

## Selectmen's Meeting Minutes 02/06/18

### Chilmark Board of Selectmen February 6, 2018 Meeting Minutes

**Present:** Chairman Bill Rossi, James Malkin and Warren Doty. Tim Carroll, Fire Chief David Norton, Gary Robinson, Chris Smith, Jeremy Bradshaw, Ann Bradshaw, Nancy Polucci, Linda Coutinho, Christina Colarusso, Everett Poole, Ben McCormick, Cybele Benton McCormick, Scott McDowell, Annette Cingle, Keona Chung, Joan Malkin, Jennie Greene, Police Chief Jonathan Klarèn, Melanie Becker and reporter Rich Saltzberg & Videographer

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

At 5:01 PM Chairman Rossi opened the public hearing

#### Application for victualler permit for Menemsha Deli:

Cybele Benton McCormick presented her plans to run the Menemsha Deli similar to the way it was run years ago when she worked there. Ms. McCormick said she intends to open at 7:30 AM and close by 4:00 PM. The goal is to be open by the end of April and stay open through the Derby, possible close date is November 1<sup>st</sup>. with no public comment Mr. Malkin moved to close the hearing. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Mr. Malkin moved to approve common victualler license for the Menemsha Deli as presented. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

#### Meet The Fleet:

Selectmen's office received a request by the Martha's Vineyard Fisherman Preservation Trust to hold the Meet the Fleet event again in August 2, 2018 from 4:00 PM - 7:00 PM. *For information about the event see link:*

[http://www.chilmarkma.gov/Pages/ChilmarkMA\\_SelectAgenda/2018/02062018/Meet%20the%20Fleet%20Letter%202018.pdf](http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2018/02062018/Meet%20the%20Fleet%20Letter%202018.pdf)

Mr. Doty moved to approve the Meet the Fleet event to be held Thursday August 2, 2018 in Menemsha. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

#### Special Municipal Employee - Rackemann, Sawyer & Brewster:

Mr. Carroll explained that Rackemann, Sawyer & Brewster are legal counsel for the Martha's Vineyard Commission they are involved in a special appeal to the town of Aquinnah. Ms. Malkin (Chilmark's MV Commissioner) explained that if action is made against the MVC working for our town they need to have this appointment. Mr. Malkin moved to appoint Rackemann, Sawyer & Brewster as Special Municipal Employees. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

#### Macy Lot - Meeting House Road Association (MHRA) letter:

Chairman Rossi said the town foreclosed on the property due to taxes last February. The MHRA has a lien of \$25,000.00 on the property for compounded interest on MHRA dues. The letter points out that the MHRA believes proper notice of the foreclosure was not given. Chairman Rossi said our attorneys Coppola & Coppola said it could go either way on whether the MHRA has a case. Chairman Rossi thought the \$25,000.00 figure is too much the back association dues are \$11,035.28. Chairman Rossi said MHRA is willing to take that amount when we liquidate this asset.

Chairman Rossi asked for a motion to accept the deal with the MHRA settling for \$11,035.28 of back dues for the property. Mr. Doty moved to approve that Chairman Rossi settle with this agreement with MHRA for \$11,035.28. Discussion about what will happen with lot and where funds should go ensued. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

#### Fire Chief - Stipend request:

Mr. Malkin said the Selectmen received from Christina Colarusso on Behalf of David Norton a worksheet of evaluation of Fire Chief's hours. Chief Norton explained his position was not considered during the wage compensation study and he believed the FinCom was an appropriate time to discuss an increase as Selectmen and FinCom could discuss the financial impact. Mr. Malkin said the appropriate time to address this is with the Selectmen and the Human Resource Board. Chief Norton discussed the added burden to his job since the last time the job position was reviewed.

Mr. Malkin said in 2007 there was a stipend set up for the Fire Chief by the Human Resource Board that talked about 22 hours. Since then you have had to work more than 22 hours; have you brought that to the attention of anyone so an increase could be planned? Chief Norton said he had not. Mr. Malkin said you are receiving a \$37,000.00 stipend but your compensation for 2017 was \$42,254.00 which includes inspection fees. Mr. Malkin said neither West Tisbury nor Aquinnah allow for the Chief to collect the inspection fees as we do in Chilmark. Chief Norton said if the Selectmen approve his requested amount he presented at the Joint FinCom Selectmen meeting he would turn the inspection fees over to the town rather than keep them.

