

Selectmen's Meeting Minutes 11/07/17

Chilmark Board of Selectmen November 7, 2017 Meeting Minutes

Present: Chairman Bill Rossi, Warren Doty, *James Malkin was not present*. Tim Carroll, Police Chief Jonathan Klarèn, Pam Bunker, Rob Hannemann, Dennis Jason, Adam Wilson, Reporter Rich Saltzberg and MVTV videographer.

At 5:00 PM Chairman Rossi called meeting to order in the selectmen's meeting room. Then Chairman Rossi opened the tax classification public hearing.

Public Hearing:

Chilmark Assistant Assessor Pam Bunker spoke about the classification.

Ms. Bunker said the purpose of the Classification Hearing is to allow the Selectmen to be able to shift the tax burden between property classes. This doesn't change the total tax levy for the community; it simply determines the share to be borne by each class. The five classes of Real Estate are: Residential, Open Space, Commercial, Industrial, & Personal Property. Once the Real Estate values and new growth are approved by the State, The Board of Assessors present this information to the Selectmen, who then vote whether to establish a split tax rate or to tax all properties at the same rate by adopting a single tax rate.

Ms. Bunker said before voting on the Residential factor; I would like to briefly discuss the results from the fiscal year 2018 revaluation certification. The town's total value for fiscal year 2018 is

\$3,260,415,990.00. The average assessment for FY18 is \$1,350,000. The new growth and real estate values were approved on October 30th. The Town Accountant and I will be submitting the tax recapitulation package to have the tax rate potentially set by the beginning of December.

Ms. Bunker presented the recommendation from Chilmark Board of Assessors (Lenny Jason, Liz Oliver and Clarissa Allen):

The Board of Assessors would like to recommend that the Board of Selectmen adopt a single tax rate and vote to accept the residential factor of 1, for the town to adopt a single tax rate for FY 2018 for the following reason: 98% of the town is residential; the remaining 2% is commercial, industrial, & personal property. There is not enough commercial properties in town to have this be an option which would benefit the residential class.

Ms. Bunker outlined and described the options that Selectmen could vote; Residential, Personal Property, Open space, Industrial and Commercial.

Mr. Doty asked how this year values compare to prior year. Ms. Bunker said we increased 3.2% over last year's assessments. This is similar to our increases for many years now.

At 5:06 PM with no further requests for discussion Chairman Rossi moved to close the public hearing. Mr. Doty seconded the motion. **SO VOTED: 2 Ayes, 1 not present**

Mr. Doty moved a single tax rate with a residential factor of 1. Chairman Rossi seconded the motion. **SO VOTED: 2 Ayes, 1 not present**

Minutes:

Draft minutes from the October 17, 2017 meeting were reviewed, corrections were made. Mr. Doty moved to approve with corrections. Chairman Rossi seconded the motion.

SO VOTED: 2 Ayes, 1 not present

Draft minutes from the October 19, 2017 meeting were reviewed, corrections were made.

Mr. Doty moved to approve with corrections. Chairman Rossi seconded the motion.

SO VOTED: 2 Ayes, 1 not present

Draft minutes from October 25, 2017 were reviewed. Mr. Doty moved to approve minutes as written. Chairman Rossi seconded the motion. **SO VOTED: 2 Ayes, 1 not present**

Vineyard Deer Management / Tick Reduction:

Mr. Carroll said that the State wanted to be sure that our communities were behind the plan and will hold public meetings to hear from our communities regarding extending the deer hunting season. Mr. Carroll said Nantucket had moved forward to do a similar thing but decided after the State made changes to change back to the regular season. Selectmen agreed to support a listening public forum for the State to hear from our community about this topic.

Aquinnah Creek lot ZBA Hearing:

Mr. Carroll said at the recent meetings with Aquinnah Selectmen we had stressed the importance of communication about the happenings in this area. The ZBA application shows an intention to move a building from the location (shown on Map) to the next Creek lot down and building a new structure. Mr. Doty said this plan looks to propose a big change in appearance of this area.

Letter to (Chilmark) Creek Lot Lease Holders asking for Comments on Proposed Rules:

Mr. Carroll asked to be allowed to distribute a letter to our Menemsha community to generate input to submit at our next meeting. Selectmen supported this request.

Joint Power Agreement / Cape Light Compact (CLC) - Amendments:

Mr. Carroll said this is a notice of the amendments made to the Joint Power Agreement and explained the documents. Mr. Carroll said we have 30 days to respond to this notice. Mr. Carroll said CLC is a Municipal Aggregator and it's an opt-out system so you are automatically part of the aggregation unless you choose to go off on your own. Mr. Doty said we accept this information.

