

Selectmen's Meeting Minutes 11/20/18

Chilmark Board of Selectmen November 20, 2018 Meeting Minutes

Present: Chairman James Malkin, Warren Doty and Bill Rossi. Also Tim Carroll, Police Chief Jonathan Klarèn, Pam Bunker, Elizabeth Oliver, Andy Goldman, Everett Poole, Diane Smith, Rob Hannemann, Nan Doty, Jane Slater, Linda Coutinho, Mary Breslauer, Barbara Fenner, Deb Hancock, Joan Malkin, news reporters Landon Harlan and Ms. Dowd and videographer Lynn Christoffers.

At 5:02 PM Chairman Malkin called meeting to order in the Selectmen's meeting room.

Minutes:

Draft minutes from November 6, 2018 were reviewed, corrections were made. Mr. Rossi moved to approve minutes as corrected. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Draft minutes from October 31, 2018 were reviewed, corrections were made. Mr. Doty moved to approve minutes as corrected. Mr. Rossi seconded the motion. **SO VOTED: 2 Ayes, 1 Abstain** *Chairman Malkin was not present at meeting.*

MV Commission - Reappointment of Joan Malkin:

Joan Malkin sent a letter requesting to be reappointed to the MVC as the Chilmark representative for 2019. Mr. Rossi moved to appoint Joan Malkin as the Chilmark Selectmen's representative on the Martha's Vineyard Commission. Mr. Doty seconded the motion. Ms. Malkin thanked the Selectmen. **SO VOTED: 2 Ayes, 1 Abstain** *Chairman Malkin as Joan is his wife*

MV Center for Living - Appoint Mary Breslauer:

Mary Breslauer said she wanted to be helpful to the town and the issues MVC4L deals with are important to the island and Chilmark in particular. Mr. Rossi thanked Ms. Breslauer for volunteering to be on the board of directors of the Center for Living. Mr. Doty moved to appoint Mary Breslauer as Chilmark's representative on the board of the Center for Living. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Chairman Malkin recommended that Ms. Breslauer speak with Rob Hannemann the FinCom Chairman about some of the history of FinCom's recommendations to C4L.

Public Hearing:

At 5:10 PM Chairman Malkin requested to open the public hearing for the allocation the local property tax for FY19. Mr. Rossi moved to open hearing, Mr. Doty seconded the motion.

SO VOTED: 3 Ayes

Pam Bunker Chilmark's Assistant Assessor spoke to this item:

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.

Before voting on any of these four different issues I would like to briefly discuss the results from the fiscal year 2019 interim adjustment. The town's total value for fiscal year 2019 is \$ 3,276,275,030. The average assessment for FY19 is \$1,350,000. The new growth and real estate values were approved (this morning) on November 20th. The Town Accountant and I will be submitting the tax recapitulation package to have the tax rate potentially set by the beginning of December.

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 2019 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.

Mr. Doty said our department of Assessors is being extremely well run. Whenever anyone has a question about their own tax assessment, they address the board of assessors and they get a hearing and when a rebate is approved that is what happens. Over the past 20 years that Assessor Department has been very well run. Mr. Doty said its run very orderly and transparent and he commended the Assessors for that. Ms. Bunker thanked Mr. Doty for the acknowledgement of their efforts.

With no further comments.

At 5:14 PM Chairman Malkin moved to close the public hearing. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Mr. Rossi moved that 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 2019. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Selectmen signed the LA5 form Classification tax allocation. Ms. Bunker said she would file the signatures electronically November 21, 2018.

Use of Town Owned Facilities Committee (UTOF) - Final Report:

Jane Slater was present to discuss the recommendations from the UTOF Committee. Ms. Slater said the committee investigated the rental cost of similar properties in other island towns. And with a thorough comparison of like facilities have drafted the recommended fees for the Community Center. Chairman Malkin read the report aloud:

“The Committee also interviewed David Norton (Chilmark Fire Chief), Brian Ditchfield (The Martha’s Vineyard Film Festival Art Director), Tim Carroll (Chilmark Town Administrator) and Rodney Bunker (Chilmark Custodian).