Mr. Malkin said the last time the job description was evaluated was 2001. Mr. Malkin recommended asking Human Resources Board Chairman Jennie Greene to immediately re-evaluate the Job description for Chilmark Fire Chief Position. Chairman Rossi said none of this had been communicated to the Selectmen until now. Assorted members attending the meeting spoke of awareness of what Chief Norton does and how much other island chiefs make. Jeremy Bradshaw said three down island Fire Chiefs are paid over \$100,000.00 annually and the reason Aquinnah Chief is paid lower is he live out of town and the town pays for someone to respond to all calls that lives in town. Mr. Bradshaw said as for West Tisbury the Chief there requested not to make over a certain amount as his pension (from retiring from School Custodian) will not allow more.

Jennie Greene (HRB Chairman) said the job description needs to be reviewed immediately and then you should look at the stipend. Mr. Smith (firefighter) asked why if the Chief works full time why he is not put on the grade and step system with benefits. Mr. Malkin said we will assess whether this should be a stipend, a contract or a grade and step after the job description is reviewed and updated. Mr. Malkin recommended a Selectman be a liaison fire department like he is for the Harbor department. Mr. Doty said the Selectmen have heard from the fire department members and will work towards an appropriate compensation for our Fire Chief within the next few weeks.

Ms. Greene stated for the record that there are three down island towns where the fire chiefs are also the EMT Chief so that's an entirely different job.

Ms. Greene said she would start this work Thursday 2/8/18. Mr. Carroll asked for clarity on the process that will be taken. Mr. Doty said Ms. Greene (Chairman of HRB) will work with the Fire Chief and a committee of her choice.

#### Adequate State Funding for Dukes County Sheriff's RECC:

Mr. Carroll said you (Selectmen) were going to propose language to send to other Island Selectmen. Mr. Malkin proposed that the Selectmen send a letter to the other Boards of Selectmen saying:

The Town of Chilmark will be sending the following to our State Representative and we request that you join in signing the letter.

Dylan Fernandes and Julian Sayer,

Dukes County Sheriff has requested that the towns of Martha's Vineyard provide some \$800,000.00 for maintenance and upgrades of the ComCenter infrastructure. This money in the past has been covered by the Commonwealth as part of the operating budget of the Sheriff's Department. We request your assistance in having this money covered in the State's supplemental budget as is the practice of the Sheriff's budget across the Commonwealth.

Mr. Doty moved to send these letters. Chairman Rossi seconded the motion.

**SO VOTED: 3 Ayes**

#### Sheriff's Petition for Warrant Article:

Chairman Rossi acknowledged receiving the signed petition from the Sheriff and confirmed it will be on the list of Warrant Articles for the Annual Town Meeting in April.

#### Executive Secretary - Contract Update:

Mr. Doty (Selectmen designated to negotiate with ExecSec on contract) said we have a draft of a contract though it was left at home. Mr. Doty said he would like the other two Selectmen to read this latest draft and have a response. Chairman Rossi and Mr. Malkin will review the latest draft February 7, 2018.

#### Pole Grant - Squibnocket Road:

Mr. Carroll said having this on the agenda is just a heads up as we have advertised for a public hearing to be held at the February 20<sup>th</sup> Selectmen meeting. Mr. Carroll said the three abutters have said they will oppose the proposal for the pole location. Mr. Carroll said he put them (abutters) into contact with the engineers for the developer and all parties involved. Discussion ensued about the pole being located at the area where one already exists. This will be discussed with possible revisions at the hearing on the 20<sup>th</sup>.

#### Community Compact:

Mr. Carroll said the Martha's Vineyard Commission has secured a Community Compact Grant for 100,000.00 and the State wanted us to join in on that grant. Joan Malkin spoke about the grant to hire an engineer who would work on regional projects.

