

### **Chilmark Board of Selectmen September 3, 2019 Meeting Minutes**

**Present:** Chairman Warren Doty, Bill Rossi and James Malkin. Others: Tim Carroll, Police Chief Jonathan Klarén, Fire Chief Jeremy Bradshaw, Rodney Bunker, Vicky Divoll, Gary Robinson, Wendy Wolf, Christina Colarusso, Clark Goff, Rob Hannemann, Jennie Greene, Melanie Becker, News reporters: Will Senet and Rich Saltzberg. MVTV videographer Lynn Christoffers

#### **Minutes:**

Draft minutes from Selectmen's August 20 meeting were reviewed. Corrections were made. Mr. Malkin moved to approve minutes as corrected. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes**

#### **Animal Control Officer (ACO):**

Mr. Carroll said the ACO has been attending off island training to get the basic qualifications. Mr. Carroll said the State has a trust that pays for the training and so they are requiring more and more training. Mr. Carroll said our ACO does not feel that the additional training is necessary for Chilmark or appropriate. Mr. Carroll said the Assistant ACO who is very minimally employed by Chilmark has not attended the training at all. Mr. Carroll explained it would be a yearlong commitment. Mr. Carroll said there is concern that the Assistant and possibly the ACO would resign as they do not have the time to go off island for the training. The Assistant ACO is a fulltime farmer with dairy cattle.

Chairman Doty said as a board let us assert that our ACO Chris Murphy and his Assistant ACO Allen Healy continue with the work that they do for the town at the level they are trained at.

Mr. Malkin moved to endorse the status quo of our ACO and Assistant ACO. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

#### **4 North Ridge Road- Use restriction, Auction or RFP, Schedule:**

Chairman Doty said we will review the process for liquidating our asset of 4 North Ridge Rd (just off Meeting House Road). There has been discussion on whether this should be liquidated through auction or request for bids. Mr. Rossi said we had always intended to auction.

Mr. Rossi said we agreed when we settled with the Meeting House Road Association, they agreed they would not dispute or challenge the foreclosing. Mr. Rossi said there are a few lawyers in that subdivision and they would have prolonged the whole process. Mr. Rossi said we would agree to the Road Association regulations and protective covenants of the Meeting House Road Association. Mr. Rossi said we also agreed to pay the back Meeting House Road Association dues in the amount of \$10,000.00 once we have sold the property.

Mr. Rossi said comparing the auctioning or bids through declaration of land surplus in his opinion the auction process is better. Mr. Malkin said we did agree to the covenants and that limits the property to a single family dwelling. Mr. Malkin said his understanding is that we would maximize the amount of money we could get for the sale of 4 North Ridge and put the funds to future affordable housing projects in Chilmark. Wendy Wolf identified herself as a summer resident for 20 years and said she is thrilled to hear the Selectmen are exploring affordable housing for Chilmark. Ms. Wolf said she supported the funds from the sale of property go into the Molly Flender Housing Trust.

Chairman Doty said the property at 4 N. Ridge Road is assessed at \$ 642,100.00 and we will require at least that amount to release the property. The back taxes of about \$90,000.00 will go to the Chilmark general fund. \$10,000.00 will go to the Meeting House Road Association to satisfy the agreement of back association dues. The remaining funds will be put into the Molly Flender Housing Trust.

#### 4 North Ridge Road Continued...

Chairman Doty said the Board of Selectmen appointed Melanie Becker the Town Treasurer the custodian for this process of the 4 North Ridge Road property. Ms. Becker said she is in the process of reviewing qualifications of a few auctioneers in Massachusetts. Ms. Becker said once she has all of the information she has requested she will meet with Selectman Rossi and Town Administrator Carroll to move this process forward toward selecting an auctioneer.

Mr. Malkin moved to direct our custodian (Ms. Becker) to put 4 North Ridge Road property out to auction. Ms. Wolf asked if the proceeds have been voted to be put towards affordable housing. Mr. Malkin said we intend to get as much money as possible for this property and will be putting the proceeds towards housings; could be affordable, community housing or workforce housing. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

#### Web site - New platform, transfer of assignment, creation of stipend to manage:

Mr. Carroll explained that we were told back in January that come April we would need to go with a new service. Mr. Carroll said the company we had offered to help transition to the new platform and informed us the old system would be turned off at the end of August. Mr. Carroll described the problems with transition and lack of training for the new platform and the need to have a web manager. Mr. Carroll said our previous web manager no longer was willing to continue with the job. Mr. Carroll said we have worked out a possible plan to assign the task of the web site posting to the Town Clerk who has expressed interest in doing so. Chairman Doty said he spoke with the Town Clerk and she is very good at getting the information organized and posted in the proper format for clear and concise public access.