Conclusions and recommendations follow:

Sponsors:

Every rental must be secured by a Chilmark resident who will be called the Sponsor. The Sponsor will be responsible for any unpaid balance of returnable fee of \$250.00 for maintenance and custodial expenses not paid by the lessee and any other unfunded obligation of the

Lessee. The refundable fee will be held until the Town custodian completes his after-the-event inspection and notifies Town Hall of returns, if any, to be made.

Events and Fees:

1. Memorial events of one day must be sponsored and required to deposit a refundable fee of \$250.00 for maintenance and custodial costs. There will be no further charges or rental fees for such memorial events of one day.

2. Noncommercial and/or private events such as Boy Scouts, school events, community sing-alongs etc. will be required to have a sponsor and put up a returnable maintenance and custodial deposit of \$250.00 in addition to a one day rental fee of \$100.00

3. Events charging entrance fees and/or offering items for sale such as, for example, a flea- market, will require a sponsor and required to deposit a refundable event fee of \$250.00 for maintenance and custodial costs. Such events will require a one day rental fee of \$1,500 for each day of said event and an additional \$500 per day if additional days are required for set up and breakdown. No additional deposit fee will be required.

4. Weddings will require a sponsor and a returnable deposit fee of \$250.00 for maintenance and custodial costs. Weddings will also pay a rental fee of \$1,500 for one day. Rehearsal dinner the night before the wedding or a breakfast the morning after will pay an additional rental fee of \$500.00 with no additional deposit fee.

Respectfully submitted, Jane Slater, Andy Goldman”

Chairman Malkin asked for comments or if the committee had anything to add to this. Andy Goldman said a community member had commented during their information gathering that the Community Center was attracting some of the users because of the rent being so low. And that the town owed it to themselves to be more in line with other facilities rental fees. Ms. Slater said we need to keep in mind that the water is shared and septic is shared at the Community Center with neighboring facilities. Ms. Slater said this was a factor in requiring every entity that uses the center to pay the \$250.00 cleaning deposit.

Linda Coutinho said in the fee recommendation it lists school. Ms. Coutinho said when we built the Chilmark School we did so knowing that that was part of the campus. So if the school is having a concert or a PTO event they should be exempt. Ms. Coutinho said their gymnasium class and cafeteria as well as what our town fire department does for Halloween and Christmas for the community.

Chairman Malkin asked for the UTOF to respond. Mr. Goldman said sounds great. Ms. Slater said it’s an assumption that if it is a school activity it is exempt.

Chairman Malkin said the recommendation does list school “school events, community sing-alongs etc. will be required to have a sponsor and put up a returnable maintenance and custodial deposit of \$250.00 in addition to a one day rental fee of \$100.00.”

Ms. Coutinho said Chilmark School and Chilmark Fire department events should be separate from the fee guidelines. Mr. Rossi said he is on the Chilmark Community Center Advisory Committee along with Chairman Nan Doty who is here tonight and who has reviewed this recommendation and would like to collaborate prior to any action taken tonight. Ms. Doty stressed that it is a Community Center and we need to cultivate community here. The Center has become a venue as a destination for events more now. Ms. Doty requested to continue this agenda to the next Selectmen’s meeting on December 4, 2018. And to promote a larger

discussion with our community about what we want for our community center. Mr. Goldman said this is our report on the fees and it's the beginning of the process. Mr. Goldman said he is willing to continue if the Selectmen desire.

Debbie Hancock said growing up here in Chilmark it was her understanding that the center was a Chilmark Community Center and it was partially built to have weddings, funerals, and birthday parties for Chilmark people, residence. But raising the rent to this level is a burden on residents and won't deter visitors from using the space for their destination weddings. Ms. Hancock recommended a significant cost difference for Chilmark residence. Ms. Hancock recommended that the wedding venues that are destination weddings be required to use mobile port-a-potty units and outdoor kitchens to lessen the plumbing use. Chairman

Malkin held off on any decision till the Selectmen meet again December 4, 2018 and encouraged anyone to submit recommendations in writing in the meantime.

