

## Selectmen's Meeting Minutes 01/22/19

### Chilmark Board of Selectmen January 22, 2019 Meeting Minutes

**Present:** James Malkin, Warren Doty, Bill Rossi, Tim Carroll, Clark Goff, Linda Thompson, Chris Murphy, David White, Jessie Keller, Peter Cook, Deb Packer, June Manning, Police Chief Jonathan Klarèn, Brian Ditchfield, Hilary Dryer, Sheriff Ogden, Peter Graczykowski, Anthony Gould reporter Sue Silk and MTVV videographer.

At 5:00 PM Chairman Malkin called meeting to order in the Selectmen's Meeting Room

### Minutes:

Draft minutes from 1/8/19 were not available so approval of minutes was postponed until the next regular Selectmen's meeting.

Chairman Malkin said he has had a request from the Sheriff to have their agenda item later in tonight's meeting so we will go on to the next item.

### Chilmark Community Center - fee for large non-commercial events 100-250 people:

Mr. Doty said he was ready to approve the fee of \$600.00 per day and \$200.00 per day for setup and cleanup. Mr. Rossi said he did not agree that the figure was enough to cover the increase expenses to run the center. Mr. Malkin said he was not ready to vote on this item at this time. Chairman Malkin opened discussion to the audience. Mr. Murphy said he thought the \$1,000.00 proposal was too high. Mr. Ditchfield thanked Selectmen for the opportunity for the Film Festival to continue at the Chilmark Community Center.

Mr. Ditchfield agreed that during the Film Festival the use is much higher than a wedding or a one day event as they (TMVFF) have many people coming and going throughout the day. Mr. Ditchfield hoped that their impact on the CCC would not hurt other groups for instance the Yard for doing a 1 day event. Mr. Ditchfield said this is a break even event. Mr. Murphy said many non-profits have their annual fundraisers that charge a lot for tickets. Mr. Murphy said the MV Museum had an event recently that charged \$400 per person. Mr. Doty said we don't want the CCC to be a wedding venue for people who are not local, like a destination wedding. Mr. Murphy said the 2 or three wedding venues in Chilmark are often recommending their clients to book the CCC as a weather backup. Mr. Ditchfield welcomed further discussion offline on this topic. Mr. Rossi will follow up with Mr. Ditchfield.

### CCC- MV Charter School fee waiver request:

The MV Charter School has reserved the Chilmark Community Center (CCC) Ms. Pennebaker emailed that she would have been in attendance tonight but it's her son's birthday and they have a family gathering planned. Mr. Doty moved to approve waiving the fee to the charter school but the cleaning deposit is still mandatory. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

### CCC- The Yard fee waiver request:

Jessie Keller and David White were present to request this fee waiver.

Mr. Doty said at best you would bring in \$2,000.00 at the door with the cost to bring this event to Chilmark near \$9,000.00.

### CCC- The Yard fee waiver request continued...

Ms. Keller said they have discounted tickets available for folks who "work behind the counter" for example folks who might not be able to afford the event on a service industry salary.

Please contact the Yard if this is something that you would like to have available. Mr. Doty said rather than a fee waiving that he would move to make the rental fee \$100.00 for this event along with the mandatory \$250.00 cleaning deposit. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

### CCC- Island Insight Meditation Community - retreat weekend:

Mr. Doty said Sarah Kuh has sponsored this at the CCC in the past and it's free to the public.

Mr. Doty said an event that is free to the public. Mr. Doty moved to waive the fee but the mandatory cleaning deposit of \$250.00 is due. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes**

### L.L. Bean request for Fall 2019 photo shoot:

Mr. Rossi was enthusiastic about this photo shoot and recommended giving approval. Chairman Malkin said he was hesitant to give the Menemsha parking lot request as the fishing derby is still going on at that time. Mr. Doty said he would consider approval as long as there are no RVs or trucks parked for this in Menemsha and that they use a maximum of 3 SUVs. Mr. Doty said also that no one will be turned away who is seeking to park or use the beach in Menemsha and that L.L. Bean will have to work around the public. Mr. Doty said they (L.L. Bean) cannot close off areas of the beach or parking lot or impede public use. Mr. Rossi moved to approve with conditions mentioned. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Dukes County Sheriff - funding request for FY2020 and beyond:

Sheriff Ogden, Mr. Graczykowski and Mr. Gould were present to discuss the funding request for the Communication Center. Chairman Malkin read out from the proposal: 50/50 (not same formula that Dukes County uses) formula for this proposal is 50% divided equally 50% divided by use. Sheriff Ogden said that 50 /50 was put into the proposal after a recommendation at the meeting he had with all island town administrators. Sheriff Ogden said 4 towns are already onboard with this and sign on to it as a reasonable approach. Sheriff Ogden confirmed that this proposal will only move forward with support from all six (island) towns.

Sheriff Ogden said the State grant has specific wording saying that it will not cover the maintenance of the system but will cover the installation and equipment. Chairman Malkin said if this is a State issue and they state they will pay for the infrastructure but not the maintenance he did not get that; if it's a State expense it's a State expense. Chairman Malkin gave an example of the DOT paving of roads then they maintain them. Chairman Malkin said we (Selectmen) have looked at issues for dividing cost for regional entities and Chairman Malkin said his personal view supports user fee (the user pays). Chairman Malkin said with that funding system there have been proposals of 5 year running averages to smooth out peaks.

Sheriff Ogden said as for the first point you made Chairman Malkin we agree the State should pay. But we have no indication that they have a flavor for paying. The Sheriff said he still has to support and develop the system.

Dukes County Sheriff - funding request for FY2020 and beyond Continued...