Boathouse Road Repair:

Mr. Doty said the Boathouse Road has become increasingly rough to drive. Chief Klarèn said it is possible but the road won't get any better without material being added to the potholes. Mr. Doty moved to contact John Keene Excavation and Keith Emin to get a modest amount of road maintenance and that the cost comes out of the Selectmen's maintenance account. Chairman Rossi seconded the motion. **SO VOTED: 2 Ayes, 1 not present**

Bay State Wind (BSW):

Adam Wilson the representative for BSW presented the Selectmen with information on the plans for the company to utilize their lease to build their offshore wind plant. BSW is requesting a letter of support for their project from the Chilmark Selectmen. Mr. Wilson said this letter of support is part of the Bid Request (RFB). Mr. Doty said he sees no benefit to Chilmark from Bay State Winds project. The Company is from Denmark, the electricity generated will not come here, and the jobs are staged out of New Bedford. Mr. Jason said and it impacts our fishing industry. Discussion ensued.

Mr. Wilson said Mr. Doty was correct but a future benefit maybe an establishment of community benefits similar to a permanent endowment fund so nonprofits can apply for grants.

Mr. Doty said until that is defined there is no benefit for Chilmark. Mr. Doty said if Bay State Wind established within the next few months a vocational training at the MVRHS for students to be trained in maintenance of the turbines then that would be something we could support. Mr. Wilson said Vineyard Wind is working to have something at the vocational department at MVRHS. Mr. Wilson addressed the fishermen concerns saying there has been a lot of outreach to the fishermen and that will continue.

Mr. Wilson said DONG (Danish Oil and Natural Gas) energy has changed its name; the new name is Ørsted Energy. They no longer do gas and oil it's changed its purpose to greener energy. Mr. Doty said he has researched this company Mr. Wilson is representing and said they are very financially sound and have made the changes to greener energy and are admirable company. They are very responsible in their research surveys in communicating with fishermen on where they are and what they are doing. Our lobstermen are very concerned with sediment resettlement. Mr. Doty said the Menemsha Lobstermen don't feel that this has been adequately addressed.

Mr. Hannemann said CVEC (Cape & Vineyard Energy Company) and the local Island Energy Community are aware that a few things have been glossed over; these three companies (Deep Water, Vineyard Wind & Bay State Wind) are competing for the first round of long term contracts from the State. It's not entirely clear that all three projects will go forward, what is clear is these companies are competing for the first set of contracts. This competition does involve trying to get municipal and other advocates for their particular proposal. Mr. Hannemann said of the three companies the company that has some Vineyard ties is Vineyard Wind.

Mr. Hannemann said speaking as the energy committee representative for Chilmark we have several options:

- Send no letters of support
- Support Deep Water Wind because they are the furthest away from the Vineyard
- Send a single letter to Department of Energy stating we are in support of green energy, we are in support of offshore wind under the following conditions listing fisheries concerns be addressed. And not take sides.

Mr. Hannemann said he proposes the 3rd option mentioned. Chairman Rossi said he supports green energy and understands there are fishermen concerns about building and installing these units and that said recommends no action. Mr. Doty agreed. Mr. Doty spoke of the ocean wilderness to our south shore that would be turned into an industrial plant.

Common Victualler Permit for Josh Aronie -Food Truck:

Mr. Carroll said this is a renewal under the same terms and conditions at the Home Port parking lot. Chairman Rossi said he is happy he will be back. Mr. Doty moved to approve a common victualler for the Food Truck run by Josh Aronie dates from November 6, 2017 to May 15, 2018

Chairman Rossi seconded the motion. **SO VOTED: 2 Ayes, 1 not present**

Schedule follow-up Funding Formula for UIRSD with Selectmen of the three towns:

Mr. Doty said we are scheduled to re-meet November 21, 2017 to discuss UIRSD formula issues. We will need prepared materials for that meeting.

Mr. Doty said Rob Hannemann (FinCom school budget liaison) and Robert Lionette (Chilmark School representative) will prepare something. Mr. Carroll said we would supply our plans prior to the meeting so all parties would be prepared for discussion. Mr. Hannemann said he would be prepared in a week or so to present something for the Selectmen to put forth. Chairman Rossi thanked Mr. Hannemann for digging into this (UIRSD funding formula) and for all of his efforts. Mr. Doty thanked Mr. Hannemann as well.