Chairman Malkin said the first contentious issue that he became involved with in town was about 7 years ago the Selectmen at the time asked him and Jane and Andy to look into this and come up with a recommendation. And at that time we read the document that transferred ownership of Community Center to the town of Chilmark. This document expressly says for use of Chilmark residents. Chairman Malkin said we are all in agreement that the Center is there for the Town and the School and is not there to be strained by large events that don't really have anything to do with the town of Chilmark.

Mr. Doty said the use of the community center is very important to him. Mr. Doty is the sponsor of the Music Potluck Jams. The Potluck Music Jams are held 5 times a year ¾ of people who come and perform and enjoy the event are not Chilmark residents. These are island wide events. This is free to the public and at this time we don't charge a fee. Mr. Doty said he believes it should stay that way. Mr. Doty said the Cub Scouts should not have to pay \$100.00 to have the Pinewood Derby at the center. Ms. Slater said the intent of that in the fee schedule was for the Selectmen to delegate if was an event they approved. Mr. Doty said also the

Flea Market is our Chilmark Church fundraiser holiday event. The Church should not be charged the suggested fee.

Mr. Doty said the method of sponsorship is really not working. Mr. Doty said there is a Chilmark resident who has an employee that wants to have their children's birthday party or wedding at the center. That person puts their name down as the sponsor but it's a pretty remote relationship.

Mr. Doty said we have to work on the sponsorship system. Chairman Malkin asked that if residents would like to recommend amendments to the fee schedule for the community center to send them in writing to the office of Selectmen and we will continue this agenda item at the December 4th Selectmen meeting. Chairman Malkin thanked Ms. Slater and Mr. Goldman for their work on this report.

New Stop Sign on North Road at Basin Road:

Chairman Malkin said there has been a request to install stop signs on North Road Basin Road intersection. The MVC did a study and at the end of the report the report states the traffic volume doesn't meet the usual standards for installing a stop sign. However it doesn't preclude the town going forward with installing a stop sign. Discussion ensued. Ms. Malkin (MVC Chilmark representative) recommended there be signage notifying drivers that there is a stop ahead, because of the curve in the road. Ms. Malkin also recommended even with stop sign additions that pruning of vegetation be done to aid in visibility.

Mr. Doty supported the two recommendations from Ms. Malkin. Ms. Hancock clarified that this would be creating a 3 way stop at the intersection of basin and North Roads. MS. Hancock said she supports this plan. Discussion turned to getting the land owner to improve the sightline on the west side of North Road at Basin Road intersection. Mr. Carroll said he would ask the MVC if their traffic consultant could do the engineering for the intersection lines. Ms. Malkin said there is an engineer on the MVC payroll and recommended Mr. Carroll send to her exactly what he wants to know and she will follow-up with MVC. Mr. Rossi said the stop signs and stop alert sign could be done now and the painting of lines won't happen till spring.

Mr. Rossi moved to install 2 stop signs and to install a stop sign ahead warning sign. Trim back vegetation where possible and work with abutters to improve road sightlines. Mr. Rossi continued with; to install 2 crosswalks and 2 yellow lines (pedestrian walkway) and to do a survey as soon as possible. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Chief Klarèn said a stop sign needs a stop line to coincide with sign. Selectmen acknowledged that statement.

State Legislation - Short term rentals:

Chairman Malkin asked Jane Slater if she would consider looking into this new legislation to understand what this would mean to Chilmark. Chairman Malkin said this could mean \$1 Million in additional revenues to Chilmark annually.

Mr. Doty recommended that the town do as little as possible in this category. Mr. Rossi said we need to know what we are obligated to do. Mr. Carroll said under the current model the State collects the tax as part of the rooms excise tax and then the State pays the town quarterly. Chairman Malkin asked Mr. Carroll to share his knowledge with Ms. Slater when she seeks it.

