates.

Library Director - resolution welcoming Chilmark, England visitors October 5, 2018:

Chairman Malkin read a letter from Ms. Hierta, the Chilmark Library Director about our sister town Chilmark in the United Kingdom. We are expecting visitors from Chilmark England October 5, 2018. The Library is requesting the Selectmen pass a proclamation declaring October 5, 2018 Friendship Day. Chilmark Historical Commission voted today to support a morning tea or similar function. Jane Slater of the Historical Commission said noon time on Friday October 5<sup>th</sup>. Mr. Malkin said during WW2 Chilmark (Martha's Vineyard) knitted blankets and sent them to Chilmark, England.

Mr. Doty moved to declare October 5, 2018 Chilmark Friendship Day in honor of the visitors from Chilmark, England. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Chairman Malkin invited both island newspapers to come to this gathering at noon October 5, 2018.

Tax Collector - Completion of re-certification as Massachusetts Municipal Collector:

Chairman Malkin read notice from the Executive Director of Massachusetts Collectors & Treasurers Association acknowledging approval of Jessica Bradlee's re-Certification as Municipal Collector. Mr. Doty, Mr. Rossi and Chairman Malkin congratulated Ms. Bradlee for continuing as the collector and stated she is doing a very good job.

Mr. Carroll handed Chairman Malkin a memo from Representatives to the Commerce Oceans Atmosphere Undersecretary at the Department of Commerce supporting and urging that we keep their activity at Northeast Fishery Science Center in Woods Hole. Chairman Malkin said he would like to draft a letter of support to keep the operation going in Woods Hole. Mr. Doty moved to support this. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Mr. Carroll asked to discuss recent plans submitted by Vineyard Land Surveying for the bus turnaround in Menemsha. Chairman Malkin said this was not on the agenda. Mr. Carroll said it came in today and is an item unanticipated by the Chairman. Mr. Carroll said this was filed with the Conservation Commission and wanted the Selectmen to see it and be aware of it before it becomes public. Mr. Carroll said this (VLS Plan) is what you have discussed previously with a few tweaks here and there. Mr. Carroll pointed out: relocating the port -a - potties to the back of the Comfort Station, and adding boardwalk for a possible rinse off station for public to rinse before entering the Comfort Station. Selectmen thanked Mr. Carroll for this update.

Mr. Carroll also requested to review and discuss the second plan we received today from Vineyard Land Surveying. This plan is the Public Safety Building. Mr. Doty said he would review this plan with Mr. Carroll tomorrow prior to submitting to the Conservation Commission.

Mr. Rossi said he would also take a look at it tomorrow.

Chairman Malkin recognized Mr. Grimm and asked if there was an item he wanted to discuss.

Mr. Grimm asked if there was going to be discussion on the Vanderhoop application. Chairman Malkin said this is a notice from DEP to Mr. Vanderhoop to respond to the letters sent in concerning his application. Chilmark boards and departments are copied on this notice as we sent in comments during the public comment process. Chairman Malkin said on advice from legal counsel: neither Selectmen nor Harbormaster have the authority to have the three pilings removed from Chilmark waters. This pilings removal is up to the DEP Waterways Division. Mr. Grimm thanked Chairman Malkin for this update.

At 6:31 PM Chairman Malkin recommended moving into Executive Session to discuss land acquisition and to not return to regular session. Mr. Doty Moved, Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes.**

Roll Call: Malkin: Aye, Mr. Doty: Aye, Mr. Rossi: Aye. Tim Carroll was also present for the Executive Session meeting.

Minutes respectfully submitted by Diana DeBlase

**Approved 10/02/2018**

Document list:

- Draft minutes from Selectmen's September 4, 2018 meeting
- Slide presentation from Cape Light Compact (CLC) for 3 year energy efficiency plan
- CLC Request For Proposals for municipal competitive electric supply
- Request (email) from Rob Hannemann to for a Chilmark Energy Committee
- TTA Chief's request to move fulltime staff to group 4 retirement group
- Email from Aquinnah town manager affirming Aquinnah had adopted Chapter 467 acts of 2008 pertaining to Tri Town Ambulance (TTA)
- Chilmark Town Administrator email sent to Chilmark Finance Committee and Human Resource Board concerning financial impacts of TTA Chief's requests
- Retirement Factor chart for group 1 & group 4
- Dukes County Retirement Board - Actuaries report of appropriation FY16 for TTA employees
- Email from Ms. McCracken (Dukes County Retirement) to Town Administrator pertaining to actuary's finding about the cost of group change from 1 to 4.
- Copy of FY18 Proposed Salaries for Town of Chilmark
- Email from Town Administrator to Ms. McCracken listing employees of Tri Town Ambulance regarding actuary's generating liability report.
- Email request from Ms. Gould executive director of the MV Chamber Music Society to hold holiday concert at Chilmark Community Center
- Email from Greg Greene concerning brush along shoulder of Middle Road
- Chilmark Housing Committee memorandums about town seeking to own Beetlebung Farm.
- Notice from Ma. Collectors & Treasurers Association confirming collector Jessica Bradlee's renewal of certification
- MDAR - notice of Animal Inspector meeting fall 2018
- DEP Recycling Dividends Program - Chilmark to receive \$2,800.00
- DEP public comments response notice for B Vanderhoop waterways license application
- ZBA decisions from August 2018 and outline of Agenda for September 26<sup>th</sup> meeting
- ZBA abutters notice of hearing concerning Tennis shed located beside Chilmark Community Center
- VLS updated plans for Bus Turnaround & Public Safety Building