

Selectmen's Meeting Minutes 06/18/19

Chilmark Board of Selectmen June 18, 2019 Meeting Minutes

Present: Chairman Doty, Bill Rossi, James Malkin. Others: Tim Carroll, Police Chief Klarén, Peter Cook, Cathy Thompson, Clark Goff, Laurisa Rich, Mike Jacobs, Jesse Burton, Laia Roig, Martina Thornton, Sarah Kuh, newspaper reporters Brian Dowd, Will Sennett and MVTV videographer.

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

Minutes:

Draft minutes from May 21, 2019 were reviewed, a correction was made. Mr. Rossi moved to approve minutes as corrected. Chairman Doty seconded. **SO VOTED: 2 Ayes 1 Abstain** *James Malkin was not present at the May 21, 2019 meeting.*

Draft minutes from June 4, 2019 were reviewed. Mr. Malkin requested removing the Town Administrator, Police Chief and Fire Chief from the annual appointment list, as they are contracted labor positions. Mr. Malkin moved to approve minutes with the change he recommended. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Staff Appointments - Wiring & Asst Wiring Inspectors:

Mr. Malkin said the recommendation is to appoint Rob Young Jr. as our principal wiring inspector and appoint Cole Powers and David Schwab as assistant wiring inspectors. Mr. Malkin said he spoke with Mr. Young after the June 4th meeting when we received a recommendation from Lenny Jason our wiring inspector to appoint Rob Young Jr.. Mr. Young told Mr. Malkin that he would if appointed be the Chilmark Wiring inspector. Mr. Malkin moved to appoint the positions as he recommended. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Boards, Committees, & Commissions - Requests for Appointments:

Mr. Carroll gave a verbal list of appointment requests:

- Rob Hannemann to the Energy Committee.
- Mike Jacob to the Energy Committee.
- Mr. Hannemann resigned from the Cape and Vineyard Electric Cooperative (CVEC).
- Steve Lewenberg to the seat Hannemann vacated on CVEC.
- Steve Lewenberg to the Community Preservation Committee.
- Lisa Burkin to the Community Preservation Committee.

Robert Hungerford to the Conservation Commission.

Susan Murphy to the Harbor Advisory Committee.

Maureen Eisner resigned in writing from the Conservation Commission (relocating to West Tisbury)

Mr. Malkin asked how many members the Harbor Advisory Committee will have if we appoint another member. Mr. Carroll said 7 members as you did not reappoint Spider Andresen as he is now an employee of the Harbor Department.

Mr. Rossi moved to approve the appointments as presented. Mr. Malkin seconded the motion.

SO VOTED: 3 Ayes

Mr. Carroll said Russell Maloney who is serving on the Conservation Commission as an alternate for years has submitted a request to be appointed a regular commissioner.

Appointments Continued...

Mr. Carroll said Doug West has also sent in a letter requesting to be appointed to the Conservation Commission as well.

Mr. Malkin moved to appoint Russell Maloney to the position of regular (full voting) Chilmark Conservation Commissioner, and Doug West as an alternate. Mr. Rossi seconded the motion.

SO VOTED: 3 Ayes

Advertising for Fire Chief - Applications due July 8th

Mr. Carroll distributed the hire packet to the Selectmen to review. Chairman Doty said Bill Rossi is the Chairman of the Fire Chief Application screening committee. Mr. Rossi said we will schedule the initial screening on July 9th with initial interviews to start July 12, 2019 during the day starting at noon.

Seasonal Appointments - Beach Stickers - June Manning & Helen DeBlase:

Mr. Malkin moved to appoint June Manning and Helen DeBlase as Beach Sticker sale clerks. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Memorial Music Garden - Chilmark School - Laurisa Rich:

Laurisa Rich presented the proposal that is being sponsored by the Friends of Chilmark Pre-School in honor of Christine Abrams. Ms. Rich said they have a lot of additional information about this proposal even an audio visual of what the musical instruments sound like.

Chairman Doty said since our last meeting we have received written approval of this proposal from both the Preschool director and the Chilmark School Principal. Ms. Rich also gave the Selectmen written support from the Chilmark PTO for this project.

There was discussion about the cost and how it will be paid for. The projected installation will be after the Summer Program ends and before school begins this fall. Chairman Doty said that this project will not use school funds or Town funds that it will be funded by grants and the friends fundraising.