Harbormaster - Review process for hiring new department head:

Chairman Malkin suggested that a Selectman meet with Jenny Greene (Chairman of the Human Resources Board) to go over the current job description to see if updates need to be made to the Harbormaster position. After that has been done we will advertise the position mid-January and have a selection committee review the applications and come up with three finalists to bring to the

Board of Selectmen. The Board of Selectmen will interview these finalists near the end of February with the intention that the selected person starts the job April 1, 2019. Mr. Doty said this is a very good plan.

Mr. Doty said with finding the Police Chief we utilized a consultant for review of the final 3 candidates. Mr. Doty said he found that part of the process very valuable. Mr. Rossi said he thought that was specifically for police force. Mr. Rossi said he did not think the Harbormaster fell under that description for that to be necessary. Chairman Malkin said he believes that is an option if we choose to do so. Mr. Carroll said the Selectmen's office did do that for the Town Accountant and Tax Collector when we needed to fill those positions.

Mr. Doty said we may have very attractive candidates that are new to us that we have not met before and to have that done would be valuable to fill this position. Mr. Doty recommended having the finalist all having this professional (impartial) review completed before we make a decision. Mr. Doty said it's a worthwhile expense. Chairman Malkin said it's important for us to hire the possible people for the position.

Dukes County - 5% administrative fee proposed:

Mr. Rossi spoke to this item. Mr. Rossi said after reviewing this with a Chilmark FinCom member he advised the Dukes County Advisory Board (Bill Rossi is Chilmark Selectmen representative) that the fee be illustrated in each of the Social Services budget. Mr. Rossi said there was not agreement to this suggestion. Mr. Rossi said at the meeting we discussed any surplus be returned to the towns. Mr. Rossi said at the meeting it was stated there will be an expected budget shortfall in the FY20 of \$30,000.00 and that is why they are asking for this money. Mr. Carroll said the proposed administrative fee would be charged to the project and not to the town's assessment. Mr. Carroll said it would be appropriate for each Social Service to assess the fee in their budget. Chairman Malkin asked Mr. Carroll to check where we decided the Social Services budgets would be in our Chilmark Budget. _

Chairman Malkin said he would like a letter to be sent that Rob Hannemann (FinCom chairman) suggested. This letter would state that this administrative cost be part of each entities budget. That way we can see how much it is for each entity. Mr. Doty said we now have 3 or 4 special Social Services that are under the umbrella of the Martha's Vineyard Community Services. Mr. Doty said Healthy Aging and First Stop. Mr. Carroll said they are contracted with Dukes County to provide the First Stop service. Mr. Rossi said he believes all of these budgets have been reduced because the management of Community Services has been streamlining a lot of these programs. Mr. Rossi said we are also asked to approve a stabilization fund of \$200,000.00. These are funds they are requesting to hold rather than return to the towns.

Review of STM Articles - Plan of Actions:

Mr. Doty recommended reading the articles one at a time and have a plan of action for each.

Article 1. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$5,905.60** to fund the following bills of the prior fiscal year:

Mr. Doty said the Accountant will put these onto the next expense warrant.

Article 2. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$24,000.00** to fund a three month overlap in staff for training the new Harbor Master, including costs incidental and relative thereto:

Mr. Doty said we discussed the action process earlier tonight Mr. Rossi said he is happy that this was approved for setting up our new hire

Article 3. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$5,000.00** to fund a one month overlap in staff for training the new Fire Chief, including costs incidental and relative thereto:

Mr. Doty said this is the same kind of plan for a new Fire Chief. Mr. Doty said we need to refine the process for hiring a new Fire Chief a bit more. Chairman Malkin asked Mr. Carroll to write the process they have discussed about the new Harbormaster process and to send a copy of it to Don Leopold and Chief Norton. Chairman Malkin asked that Tim state in letter that the Selectmen would like them to have a procedure to hire new Fire Chief for the December 4th Selectmen's meeting. Mr. Carroll said in the agenda packet is the HRB instructions for this process. Mr. Carroll said he will include that in the letter to Mr. Leopold and Chief Norton.