Mr. Carroll said the Treasurer pointed out that we pay the Conservation Officer a stipend for the duties in addition to the 40 hours already worked in their week. Mr. Carroll said this would work but we need to come up with the funding for the stipend. Mr. Carroll said the figure we came up with that allowed for about 4 hours a week is \$10,000.00 per year. Mr. Rossi recommended a warrant article at Special Town Meeting. Mr. Carroll said in the meantime we will need funds and to assign the duties of the position unless we have each department manage their own posting to web site. Chairman Doty and Mr. Malkin said that individuals posting would be a mistake.

Mr. Carroll said the Town Clerk is willing to take this on for \$10,000.00 for this year and to re assess annually. Mr. Malkin moved to divide the \$10,000.00 up by 12 months and pay monthly. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Chairman Doty requested divert agenda sequence and talk with the Fire Chief to hear his report.

#### Fire Chief - August monthly report:

Fire Chief Bradshaw said he was getting stuff done. Chief Bradshaw distributed a written report and gave some narrative.

- Fire department is working on water sources: on Middle Road the department will utilized the Tiasquam water source.

Squibnocket area they are actively seeking water sources. The location is very difficult to shuttle water tankers.

- Recruitment of firefighters: previous personnel are committing to returning to the department *Automatic fire alarm sounded and Chief Bradshaw and firefighter Colarusso left to respond to call.*

### Martha's Vineyard Regional High School - Funding Scenarios:

Mr. Malkin said there have been some all island Finance Committee meetings that have the funding formula as an agenda item. The driving force of this seems to be the town of Oak Bluffs which has a very different demographic than Chilmark. Oak Bluffs has considerably more students attending the High School than Chilmark. Mr. Malkin referred to some figures (included in the agenda packet) that were generated by the Edgartown Town Administrator. The headline information from this is the cost per pupil figure of \$29,000 is what each town pays now per pupil. The proposal from Oak Bluffs would change Chilmark's cost to \$144,598.00 per pupil. If we went with a 50 / 50 formula, cost to Chilmark would be \$93,577.00 per pupil. Capital equivalency per pupil cost to Chilmark would be \$75,000.00. Mr. Malkin said we cannot expect our sister towns to think Chilmark would pay those prices.

Mr. Malkin requested that the High School building safety concerns be evaluated and addressed by the administration and school committee and they get put into the budget to be addressed by the towns to fund them.

Vicky Divoll of the Chilmark Finance Committee said she wanted to call to the attention of the Selectmen that the meetings have been rambling with no chairman or orderly agenda followed. Ms. Divoll said she has asked a number of times what is unfair about the current funding formula and has not received an answer to date. Ms. Divoll said at the end of the last All Island FinCom meeting it was clear that Oak Bluffs has voted no for the feasibility study for the High School and no for funding of High School under the current formula. Ms. Divoll said the school administration has said we are in danger of losing \$40,000,000.00 from the State that would go to the new High School if we don't do the feasibility study by December of this year. Ms. Divoll said there was discussion of Oak Bluffs going back to their Town Meeting with a vote to move forward with the feasibility study as 5 other Island towns already supported study. Ms. Divoll said Oak Bluffs is requesting a good faith commitment from the other 5 island towns Board of Selectmen that they will move forward after the feasibility study to re do the formula for everyone.

Mr. Malkin said if there are safety issues with the Regional High School they need to be put into the budget for each town to approve and the funding formula is something else entirely.

Chairman Doty said looking at the enrollment chart of Martha's Vineyard High School we have the following data:

- Aquinnah 12 students.
- Chilmark 30 students
- Edgartown 174 students
- Oak Bluffs 178 students
- Tisbury 181 students
- West Tisbury 84 students

Mr. Malkin said about the \$40,000,000 at risk from the State. Something that happened at the Tisbury discussion was that Tisbury wanted the State money but there are certain requirements to get the money. These requirements come with additional costs and plans that the community might not support.

Chairman Doty said Chilmark is not committing to any changes in the funding formula at this time.

Mr. Hannemann said the All Island Finance Committee is not a government entity. Mr. Hannemann said from these meetings he has yet to see what is unfair about our current formula for funding the Regional High School. Mr. Hannemann said the tax bills for island families are pretty comparable; within \$100.00 or so. Mr. Hannemann went on to discuss the process of reaching out to organize and host a Finance Advisory meeting for Island FinComs. Ms. Divoll discussed the per pupil scenarios and said that it is discussed as a per student format to help illustrate but we don't actually get billed per student.

Martha's Vineyard Regional High School - Funding Scenarios Continued...