Harbor - Electrical System Estimate:

Mr. Carroll said Mr. Malkin (Selectmen liaison to harbor) is not here to address it but we have received an estimate from Power's Electric for the electrical work to be done in Menemsha harbor. The total is \$243,050.00. Mr. Doty said he walked the area with Harbormaster Jason and Tim and Marshall (Carroll). Mr. Doty said this electric line would go from a new electric box that would be located behind the harbor shack. The line would come from the harbor shack out to bulkhead then under the bulkhead in front of the Menemsha Texaco it has to get around the fuel lines and then out all the way to the transient dock. This line (path described) would include new lightbox pedestals. There will be new handholds (man holes to access the lines) too. Mr. Doty said a major part of the cost is the excavation part of the project. Mr. Doty said this is a proper upgrade to the system for Menemsha Harbor.

Chairman Rossi asked if this will be created and signed by an engineer. Tim said this is the first step of the process; this part is the budgeting process to have a warrant article for Special Town Meeting. Harbormaster Jason said he can't speak for the Harbor Advisory Committee but he did attend all the meetings and wanted to say they have looked at this carefully that they intend to put forth more recommendations to these (Powers Electric) plans. Chairman Rossi said the Powers estimate will help us with an article for Special Town Meeting warrant for financing this project.

Temporary Tie-up Dock:

Mr. Carroll said John Packer has sent a new price to complete the installation of temporary tie-up dock job. The quote is \$38,500.00.

Mr. Carroll said in order to be able to do that we refer to the accounting report (shown on document in packet).

We purchased \$14,000.00 worth of pilings to anchor it (temporary tie-up dock) that we won't be using for the project (we are using steel beams) we want to transfer all but 2 of the pilings to the harbor department pilings account for maintenance then that money would be for this warrant article to pay for the work we would like to move forward with Mr. Packer doing the work right away. Harbormaster Jason asked we use 35 foot pilings in our harbor and these are 40 foot can we return these pilings for 35 footers and put the savings (about \$20 per foot) to fund project? Mr. Carroll said no one has offered to buy them back but Mr. Jason could ask.

Mr. Doty moved to authorize the Executive Secretary (Tim Carroll) to move ahead with contract with Offshore Engineering. Chairman Rossi seconded the motion.

SO VOTED: 2 Ayes, 1 not present

Regional Shelter Agreement:

Mr. Carroll said over the last number of years we have had many meetings with discussion about having a regional shelter for hurricanes and blizzards or disasters. Mr. Carroll said for many years it was the Tisbury School, now it will be the Oak Bluffs School. This agreement has come back to the Selectmen having been fully vetted by all parties involved (Police & Fire Chief's included) and approved by the Emergency Management directors. This agreement describes and outlines the funding and staffing framework for the regional shelter.

Mr. Doty moved to support both the Intergovernmental Agreement and the Regional Shelter Agreement. Chairman Rossi seconded the motion. **SO VOTED: 2 Ayes, 1 not present**

Human Resource Board (HRB)- Recommend 1.9% COLA:

Chairman Rossi said the HRB recommends a COLA of 1.9%. Mr. Carroll said we have not received the memo from the HRB but wanted the Selectmen to be aware of it.

Municipal Vulnerable Preparedness Grant:

Mr. Carroll said we are meeting next week with West Tisbury and the Martha's Vineyard Commission (MVC) continuing to fulfill some of the requirements for these grants. We will be determining our vulnerabilities. For instance West Tisbury listed wild fires we will list sea waters rising. We (both towns) will hire a consultant using the States grant and hiring the MVC for a portion of it as well. We will be requesting each department to have a member be part of this IE; Selectmen, ConCom, Planning Board, Highway, Shellfish, Harbor... this puts us in a good position to receive future grants from the Coastal Zone Management. Because we are not part of the Federal Flood Insurance Program we are not eligible for most of those grants.

Special Town Meeting Warrant Articles:

Article 1. To see if the town will vote to authorize the acceptance of perpetual rights to both the existing Leasehold Area known as Squibnocket Beach, being an area of land shown on Chilmark Assessor's Map 35 as Parcels 21, 22 and 23, and the additional land which was conveyed by the Vineyard Open Land Foundation ("VOLF") to Squibnocket Farm, Inc. ("Squibnocket Farm") by deed dated September 26, 2017 and recorded in Dukes County Registry of Deeds in Book 1448, Page 1004 in place of the existing ninety-nine (99) year lease of same; and to grant to Squibnocket Farm, VOLF, and any other third parties who own or have a possessory interest in property to the south of the premises, a permanent appurtenant, non-exclusive easement in the land described in the deed from Anthony G. Orphanos and Wendy Jeffers, Trustees of Blacksmith Ridge Valley Trust to the Town of Chilmark dated April 13, 2015 and registered in the Land Court as Document No. 80649 and in a deed from Harold L. Pratt and Thomas E. Bator, Trustees of The Osprey Ridge Realty Trust, to the Town of Chilmark dated May 13, 2015 and registered in the Land Court as Document No. 80651, upon such terms and conditions as the Selectmen may determine.