Chairman Doty moved to approve this Memorial Music Garden as presented. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Jesse Burton - Passenger boat service in Menemsha:

Jesse Burton and Laia Roig returned to continue discussion of their proposal. Chairman Doty said we first discussed this proposal at our Selectmen meeting 2 weeks ago and we referred this to the Harbor Advisory Committee. Mr. Malkin said The Harbor Advisory Committee (HAC) met with Jesse on June 13, 2019. The HAC had a motion that did not pass and referred this back to the Selectmen as they did not think it appropriate for the HAC to make a decision on this. The HAC said there would not be any use of the Commercial Dock so they did not feel they had any jurisdiction. Mr. Malkin said there was a motion made but not seconded. The motion was that this fit within the Master Plan of Chilmark. Mr. Malkin said there was discussion (at the HAC meeting) of the process that Tim & Stephen Broderick went through to get their head fishing boat situated in Menemsha. Mr. Malkin said at the end of the meeting after discussion the HAC decided to take no action. Chairman Doty asked Mr. Burton to recap his proposal for the benefit of the persons in attendance at tonight's meeting.

Passenger boat service in Menemsha Continued...

Mr. Burton said he brought his proposal to Ryan Rossi the Chilmark Harbor Master on May 10, 2019 and then a couple weeks later to the Board of Selectmen to operate a 23 foot harbor launch. The plan is to take people out for excursion trips out onto Menemsha Pond and also out to the Brickyard. The proposal is to have passengers experience Chilmark and Aquinnah through the water. The boat can take a maximum of 12 passengers and the duration is proposed to be 60 to 75 minutes per excursion. Mr. Burton said to start he would like to run 2 trips in the evening for sunset. Also 2 days a week on his days off from the police department and doing 4 trips a day. Bill Rossi asked if his recall was correct from the last meeting when you said you would be overnight docking out (away from) of the harbor in Quitsa. Mr. Burton confirmed this. Mr. Rossi said his second point was about liability. Mr. Rossi said taking out a sunset cruise there is a good

possibility that they (passengers) might consume alcohol. Mr. Burton said he has a policy with commercial marine insurance and he can name the Town of Chilmark on the 1 million dollar policy. Discussion ensued. Mr. Burton said he looked into the coverage for the bulkhead and since they were 1 million he thought that was the amount required.

Mr. Malkin said number one this is not a personal issue as he sees it. Mr. Malkin said he sees Mr. Burton as a respected and valued member of our community and the police force. Mr. Malkin said this is an issue about Menemsha and our town. Mr. Malkin said when we had the Broderick Head Boat proposal before us years ago we had many people from the community present at the meeting sharing their concerns of what it would do to Menemsha. Mr. Malkin said if we do this we could have parasailing like in Oak Bluffs and the Pirate Ship like Oak Bluffs and Vineyard Haven. Mr. Malkin said once we open the door to sunset cruises that we have denied other applicants we will open a door he is concerned about going through. Mr. Rossi said we denied the commercial fisherman doing sunset cruises because they were already using the commercial fishing dock for free and their request did not qualify for the use permitted there. Mr. Rossi said he thought it was a good idea for someone to do something like this for families to experience the pond or the surrounding areas. Mr. Burton said he was mindful of Menemsha when he ordered the size boat he did. Mr. Burton said he is not promoting a party atmosphere; this would be a small footprint. Mr. Malkin said the issue for him is going from fishing to tourism. We already have congestion issues in Menemsha. Chairman Doty said he had a good meeting with Mr. Burton yesterday to discuss these issues and having 24 hours to think about the issues agreed that this is not in keeping with our Master Plan. The Master Plan is to encourage this as a fishing community. Chairman Doty said he agreed with Mr. Malkin that this is not the direction we want to go in the Menemsha harbor. Chairman Doty said if you removed the Sunset Cruise we might reconsider. Mr. Malkin moved to deny this application. Chairman Doty seconded the motion.

SO VOTED: 3 Ayes

Mr. Burton asked what avenues were available to appeal this decision. Chairman Doty said we would have to ask Town Counsel that question. Mr. Malkin said in the absence of State Law the town controls what goes on in the town. Mr. Rossi said the Selectmen have the right to determine the level of commercial activity. Mr. Rossi said we don't approve this (commercial tour boat) activity at this time. Mr. Burton said he will move forward in appealing this decision.