Chairman Doty said he thinks it is unfortunate for us to ever talk about sending our children anywhere else than the Martha's Vineyard Regional School. Chairman Doty said we don't have a solution for this at this time but we will continue with discussions.

Vineyard Future Works:

Mr. Carroll said the director of Vineyard Future Works would like a chance to talk with a Selectman and himself (Town Administrator). Chairman Doty said he would be glad to reach out to Bob Johnson and the other leaders of the Vineyard Future Works.

Martha's Vineyard Commission (MVC)- Blue Economy:

Mr. Carroll said the MVC is asking for support from the Selectmen in a support letter for a grant they (MVC) are applying for. Mr. Carroll said they are requesting recommendations of two or more sites in our community that would be points to celebrate the Blue Economy in the community. Mr. Carroll said Menemsha for us and harbor for other places to talk about the oyster farms and to display information boards about our commercial fisheries in Menemsha. Mr. Carroll said he sent this information to the Martha's Vineyard Fishermen's Preservation Trust in hopes that the members will recommend something for Selectmen to endorse. Chairman Doty recommended the MV Shellfish Group which is community supported and is stocking our local area for wild harvest.

Chairman Doty moved to support listing Menemsha and the MV Shellfish Group and the Oyster farms around Martha's Vineyard to be destinations on a maritime trail. Mr. Malkin seconded the motion.

**SO VOTED: 3 Ayes**

Chilmark Community Center (CCC) Bathrooms & Tennis Program:

Chairman Doty said we have a tennis program that continues and we are looking to use the bathrooms at the CCC for that program and for other public use. Rodney Bunker the town Maintenance Supervisor of Town Owned Buildings was present for the discussion. Chairman Doty said the extended tennis program use of the bathrooms is outside of the maintenance scope of Mr. Bunker's schedule and there are extra costs associated with keeping the bathrooms open for public use. Mr. Carroll said the tennis program is part of the Chilmark Town Affairs Council (CTAC) summer program and would fall under their jurisdiction under our municipal agreement. Mr. Carroll said the CTAC should be paying for this additional cost. Chairman Doty recommended locking the CCC main section but maintaining the bathrooms to be open and free to the public.

Chairman Doty said it's not just the tennis players the bathroom is open to all. Mr. Bunker said the bathrooms cannot be left open 24/7. Mr. Bunker said he has driven by many times first thing in the morning to see the doors left open to the elements. Mr. Bunker suggested the person who monitors our public restrooms in Menemsha might be utilized to maintain the CCC restrooms. This person could lock the CCC restrooms at 10:00 PM and re open at 6:00 AM. Mr. Bunker said the last 2 weeks of August and first 2 weeks of September we need extra maintenance at the CCC bathrooms. Chairman Doty recommended limiting the hours that the CCC bathrooms are accessible be 8:00 AM to 6:00 PM.

Chairman Doty said he would work on a plan to have the bathrooms at the CCC cleaned daily and locked up at 6:00 PM through October. Mr. Carroll asked what scope of money is being considered and how the town would pay for it. Chairman Doty said he would come up with a proposal.

#### Chilmark Community Center (CCC) Bathrooms & Tennis Program Continued...

Mr. Carroll said by the time the next Selectmen's meeting comes around the use will have diminished. Mr. Bunker agreed that for this season it is quieting down but to make a plan and budget for next year would be appreciated.

Mr. Carroll said we need to consider a handicap accessible restroom in the center of town. Mr. Malkin and Mr. Rossi said they look forward to seeing Chairman Doty's plan to keep the CCC bathrooms open to the public for the limited hours discussed.

#### Fall Special Town Meeting (STM):

Mr. Carroll said he has received a number of placeholder warrant articles from different town departments. Mr. Carroll said we have a number of ongoing projects that may or may not need additional appropriations. Mr. Carroll said most of the items are in the \$2,000.00 range other than the \$50,000.00 that Chuck Hodgkinson requested for the permitting process for the Menemsha Harbor dredging projects. The Police Department is asking for stabilization transfer for a new cruiser. Mr. Malkin asked what was proposed for West Dock. Mr. Carroll said Harbor Master Rossi informed him that the Harbor would manage with what already existed in the budget and a current warrant article for the repairs and maintenance items needed in the harbor.

Mr. Carroll listed some of the projects the Harbor Master wants to complete for the harbor:

- Repair the fresh water supply on the transient yacht dock (Northside of harbor).
- Replacement of faulty lights on the West Dock

Mr. Malkin (as liaison to Harbor Department) recommended having a warrant article for the West Dock repairs and that the lighting repairs to come from the harbor department existing budget.