Article 2. To see if the town will vote to appropriate from available funds in the treasury the sum of \$3,000.00 to purchase and install records storage shelving and containers in the basement of the Chilmark Free Public Library for various town departments and committees, including costs incidental and relative thereto.

Article 3. To see if the Town will vote to appropriate from available funds in the treasury the sum of \$7,500.00 to pay costs of the fiscal year 2018 revaluation process, or take any other action relative thereto.

Article 4. To see if the Town will vote to appropriate from available funds in the treasury the sum of \$4,000.00 to be added to the Police Department Building Maintenance FY2018 budget line 5241, or take any other action relative thereto.

Article 5 To see if the Town will vote to appropriate from available funds in the treasury the sum of \$10,000.00 to fund the removal of dead trees and dangerous tree limbs along town roads, including costs incidental and relative thereto.

Article 6. To see if the Town will vote to appropriate from available funds in the treasury the sum of \$350,000.00 to replace the main electrical system for the Commercial Fishing Bulkhead, Dutcher Dock, and the feed lines to the transient Yacht Dock, including costs incidental and relative thereto.

Article 7. To see if the Town will vote to appropriate from available funds in the treasury the sum of \$126,000.00 to replace 42 pilings at town docks in Menemsha Basin, including costs incidental and relative thereto.

Article 8. To see if the Town will vote to appropriate from available funds in the treasury the sum of \$3,000.00 to hire an electrical lighting consultant for planned Community Center improvements, including costs incidental and relative thereto.

Article 9. To see if the Town will vote to adopt the following Pay Classification scale recommended by the Human Resource Board for Fiscal Year 2018 *insert HRB new chart*

Article 10. To see if the Town will vote to pay from available funds in the treasury the sum of \$130,000.00 to fund the increases to FY2018 salaries and fringe benefits in Departmental Budgets, or take any other action relative thereto.

Article 11. To see if the Town will vote to authorize the Selectmen to execute and enter into the necessary agreements to acquire or to grant easements in the vicinity of Basin and Crick Hill Roads in order to install a sidewalk in order to promote the safe passage of pedestrian and vehicular traffic in the area. A plan of the proposed sidewalk and easements to be granted or exchanged is available for viewing in the Selectmen's Office during normal business hours.

Article 12. To see if the Town will vote to authorize the Selectmen to execute and enter into the necessary agreements to acquire or to grant easements in the vicinity of North and Basin Roads in order to install a sidewalk in order to promote the safe passage of pedestrian and vehicular traffic in the area. A plan of the proposed sidewalk and easements to be granted or exchanged is available for viewing in the Selectmen's Office during normal business hours.

Article 13. To see if the Town will vote to approve the following request of the Community Preservation Committee: To see if the Town will vote to appropriate from the Community Preservation Reserve for Open Space for Park & Recreation use the sum of \$100,000.00 to supplement the existing and approximate \$343,000 construction budget to restore the Town beach and parking area at Squibnocket. This will bring the total available funds for construction and related costs to approximately \$443,000. To fund this request \$50,000 will be transferred from the Community Preservation Reserve for Open Space and \$50,000 will be transferred from the Community Preservation Undesignated Fund to the Community Preservation Reserve for Open Space.

Article 14. To see if the Town will vote to appropriate from available funds in the treasury the sum of \$25,000.00 to make improvements to the Menemsha Shuttle lot, Menemsha signage, line painting of parking along North Road across from the Homeport, and screening vegetation in connection with a sidewalk easement, including costs incidental and relative thereto.

Article 15. To see if the Town will vote to appropriate from available funds in the treasury the sum of \$15,000.00 to permit and construct an expanded parking area at the Menemsha Shuttle Lot atop the Tabor House capped landfill, and improve a driveway along the south side of the landfill to access the future fire training area/fishermen storage lots, including costs incidental and relative thereto.