Chairman Doty said we have someone (County Manager) in the audience tonight to add to the agenda.

Dukes County Manager - Request:

Dukes County Manager Martina Thornton presented a renewal contract for the County Administration for several Health & Human Services programs. Ms. Thornton said that this contract is proposed to replace the 2 current contracts for Center for Living and Vineyard Healthcare Access and be an umbrella for all the services that we currently administer. Ms. Thornton said that would include CORE, Healthy Aging, First Stop, and Substance Use Prevention. Ms. Thornton said that this includes in writing the responsibility of the County and the Towns. Chairman Doty said each of the programs mention we have discussed and approved during our February Finance Committee Meetings. Chairman Doty said each of the programs budgets were then taken individually to our Annual Town Meeting where they were all approved. Chairman Doty said all of these programs are regional and apply to the whole island (Martha's Vineyard) and they are administered through the County because they are our regional body.

Mr. Malkin moved to approve the concept of this contract, with conditional approval based on recommendations from Town Counsel. Mr. Rossi seconded the motion.

SO VOTED: 3 Ayes

Mr. Rossi said he is happy this is moving forward as they have been working towards this for some time. Mr. Carroll said this has not yet been reviewed by Town Counsel so we will wait to sign till Counsel has reviewed.

Tour Vans - Menemsha:

Chairman Doty said Chief Klarèn's daughter is playing in the State Tennis Championships and had not planned on being here but the rain has delayed the game till tomorrow. Chairman Doty said he and Chief Klarèn have worked together on managing the increasing small tour vans in Menemsha. Chairman Doty said one day this week we had 5; 12 to 14 person vans in Menemsha between noon and 2:00 PM.

Chairman Doty said we have a plan with suggestions on how these vans should operate in Menemsha. Chief Klarèn discussed the process and the 4 bullet points.

- Vans will not drive beyond the Homeport Restaurant parking lot.
- Don't leave vehicle unattended unless in a legal parking spot
- Don't park on private property unless they have permission from the property owner.
- Drop-off and pickup passengers only in areas that don't obstruct the flow of traffic.

Chief Klarèn asked for input from the Selectmen and will have copies of this for traffic officers to hand out when needed. Chief Klarèn said the businesses that receive a license from the town will also receive a copy of this with their paperwork. Mr. Rossi supported this and said our challenge is to have the operators of Van Tours to get licensed. Mr. Rossi recommended that each of the drivers sign this; acknowledging their understanding of our requirements.

Mr. Malkin said these are our "Rules of The Road" in Menemsha period. Chairman Doty said strike MOU and replace it with Instructions to Tour Van Drivers. Chief Klarèn said we will monitor the Tour Vans and if there needs to be further action he will return to the Selectmen.

Tour Vans - Menemsha Continued...

Chairman Doty asked if there was value in getting the owners of the Tour Companies to come to a Chilmark Selectmen's meeting. Chief Klarèn supported this suggestion; saying that way there is a clear understanding and if they have questions they can be clear on our instructions.

Chairman Doty recommended inviting them to our July 2, 2019 meeting. Planning Board member Peter Cook said the number of vans that are driving in Menemsha has increased every year and if a successful business will continue to increase. Mr. Cook questioned how many vans can the village support and are there consequences for people who don't adhere to the rules. Chairman Doty said the companies must obtain a street license annually and we can choose not to renew their licenses if they don't adhere to our instruction.

Chairman Doty requested to move to discussion about the Planning Board subcommittee report as we have members in the audience here for this item.

Planning Board Subcommittee - Report Peaked Hill Pastures & Middle Line Road:

Cathy Thompson and Peter Cook were present for discussion on the report. Mr. Cook said the report items will not be new to you until you get to the conclusion and that we are applying for a planning grant. *For the report please follow link:*

http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2019/06182019/CHILMARK%20PLANNING%20BOARD%20Report%20on%20Peaked%20Hill%20Pastures%20and%20.pdf

Mr. Malkin thanked Ms. Thompson and Mr. Cook for the report and asked what they want from the Board of Selectmen. Ms. Thompson said we wanted to be sure that you had seen the background that we were asked to gather, and if we are to apply for the Massachusetts Technical Grant we will need that to be done through the Selectmen's office. Ms. Thompson said we would do all the work; we need the Selectmen to officially submit the application. This is to do work on affordable housing in Chilmark. Discussion ensued. Chairman Doty recommended including Nab's Corner Housing sites on this report. Ms. Thompson said they will include it. Mr. Rossi said there are folks interested in seeing the income bracket raised to 150% median income. Ms. Thompson said that is mentioned in the report.

