

Selectmen's Meeting Minutes 12/04/18

Chilmark Board of Selectmen December 4, 2018 Meeting Minutes

Present: Chairman James Malkin, Warren Doty, Bill Rossi. Others: Tim Carroll, Peter Cook, Clark Goff, Police Chief Jonathan Klarèn, Nan Doty, Linda Thompson, Linda Coutinho, Pam Bunker, Everett Poole, Diane Smith, Jane Slater, Larissa Rich, Marie Larsen, Sally Cook, Janet Weidner, Darren Morris and another member of Vineyard Transit Authority. There were late arrivals of Deb Packer and Joan Malkin. News reporters Landry Harlan, Rich Saltzberg and videographer Lynn Christoffers.

Minutes:

Draft minutes from Selectmen's November 20, 2018 meeting were reviewed. Mr. Doty moved to approve minutes as written. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Joint Meeting with Cemetery Commission

Cemetery Commission - election to fill vacancy:

Chairman Malkin said we have a vacancy due to the death of Harriett Otteson. We have two people who are interested in being elected to fill this position: Judith Flanders and Max McCreery. Chairman Malkin recommended nominating Judith Flanders as a Cemetery Commissioner and to nominate Max McCreery as an alternate member. Mr. Rossi said McCreery if elected would be a non-voting member. Chairman Malkin said just like we have alternates on the Zoning Board of Appeals.

Mr. Doty said he worked with Judy (Judith Flanders) quite a bit on the School Affairs Council and is very impressed with her ability to contribute and her attendance record. Mr. Doty said Ms. Flanders would be a very valuable member to the Cemetery Commission. Mr. Doty nominated Judith Flanders as member to the Cemetery Commission. Mr. Carroll asked if nominations were complete. All present confirmed nominations were complete. All in favor of Judith Flanders to fill the vacated seat; **5 Ayes (BOS: 3 Cemetery: 2)**

Zoning Bylaw - Swimming Pools:

Mr. Carroll said that the Planning Board has submitted an amendment to the Swimming pool bylaw and the Selectmen have 16 days to return it to them. Mr. Carroll said the Planning Board has already advertised for a public hearing.

Mr. Doty asked what was new compared to what was already there. Mr. Rossi said it is the child safety precautions with fencing requirements. Janet Weidner of the Planning Board said the Planning Board has been working back and forth with the ZBA who also had suggestions and from the meetings we have a draft that considers both board's recommendations. Ms. Weidner confirmed that there is a public hearing advertised for December 17, 2018. Mr. Doty said this is all in preparation to have a vote at Annual Town Meeting. Ms. Weidner said it may take till January to have the final warrant together and hoped that that would be ok. Mr. Rossi asked that the new changes be highlighted for ease of understanding.

Mr. Doty asked if the new proposed bylaw required an automated pool cover and asked if it will allow for a hand crank cover. Ms. Weidner said it will have to be automated. Mr. Doty asked why we have a 2 year ownership requirement before a swimming pool permit is allowed. Ms. Weidner said that it is in the same spirit as the 5 year waiting for a guest house to slow development down.

Mr. Doty moved to send this back to the Planning Board for public hearings. Mr. Rossi seconded the motion.

SO VOTED: 3 Ayes

Menemsha Cross Road - Drainage

Mr. Carroll said our engineer visited with Mr. Doty and me and suggested we get on this before winter. Kent Healy (the engineer) gave another copy of his recommended plan that he gave to the town back in the spring of 2018. Mr. Carroll said Keith Emin (Highway Superintendent) is calling a contractor tonight and hopefully next week we will have an idea of pricing for the work. Mr. Carroll said he has contacted engineer to get a quick site plan that shows the starting points and where in relation to the road the project will be.

Mr. Doty said after a great deal of heavy rain there is quite a lot of water that does not drain from the road in front of Church on the Menemsha Cross Road. When this happens during the winter it can become a sheet of ice, and a driving hazard. Mr. Carroll said he would share the project plans with Clark Goff and the Chilmark Church once he receives them. Mr. Goff said he was concerned about the oak tree out front of the Church. Marie Larsen spoke about the water on Menemsha Cross Road. Mr. Carroll said this year there is an additional problem from the old Cottle lot that dumps water onto the roadway; though it is not part of this fix. Chairman Malkin said we will have the updates and figures to move forward with this at the Selectmen's next meeting.

4 North Ridge Road - Update:

Mr. Rossi said he spoke with Reid Sylva today and we expect everything to be completely ready with National Heritage filing by mid-January.

Community Center - Fees:

Chairman Malkin said we received a report from the Chairman of the Chilmark Community Center Advisory Committee (Nan Doty) about the fee recommendations. Chairman Malkin said he would like time to review this recommendation and asked to table discussion till the Selectmen are meeting.

Selectmen discussed changing the regular meeting date and time for their next meeting in December. Selectmen set the date to be Monday December 17, 2018 at 3:00 PM.

Harbor - IFB Electrical work updates:

Mr. Carroll said we are waiting to hear back from the engineer and wiring inspector about a value engineering of the project. Mr. Carroll said the single bid we received came in at almost \$100,000.00 over the original estimate. Mr. Carroll said if we can't bring this down to the budget we should talk about revisiting surface-mount wiring system instead of a buried wiring system. We can save \$100,000.00 if we don't bury the system. Mr. Carroll said the reasoning for burying the system was to make it future proof because we have to rebuild the bulkhead at some point.