Article 4. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$6,000.00** to fund three months of temporary custodial staff, including costs incidental and relative thereto: This item was indefinitely postponed on the town floor.

Mr. Carroll said an unnamed employee with a healthcare issue will be doing something different than originally proposed. Mr. Carroll said it will be a three month process of something different. Mr. Carroll said if the different process doesn't work for the employee he estimates we could carry the expense for a month or two from the Selectmen's maintenance line until the ATM for a warrant article.

Article 5 To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$3,000.00** to fund the replacement of two cellar bulkhead doors, including costs incidental and relative thereto: Mr. Doty said Rodney Bunker will take care of this article.

Article 6. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$5,000.00** to replace two septic injector/grinder pumps at the Town Hall, including costs incidental and relative thereto: Mr. Doty said this also is something Rodney Bunker will take care of.

Article 7. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$11,000.00** to reconstruct a Tea Lane culvert and catch basin near 139 Tea Lane, including costs incidental and relative thereto:

Mr. Doty asked if this could get completed in the next month. Mr. Carroll said we could try. We have a quote from DECA to complete this project. Chairman Malkin and Mr. Rossi also advised to get this done sooner than later.

Article 8. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$8,500.00** to refinish the wood floors in the Free Public Library, including costs incidental and relative thereto.

Article 9. 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 Historic Resources the sum of **\$4,000.00** for the Library Trustees to restore the wood flooring in the original Library building circa 1790-1820. This building was moved to the present site around 1950. It was obtained from the estate of Katy West, the last member of Chilmark's historic deaf community:

Mr. Doty said both articles 8 & 9 are for the Library floor. Mr. Carroll said Ms. Hierta will be in charge of the historical part and Mr. Bunker will oversee organizing the rest of the projects.

Article 10. 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 Community Housing the sum of **\$100,000.00** to replenish Chilmark's rent subsidy program. This program has been in existence since 2002 and managed by the Dukes County Regional Housing Authority and the Housing Committee, and to transfer \$100,000 from the Community Preservation Undesignated Reserve Fund to the Affordable Housing Reserve Fund to fund this appropriation: Mr. Doty said this is funds for affordable housing.

Article 11. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$25,000.00**, to be added to amounts from the Fire Department Gift Fund, to purchase a replacement for the utility vehicle, including costs incidental and relative thereto:

Mr. Carroll said in today's expense warrant Selectmen transferred \$6,000.00 as partial payment from the fire department gift fund. The remaining \$25,000.00 will cover the purchase and upgrades the fire vehicle will need (hoses & nozzles, painted white).

Article 12. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$15,000.00**, to be added to amounts of Annual Town Meeting 2016 Article 16 "to construct a dirt parking area North of the Comfort Station" and a bus turn-around, including costs incidental and relative thereto:

Mr. Carroll said this was recorded at the registry of deeds by the engineer today. Mr. Carroll said John Keene Excavation is on standby to start. Selectmen directed Mr. Carroll to contact John Keene Excavation to get this going and completed.

Article 13. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$22,000.00**, to construct a pedestrian walkway and retaining wall on Basin Road, including costs incidental and relative thereto:

Mr. Doty said this is the walkway on the DiMaura property. Mr. Carroll said we have to go to the Conservation Commission for order of conditions for the next step in this project. Mr. Carroll has been notified that the land donors are asking for a reimbursement of the expenses the donation has caused. Mr. Carroll said this could be in the neighborhood of \$20,000.00. Chairman Malkin directed Mr. Carroll to be sure this be on the ConCom agenda immediately. Mr. Carroll said the stonewall draft plan needs completion as well.

Article 14. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$27,000.00**, to construct a pedestrian walkway and retaining wall on North Road, including costs incidental and relative thereto:

Mr. Doty said article 14 has been discussed.