Selectmen supported the Planning Board moving forward with applying for this grant and will officially submit application when the time comes.

Buy Recycled - Policy:

Mr. Carroll said each year to support the Refuse District in getting a grant we reaffirm our buy recycled policy.

Mr. Malkin moved to approve the buy-recycled policy. Mr. Rossi seconded the motion. —

SO VOTED: 3 Ayes

Police Contract:

Chairman Doty said we have our final contract that the Police Chief is aware of and we will sign tonight. *Chairman Doty, Bill Rossi and James Malkin signed contract.*

Code Red - Draft press release on June 25, 2019 ALL CALL:

Mr. Carroll outlined the press release to let our residents know about the test call planned for emergency notifications. Notifications would be made for: Hurricane warnings, don't drink the water warnings etc. Mr. Carroll said this program in an opt-in program. Chairman Doty asked when this test call would happen. Mr. Carroll said between Monday and Friday between 10:00 AM and 4:00 PM, probably Tuesday 25th.

Chairman Doty said in a recent discussion with the Ambulance Chief; Chief Retmier stressed the importance of landline phones. Chairman Doty said especially for senior citizens to have a landline telephone that is not a cordless phone so during a power outage the phone will work to call for emergency services especially during the winter because without heat it can become a life threatening situation.

Public Safety Building Committee structure & advertising recommendation:

Mr. Carroll distributed the proposed schedule and procedures. Mr. Carroll said when we advertised for an Operations Project Manager we did not receive any interest from someone located on the vineyard. Mr. Carroll said we then postponed this process. Mr. Carroll recommended a committee look at this and pare it down so we can hire a local OPM that fits our project and complies with the law. As part of the designer selection process Mr. Carroll asked that the Selectmen adopt the model selection procedures.

- Appointment of 7 member committee: Selectman, Ambulance Chief, Fire Chief, a firefighter, an EMT and 2 members of the general public. Mr. Carroll said he would like to advertise for the positions
- Appoint Coordinator of Administrative Support as this project coordinator
- 2 subcommittees from the 7 Committee board; one for Fire Station other for EMS building.

Chairman Doty said he has spoken with Chuck Hodgkinson (Town's Coordinator of Administrative Support) who said he is very willing to be the person who coordinates this project. Chairman Doty recommended holding off advertising until he has met with Mr. Hodgkinson again.

Filled Dock / West Dock:

Chairman Doty said Harbor Master Ryan Rossi met with engineer Kent Healy for his recommendations along with Highway Superintendent Keith Emin. We are looking for their proposal to review at our July 2, 2019 meeting

At 6:12 PM with no further agenda items for discussion Mr. Rossi moved to adjourn.

Minutes respectfully submitted by Diana DeBlase **APPROVED 07/16/2019**

Document list:

- Draft minutes from Selectmen's May 21, 2019 & June 4, 2019.
- Newspaper ad for Fire Chief position
- Example of musical playground toys proposed for Abram's memorial at Chilmark School
- Letter of support for Abram's memorial from Director of Chilmark Preschool
- Letter of support from the Chilmark PTO for the Memorial Music Garden
- Outline of the Music Memorial Garden project description and funding
- FY2020 Buy Recycle renewal
- Draft press release for Cod Red community notification system
- Letter to Selectmen from Planning Board requesting to discuss the Progress Report
- Planning Board Progress Report on Peaked Hill Pastures and land by Tabor House landfill.
- Model selection procedures.
- Invitation to One Island Summit 2020
- Comcast notice of TV channel change
- ZBA special permit decisions for June 2019 and agenda for next meeting
- Notice from Bureau of Ocean Energy Management about Construction & Operation Plans for Deep Wind project to install offshore (south shore) wind turbines
- Eversource proposal to have battery backups
- Cape Cod Municipal Health Group health challenge