Chairman Malkin shared his frustration in the process of getting this project done. Mr. Carroll said we will either have revised engineer's plans that will bring the cost down to our budget or we need to have a serious conversation with our code enforcement officer about whether he will or will not accept conduits mounted on the face of the bulkhead. Mr. Carroll said that conduits mounted on the face of the bulkhead are common in many other places.

Mr. Carroll said he expects to have a report from Cole Powers our electrical inspector and Vincent DiIorio the electrical engineer by Thursday morning to release the new specs to advertise for bids.

Tax Rate & Estimated Revenue - Updates:

Mr. Carroll said we have gotten certification from the State; the Assessor's office is working on the updates necessary to do the commitment to the Tax Collector. Mr. Carroll said it looks like the Assessors will get in the commitment earliest in our history.

December 18 Meeting starts at 3:00 PM:

Chairman Malkin said we discussed this earlier to be changed to Monday December 17, 2018 at 3:00 PM.

Draft list of Offices for the Annual Town Meeting: __

Chairman Malkin said make note to all who would like to submit for nomination papers the deadline is Wednesday March 6, 2019 by 5:00 PM.

Draft list of positions that are up for election for is available on Selectmen's agenda web page:

http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2018/12042018/index

Correspondence:

Chairman Malkin said in our correspondence he would make a note that the correspondence related to the bus turnaround acknowledges we have received letters. Chairman Malkin said we received another letter requesting for the bus turnaround to be on the Selectmen's next agenda. Chairman Malkin said we will put this on the agenda.

Chairman Malkin said the bus turnaround is part of the process the Planning Board and subcommittee went through for two years with a number of public hearings. Chairman Malkin said professional outside consultants were utilized along with traffic engineers. Selectmen received recommendation from the Planning Board and Selectmen voted and accepted the recommendation. This was then brought to Annual Town Meeting with a vote to proceed with this project. Chairman Malkin said we can talk next week about this project but it is going forward. We will meet 2 conditions from the ConCom:

- Notify the ConCom that we are not proceeding with the anything in the shell-parking lot.
- There is fishing gear in the area that will be removed.

Chairman Malkin asked if there was anything else for discussion.

Budget FY20 - Update:

Mr. Carroll said the worksheets have been sent out to all departments for the budget. Mr. Carroll said to the Selectmen if they are working with a department he will get them a copy. Mr. Carroll said the plan is to have all draft budgets submitted by January 3, 2019 from all the departments.

Community Center - Cold climate heat pump update:

Mr. Doty asked for an update on the latest work towards this project. Mr. Carroll said he met with an engineer today at the Center. Mr. Carroll said there was discussion of match-cost program for a heating - cooling. Mr. Carroll said that the size of the room at the CCC is a challenge for this system. Mr. Carroll noted that at this time we have no outside air-make-up. Mr. Carroll also said as a public assembly area it has some code issues; fresh air requirements per person per square footage. Mr. Doty recommended pushing this project forward with Cape Light Compact and a contractor to get this done this winter. Mr. Carroll said we are

expecting to have this installed by May 2019. Mr. Rossi said quite a few people in our community have talked to him about the need to get air conditioning for the Community Center as it was uncomfortable this past summer.

Mr. Carroll clarified that this project is not free we need to appropriate ½ of the cost. Mr. Carroll said waiting for a warrant at Annual Town Meeting to fund this project would push this back too far to have completed in time for the coming summer. Mr. Doty requested we get an estimate for the cost of the project and figure out how to make it happen.

Ride-Share (Uber/Lift etc...) - State funds:

Mr. Carroll said we have received money from the State regarding ride-share services. Mr. Carroll reported last fiscal year there was 1,241 Uber -like rides that originated in Chilmark so we received \$124.10. Mr. Carroll said the State is inquiring what we are doing with the funds. Mr. Carroll said we are banking the funds to a future time. Mr. Carroll said this was decided because it's a pretty small number and it also can't be spent without Town Meeting approval.

Pool Bylaw amendments - questions:

Chairman Malkin said he believes there are people with questions tonight about the pool bylaw proposals. Ms. Malkin said there were 8 changes Ms. Malkin gave a synopsis of the major changes:

- Addition that states anyone applying for pool permit must follow up to date State codes
- Clear line of view from well used room in the house not just an electric monitor
- Pool cover to be a retractable & fully automated
- Pool fencing and accessories needing to be 50 feet away from neighboring property.

Unless ZBA determines otherwise

Ms. Malkin said there are other changes she cannot recall without previously being asked to be prepared to answer at this meeting but they all relate to increased safety. Ms. Malkin said Jennifer Christy the Administrative Assistant to the Planning Board has a copy available to review.

Mr. Carroll said the documents are available at the Town Clerks desk for public examination. Mr. Rossi thanked Ms. Malkin for her comments and efforts.

At 5:44 PM with no further items for discussion Mr. Rossi moved to adjourn. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Minutes respectfully submitted by Diana DeBlase. **Approved 12/18/18**

Document list:

- Draft minutes from Selectmen's November 20, 2018 meeting
- Draft Swimming Pool Bylaws amendments
- K. Healy plan for Menemsha Cross Rd drainage
- Draft CCCAC Fee recommendations
- Draft list of offices for the Annual Town Election
- Letters opposing Bus turnaround in Menemsha submitted by: Katie Carroll, Annette Cingle and Barbara Armstrong
- Cape Light Compact rates 11/30/2018
- Cape Light Compact Energy Efficiency Report - September 2018
- Invitation to MVTV holiday celebration 12/12/18 4-6PM
- Email correspondence on process of Harbor Boat determined to be surplus