Mr. Graczykowski said use fee was the structure that was proposed last year during the budget deficit but we need support from all the towns and the other island towns are in support of the aforementioned 50/50. Sheriff Ogden said we will have 1.5 million dollar phase of the Communication Center infrastructure completed this coming year then the next phase and on for the next 5 years. Mr. Graczykowski said the maintenance cost figure we have for the towns is for each phase. Mr. Rossi said so this figure to the towns will increase each year. Mr. Graczykowski said that it would during the 5 year projection.

Mr. Graczykowski said there are contingencies built into these figures for development. Graczykowski said if they are not spent in a phase that will decrease the next phase figures.

Mr. Rossi said he supports this 50/50 formula. Chairman Malkin said we don't agree on that. Mr. Doty asked for an explanation of what the service fees pay for. Mr. Graczykowski said it primarily covers the Motorola service package. This service package is like a warranty for the system. As the system phase completions happen the service package fee will increase. Mr. Graczykowski said the grant doesn't include contingency money (10%) so we had to include it in the 50/50 funding plan. *Link here:*

[http://www.chilmarkma.gov/Pages/ChilmarkMA\\_SelectAgenda/2019/01222019/ProposedDCSO%20RECC%20Warrant%20Article%20-%20Chilmark%20-%202019-01-15.pdf](http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2019/01222019/ProposedDCSO%20RECC%20Warrant%20Article%20-%20Chilmark%20-%202019-01-15.pdf)

Mr. Rossi asked if there is a completion date with Motorola for this first phase. Sheriff Ogden said we don't for this meeting tonight but should have it by Friday. Sheriff Ogden said Anthony Gould would be the Sheriff Department representative overseeing the phase 1 project. Mr. Doty said so Chilmark would be asked to pay \$27,000 plus and then more during the next phase. Mr. Carroll asked if the Sheriff's Department would have a draft MOU for the Budget hearing scheduled in a couple of weeks. Chairman Malkin reiterated that the volume of use is the format he supports and would even support rounding off the figures. Sheriff Ogden asked if the Selectmen would be willing to move supporting this for the Annual Town Meeting warrant. Mr. Doty said we are receiving this information and are not ready to move forward in support at this time. Mr. Rossi said you need the votes the warrant is an easy step. Mr. Rossi said it's likely this will be on the warrant in some form. Mr. Doty was in agreement. Mr. Rossi said the item in question is the formula to be used. Mr. Doty recommended this be on the agenda for the February 5, 2019 Selectmen meeting.

EMS Building design suggestions to share with consultant - Clark Goff:

Mr. Doty said Mr. Goff has worked hard on design ideas for the EMS building. M. Doty asked for the Selectmen to endorse the design ideas and to send them to Pacheco Ross Architectural Engineers to apply to their layout. Chairman Malkin thanked Mr. Goff for the hard work. Chairman Malkin asked how much of this could be applied to a pre-fab basis. Mr. Goff said that was not his area of specialty. Mr. Rossi asked if it was going to be a problem that this design was not generated by a committee. Mr. Carroll said the Committee we had was a Building Site Committee and we now need to form a Building Committee. Mr. Carroll said we are not at the stage of Building Design; we are doing the programmatic only. Mr. Carroll said Mr. Goff's drawings are to inform the consultant (Pacheco Ross) about elevation.

Mr. Doty moved to forward the sketches (the ones at this meeting) to Pacheco Ross. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Martha's Vineyard Commission - Cross Town Referral - discussion:

Mr. Rossi said he put this on tonight's agenda because he has heard that building construction starting is eminent. Chairman Malkin (referring to Tribe building a casino) said he brought this up in reference to traffic concerns to and from casino through the town of Chilmark. Chairman Malkin said he read in the newspaper that the casino is planning on 250 machines and opening by July 4, 2019. Chairman Malkin said he believes the traffic issue should be referred to the MVC as a Discretionary Referral. Discussion ensued.

Mr. Doty moved to authorize the Chairman of Board of Selectmen (James Malkin) to fill out the application for the Discretionary Referral. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Harbor Master vacancy notice , cover letter & advertising - preliminary screening committee: James Malkin, Everett Poole & Jeffrey Maida:

Mr. Carroll said he circulated it with everyone and had conversations with Mr. Doty who suggested inclusions in the cover letter about the fact that it is managing a bulkhead of so many feet and so many vessels. Mr. Carroll said none of the daily operations were listed in the cover letter so he has drafted a cover letter including this. Mr. Doty said it was a good cover letter but it did not include that the position essentially is in charge of running a marina.

Mr. Doty moved to approve the vacancy notice, cover letter as changed and to advertise the position. Mr. Doty also included approval of the preliminary screening committee as James Malkin, Everett Poole & Jeffrey Maida. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

At 6:33 PM Chairman Malkin said we will now be moving into Executive Session to negotiate labor contracts and will not be returning to regular session. ROLL CALL:

James Malkin Aye, Warren Doty: Aye, Bill Rossi: Aye. Also in attendance: Tim Carroll.

Minutes respectfully submitted by Diana DeBlase. **Approved 02/19/2019**

Document list:

- MV Public Safety Communications System Development FY20 Maintenance Cost Funding request
- Explanation of the funding proposal for the Communication Center service package.
- Request from MV Charter School music teacher to waive fee for Charter School kids performance at the Community Center.
- The Yard - Community Center fee waiver request for Red Baraat event Feb 22, 2019
- Request from Sarah Kuh to waive CCC fee for free meditation retreat weekend in April 2019.
- Request from LL Bean senior photo producer to set photo shoots in various Chilmark sites in end of September into October 2019
- Arial views of 3 site locations in Chilmark LL Bean would take photo shoots at.
- Sketches of EMS building by Clark Goff