Article 15. To see if the Town will vote to appropriate from available funds in the treasury the sum of **\$15,000.00** to create a design and layout of municipal uses (Shellfish Department, Highway Department, Fire Department Training Area, & Storage Area for Commercial Fishermen) on parcel 013-035-00, including costs incidental and relative thereto:

Mr. Doty said this is the 8 acres behind the landfill and asked how we move forward with this project. Mr. Carroll said he hoped to talk to the Martha's Vineyard Commission and have one of their land use planners work with us.

Project Updates:

Some of these items have already been discussed tonight. Mr. Carroll said the Fire Station and 4 North Ridge Rd property still need discussion on updates. Chairman Malkin said Emmitt Carroll has approached the town about selling his parcel to the town. Chairman Malkin requested to pursue this possibility. Mr. Rossi recommended moving this discussion into Executive Session. Selectmen will schedule an Executive Session next week to discuss the land acquisition.

Mr. Carroll asked if he is moving forward with the Fire Station with the ConCom. Selectmen advised to put that action off for now.

Paving Projects:

Chairman Malkin said the paving we had discussed to have this fall will be postponed to the first 2 weeks of May 2019. Mr. Carroll said we have scheduled this project with the asphalt company and will work out the cost and possibly have an April 2019 Annual Town Meeting warrant.

Harbor Electrical IFB:

Mr. Carroll said we received a single bid and it was over the estimated cost of the project. \$333,014.00 Mr. Carroll said some of that figure was specifications the vender the bidder used included items outside of the scope of the project. Mr. Carroll said the bidder was unable to get new numbers in time for the bid deadline. Mr. Carroll said the bid was missing the 5% bid bond. Mr.

Carroll said this single bid was rejected. Mr. Carroll will re post this project with the central register November 21, 2019 and re advertise as well. Mr. Doty stressed this be worked on immediately.

Chairman Malkin said on the topic of electrical an item the Harbor Advisory Committee keeps bringing up is the electrical service to there is dramatically leaning pole in front of one of the fish sheds (Everett's). Mr. Carroll said we could have Eversource go and look at it.

Planning Board: Zoning Bylaw amendment Green Communities / as-of-right solar:

Mr. Carroll said Mr. Hannemann is in a meeting down stairs and will be coming up to discuss this item. Mr. Carroll said on the topic of zoning bylaws there are two items that were sent to us and are in limbo: 1.) guesthouse report 2.) Swimming pools. Mr. Carroll said the Planning Board and the ZBA have had competing rules plus the public wanted to make comments. Mr. Carroll said the process is you folks (Selectmen) receive a request and send it on to the Planning Board. Then the Planning Board does its thing with the ZBA and with the public. Mr. Carroll said if you (selectmen) don't send the three items back they will not be able to be on the Annual Town Meeting Warrant.

Mr. Doty said for the Guesthouse report it was just that nothing more. Mr. Doty said the Planning Board has not decided what they want to do they have only submitted a report. Mr. Carroll said that is true that is the case on both items. Chairman Malkin said there was a citizen initiative on the ballot to increase guesthouse size from 800 feet to 1200 and at the town meeting this was withdrawn. Chairman Malkin said we asked the Planning Board to do some research on this so residents had some solid information before asking to vote. Chairman Malkin recommended requesting that at the Planning Boards next meeting they address if they would recommend action on this report to change the bylaws on guesthouses. Mr. Doty said that is what we want from the Planning Board weather or not it misses the deadline.

Mr. Rossi said we have not gotten anything that requests either of these to be on the Annual Town Meeting Warrant. Mr. Carroll said the ZBA sent you their draft 2 meeting ago and did not follow up because the Planning Board had a different version. Mr. Carroll said so it was sent to you from a board before the deadline. Mr. Doty said we are not ready yet to move ahead. What we expect is the ZBA and the Planning board to resolve their questions and draft the right wording for a bylaw then we (Selectmen) will consider it.