Article 16. To see if the Town will vote to appropriate from available funds in the treasury the sum of \$3,718.20 to fund the following bills of the prior fiscal year:

Associated Elevator \$2,275.00

William Solon \$840.00

Richard Steves \$1,363.20

After discussion on each item (note Mr. Doty said some of the harbor articles funds maybe recommended on town floor to be lowered) Mr. Doty moved to post the Special Town Meeting 16 warrant articles and call for meeting to be held November 27, 2017 at 7:30 PM. Chairman Rossi seconded the motion. **SO VOTED: 2 Ayes, 1 not present**

MCPPO - Design & Construction Seminar:

Mr. Carroll said every 5 years his procurement certification expires and there are courses needed to renew his certification. The courses discussed are in Boston December 6th, 7th and 8th of 2017

Mr. Doty moved to have Mr. Carroll continue his professional development and get certified. Chairman Rossi seconded. **SO VOTED: 2 Ayes, 1 not present**

Insurance - Squibnocket Beach:

Mr. Carroll said for the Squibnocket agreement we needed to go to commercial market because our insurance company will not insure a third party so we have done that but if we don't vote to own we will end up over a 99 year lease paying much more. Mr. Carroll asked if Selectmen recommended paying the insurance now or to wait till after Special Town Meeting. Selectmen recommended waiting.

West Dock - parking lot repair project:

Mr. Carroll said we appropriated money to repair where there is a sinkhole but it has not been done yet. Mr. Carroll said he would like to go forward with having Kent Healy's (engineer) proposal. Selectmen recommended moving forward with the repairs.

Letter from Dr. Levy recommending pay for firefighters:

Mr. Carroll said our local firefighters are leaving work to respond to fires and are not getting paid for work. Mr. Carroll said we are not getting responders because they can't afford to miss work. Mr. Doty said he wants our firefighters to feel as they are treated fairly. Selectmen will take this letter under advisement and recommend Fire Chief put a proposal together to bring to the town.

At 6:41 PM with no further items for discussion Mr. Doty moved to adjourn. Chairman Rossi seconded the motion. **SO VOTED: 2 Ayes, 1 not present**

Minutes respectfully submitted by Diana DeBlase. **Approved 11/21/2017**

Document list:

- Draft minutes from Selectmen's 10/17/2017, 10/19/2017 & 10/25/2017 meetings
- Vineyard Gazette legal notice of Public hearing for taxpayers to present their views on the issue of allocating the local property tax levy among the 5 property classes for FY18
- Notice sent to all Chilmark tax payers by the Board of Assessors so taxpayers can review their property assessment on line on web page or at Town Hall or Library for printed materials
- Assessors Notice of Public Disclosure posted 10/13/17 5:00 PM
- Email from Mr. Huguenin of Mass Fisheries & Wildlife requesting coordination a public forum for Q&A regarding deer management
- Letter from Mass DMF regarding; increased hunting access coupled with other potential options, such as an increase in season length, liberalizing the types of hunting gear that can be used, or a combination thereof, can reduce deer densities on the Vineyard.
- Vineyard Land Surveying plan of Aquinnah creek lot proposed shack changes 10.13.17
- Aquinnah ZBA notice to abutter (Town of Chilmark) about Map 3 Lot 34 plan to construct piles & decking
- DPW map of Creeklots in Menemsha 10.02.1951

- GIS overview of Creeklots in Menemsha and Aquinnah with parking recommendation draft plan by Chilmark Executive Secretary Tim Carroll October 2017
- Cape Light Compact Joint Power agreement amendments 2017
- Letter from Adam Wilson representing Bay State Wind and their intentions for utilizing their lease off of South of Martha's Vineyard for wind turbines with attachments.
- Common victualler application from Josh Aronie
- Estimate for Electrical project in Menemsha from Powers Electric
- Account transaction with R M Packer & Offshore Engineering for harbor tie-up dock totaling \$22,039.65
- Offshore engineering Inc. proposal for floating dock and piles cost \$38,500.00
- Municipal Vulnerability Preparedness (MVP) state grant list of municipal staff commitment & MVP provider commitment from office of Energy & Environmental Affairs
- Special Town Meeting Draft warrant articles
- Recommendation from Dr. Levy to consider compensation for Chilmark Firefighters
- Chilmark ZBA decisions for October 2017 and Agenda for November 2017
- ZBA decision for application from Milch & Divoll for pool
- ZBA hearing rescheduled to hear Liman & Stork appeal Chilmark Zoning Officer response and letter dated 09/14/17 about Squibnocket project
- Coastal Engineering abutter notice USCG 20 Edy's Way proposed sewage disposal system
- Department of Public Utilities notice of public hearing, procedural conference & request for comments pertaining to Eversource /Nstar of ten long-term contracts to purchase renewable energy...
- Cape Light Compact monthly energy report August 2017
- West Tisbury Conservation letter to MVC water planner about water quality testing in Tisbury Great Pond
- Town Clerk voter data report 11/1/2017