The projects would range from; sidewalks, bike paths, roads, bridges and particularly to work with the Joint Transportation Committee. Ms. Malkin said there is no cost to the town to join in this project. Mr. Carroll said the only downside of signing on to

this grant project is we would not be able to apply again for two years if there was a grant we wanted. Mr. Malkin moved to join in this Community Compact project. Mr. Doty seconded. **SO VOTED: 3 Ayes**

Fire station update- survey & testing:

Mr. Carroll said he spoke with Pacheco Ross architectural engineers and the office has started in on the feasibility study the Selectmen asked for. Mr. Doty explained to the fire department members present at the meeting what the Selectmen asked for the architects to work on. The plan is to work in the area of the Town Hall parking lot. Mr. Carroll said the proposal estimated 5 to 6 weeks to have the new plans. Mr. Malkin asked if we like the proposal can we call for a Special Town Meeting to ask for funding in late spring. Mr. Carroll said that was doable, it takes three weeks to call a Special Town Meeting. Mr. Carroll said often we would hold a Special the same night as the Annual Town Meeting.

Mr. Carroll discussed the hazardous materials survey that was requested by the Chairman of the existing Menemsha Cross Road Fire station. Mr. Carroll read allowed quotes from companies to conduct that work. Discussion ensued about what company to hire and what kind of work will be done. Mr. Malkin recommended to Chief Norton to have a contingency plan if the materials of the existing fire station are considered too hazardous to occupy the building. Mr. Carroll said Chief Norton already submitted recommendations about a contingency.

Mr. Malkin moved to request Executive Secretary check the proposals and the companies and work with Chairman Rossi to hire one of the companies that have sent quotes. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Mr. Carroll distributed the Land Bank Middle Line Road trail agreement that the Selectmen approved at a previous meeting for them to sign. *Document was signed.*

US Fish & Wildlife - jumpstart Eastern Cottontail Rabbits population:

Mr. Doty moved to endorse the proposal from the Fish & Wildlife to populate Nomans Land Island. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Harbor -Staffing & Project Updates:

Mr. Malkin said tomorrow he will be interviewing applicants for the administrative assistant position. Mr. Carroll said we have also received some other seasonal applications for other harbor positions. Mr. Carroll said as for electrical engineer work we received a third engineer that has expressed interest. Mr. Carroll said they are (electrical engineer) coming Friday in Menemsha. Chairman Rossi will join the Executive Secretary, Harbormaster Jason and Mr. Andresen in Menemsha Harbor to meet the engineer.

Mr. Carroll said he advertised the 42 Pilings project and 12 vendors have expressed interest.

Mr. Carroll said the State posting requirements have changed the deadline for these bids and this will be an addendum to change the bid due date to February 15, at noon. Mr. Doty said he would be available to process the bid opening for the 42 pilings bids.

Chilmark Community Center - Windbreak Update:

Chairman Rossi said he spoke with Tom Burk the contractor on this project and they are working to finish this project. There is external lighting they are waiting for them to arrive and will install them when they arrive. An electrical upgrade is also needed to be completed. Mr. Carroll said the mice stripped the insulation off one of the main feeds to the Center and that needs to be fixed.

Mr. Doty said this project looks very good and he is happy we are almost finished. Mr. Malkin agreed that it looks very nice.

At 6:22 PM with no further agenda items Mr. Malkin moved to adjourn. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Minutes respectfully submitted by Diana DeBlase **Approved 3/06/2018**

Document list:

- Common Victualler application documents from Cybele Benton McCormick for the proposed Menemsha Deli
- Letter from MV Fisheries Preservation Trust requesting to hold annual Meet the Fleet
- Document for Selectmen to approve to appoint MVC legal counsel Special Municipal Employees
- Letter from Meeting House Road Association re: Macy Lot and back dues
- Petition with Chilmark voter signatures

- Draft engineering plans from Eversource for pole at Squibnocket
- Project description of US Fish & Wildlife - jumpstart Eastern Cottontail Rabbits population
- MV Land Bank MLR trail permit document
- Xfinity Municipal Emergency Reporting Procedure reminder
- Letter from Chilmark ConCom RE: Vanderhoop - Aquinnah Lot F Special Conditions report
- Cape Light Compact Energy Efficiency Program report