Green Communities as-of-rights solar:

Chairman Malkin recognized Mr. Hannemann for this discussion. Mr. Hannemann said the process we go through for the Green Communities application requires us to have at least a parcel of land zoned as an as-of-right zoning for renewable energy. Mr. Hannemann said Solar PV is by far the most prominent. Mr. Hannemann said the draft you have in front of you would designate as small as 1 ½ acers and as large as we choose to make it. Mr. Doty said the draft we have lacks a specific definition of boundaries and the specific setbacks and specific area.

Mr. Doty asked how we move ahead to fill that in. Mr. Hannemann said the setbacks need to be determined by the Planning Board. Chairman Malkin said the blank of where we will put the as-of-rights solar for example the landfill; we can then change it at a later date no? Mr. Hannemann said yes that it can be changed over time.

Mr. Carroll said it would go through the ZBA process and then a 2/3 vote. Mr. Rossi recommended restricting the as-of-rights to solar installations. Mr. Hannemann said that is in the draft you have in front of you tonight. Mr. Rossi said there is over 1 ½ acers at the landfill the question is there capacity for additional solar PV. Mr. Carroll said the question about capacity is whether it would be able to feed into the grid and we were told that did not matter as part of the zoning. Mr. Rossi said he has had some emails come to him asking about unintended consequences. Mr. Doty said we have experience with the solar array that is already at the landfill.

Chairman Malkin recommended sighting this on the landfill for now as we can change it later if necessary but to get the process moving. Mr. Doty said then let's put into the bylaw draft the address of the landfill and then send it back to the Planning Board to schedule for public hearings. Mr. Carroll said we are in the process of applying for a permit to put a parking lot on the remainder of the grass at the top of the landfill. Mr. Carroll asked should we include the 2 parcels out front that are part of the Middle Line Road purchase or 1 of them as part of the area for solar or just the landfill lot knowing we already have a plan for it. Mr. Doty moved to list the landfill as the area for the as-of-rights. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Harbor Admin. Asst. -recommendation:

Chairman Malkin said we have a recommendation from our Harbormaster to appoint Tamar Rogers as a permanent employee and to pay as a step 2 retroactively to July 1, 2018. Chairman Malkin said this was brought to the employee representative on the HRB Chuck Hodgkinson and to the Chairman of the HRB Jenny Greene and they are comfortable with this and recommend that we do so.

Mr. Doty asked when we appoint a new harbormaster do we want to give the new harbormaster any say who his/her staff will be. Chairman Malkin said defiantly as far as the Assistant Harbormasters Assistant Wharfinger. As far as the administrative assistant we have a person who has been a probationary person who has run past their probation period. Mr. Carroll said Selectmen have received legal advice on this in the past and the recommendation is to terminate the employee and then hire them back right away

to start the probation period again. Mr. Doty said he brought it up because the new harbormaster might want some say in their administrative assistant employee.

Mr. Doty moved to appoint Tamar Rogers as a permanent employee and to retroactively raise 1 step as of July 1, 2018. Mr. Rossi seconded the motion.

SO VOTED: 3 Ayes

At 6:53 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.

Document list:

- Draft Selectmen minutes from 11/6/18 & 10/31/18
- Newspaper posting of public hearing for allocating the local tax levy among the 5 property classes for FY19
- Report from UTOF to increase CCC rental fees
- MVC report - study on stop signs at Basin and North Road
- State legislation on short term rentals
- HRB Procedure manual excerpt of recruitment and hiring employee as department heads
- Request from County manager for 5% increase for administrative support for Social Services
- Draft as-of-rights for renewable energy for Green Community status.
- Harbormaster recommendation for permanent employee status for Administrative Assistant with retro step increase for July1, 2018
- 2 Notice of public hearing2 from DPU
- Notice from Dukes County Sheriff meeting Dec 5, 2018 - RE 911 system strategic planning
- Board of Health recommendation on water bottle fill station for the CCC
- ZBA decisions for October and agendas for Nov.