Mr. Carroll said the Fire Department listed the following items for the STM warrant:

- Replace the wheels on the ATV. Fire department plan is to have a summer set and a winter set of wheels for the ATV. \$2,000.00
- Rescue piece of equipment \$2,600.00
- Jet ski manifold cracked so either new engine or replace jet ski entirely

Mr. Carroll said Maintenance Supervisor gave the following items to add to warrant for STM:

- Community Center parking barriers - locust posts \$3,000.00
- Cart for folding chair storage \$1,000.00
- Police station shed needs a new roof \$2,000.00
- Police station sidewall next to restaurant needs to be redone \$2,500.00
- Police station bell tower repairs \$4,000.00 & repaint bell tower \$6,000.00
- Police station play toy replacement \$9,000.00
- Police station baseball fence removal

Chairman Doty asked if the play toy was used or anyone has expressed the want to replace it for use. Police Chief Klarén said it's not used. Chairman Doty recommended just removing the old unused play toy and not replacing it. Chief Klarén said with the new playground at the school there is no need to install one behind the police station.

Mr. Carroll said the money from the auction of the property at 4 North Ridge Road will go into the general fund. We will have to appropriate money from the general fund if you want to put it into the Molly Flender Housing Trust and if you want to pay the Meeting House Road Association dues.

Mr. Carroll said the back taxes due on the property can come out automatically.

Discussion moved to what date to hold the STM. October 28, 2019 was the recommended target date for the Special Town Meeting.



#### Fall Special Town Meeting (STM) Continued...

Mr. Malkin recommended a place holder for a warrant article for the Chilmark School HVAC system.

Mr. Carroll listed additional STM warrant place holders:

- Chilmark Community Center (CCC) HVAC system
- Sidewalk on Basin Road may need some funding
- Library & CCC have a shared water system also our Public Water Source water management annual cost estimate \$4,000.00

Mr. Carroll said a big ticket item is the Comfort Station in Menemsha. The Comfort Station is ready to be replaced or cleaned up again. Mr. Carroll listed numerous problems.

- Funds to hire a building surveyor to assess possible solutions to bring to ATM.

Mr. Malkin recommended having funding articles for a roof and trim boards for the Comfort Station on the STM warrant.

#### Police Department - Report:

Chief Klarén reported the summer season went well. Menemsha parking was a challenge but the flow of traffic was improved with the revised parking lot layout. Chief Klarén said with the Home Port open for lunch this year it took that whole parking lot out of the possible parking areas for beach goers and tour vans. Chief Klarén said the van companies have followed the directions we gave them at the beginning of the season.

#### Dukes County Housing Authority:

Mr. Carroll asked for one of the Selectmen to review the report from the DCRHA with him.

Mr. Carroll said the DCHA is seeking \$12,500.00 to start doing water treatment at the Middle Line Road affordable rental apartment units. Mr. Rossi said he would look at this and recommended to move forward with the water treatment to save the plumbing that is copper piping. Mr. Rossi was designated as the Selectman to work on this with the Town Administrator.

#### Town Hall - Sign:

Mr. Carroll presented a proposal for a carved sign identifying the town hall by the sign maker who just completed the police station sign. Selectmen said they did not think the sign was needed. Chairman Doty said a smaller painted sign at the entrance would be a good.

#### Chilmark Community Center (CCC) - Outdoor movie -free to public - Island Grown Initiative (IGI):

Mr. Carroll said the IGI wants to have an outdoors screening of Big Little Farm on September 19, 2019 on the grounds of the CCC. Mr. Malkin said he would talk to the IGI representative and come to an agreement for the event.

#### Minutes of Executive Session:

Chairman Doty moved to approve the draft minutes of the Executive Session meeting held July 23, 2019 and to release to public. Mr. Malkin seconded the motion. **SO VOTED: Ayes**

At 6:20 PM with no further items for discussion Mr. Rossi moved to adjourn. Mr. Malkin seconded the motion. **SO VOTED: Ayes**

Minutes respectfully submitted by Diana DeBlase. **APPROVED 10/01/2019**

#### Document list:

- Draft Minutes from Selectmen's Executive Session 7/23/19
- Draft minutes from Selectmen's 8/20/19 meeting

- Animal Control Officer classes in Massachusetts

Document list continued...

- Edgartown draft scenarios for MVHS funding from the all island FinCom discussions
- MV Commission request for letter of support for Blue Community grants
- Monthly report from Fire Chief Bradshaw
- Tribe's invitation to Powwow
- Comcast TV updates
- DMF closer notice for no shellfishing due to water quality
- ZBA notice of decisions and agenda for next meeting
- CLC climate change article
- Peaked Hill Pasture Road Association dues invoice
- Estimate for carved town hall sign