

Chilmark Board of Selectmen July 16, 2019 Meeting Minutes

Present: Chairman Doty, Bill Rossi, James Malkin. Others: Tim Carroll, Fire Chief David Norton, Eamonn Solway, Becca Solway, Jesse Burton, Jeremy Bradshaw, Harbor Master Ryan Rossi, Police Chief Jonathan Klarén, Tim Rich, June Manning, Carl Crocker, Marshall Carroll, Eva Rerston, Frank Yeomans, Judith Flanders, Joyce Albertine, Richard Townes, Jonah Maidoff, Clark Goff, Kevin Oliver, Solon Oliver, Katherine Kavanagh, reporters: Will Sennett and Rich Saltzberg MVTV videographer and 10 other attendees who did not speak at meeting or identify themselves.

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

Minutes:

Draft minutes from June 18, 2019 were reviewed, corrections were made. Mr. Malkin moved to approve minutes as corrected. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Fire Chief Finalists - Presentations & Interviews:

Chairman Doty explained the process that has already taken place in the steps to hire a new Fire Chief. Chairman Doty said the Fire Chief Preliminary Screening Committee members: Tim Rich, Jonah Maidoff and Bill Rossi have submitted their recommendations to the Board of Selectmen. Chairman Doty said we have invited applicant Jeremy Bradshaw to speak with us tonight and the Selectmen have posted a special (off cycle) meeting for July 19, 2019 at 9:00 AM to make a decision.

Jeremy Bradshaw introduced himself to all attending the meeting and said he has been on the Chilmark Fire Department for about 22 years and if appointed is looking forward to taking over as Chilmark's new Fire Chief. Mr. Bradshaw highlighted some important tasks ahead for the new Fire Chief.

- Recruitment of fire fighters
- Planning the new station and closely participating in all the steps leading up to moving in to a new station
- Water sources

Chairman Doty referred to the Fire Department's Strategic Plan that was submitted by the department this spring and asked for Mr. Bradshaw's comments pertaining to the plan. Mr. Bradshaw said it's a good plan; it illustrated where we could be in a few years. Mr. Bradshaw said he would like to keep the department a volunteer department. Joint training with EMS is something he would like to do. Mr. Bradshaw said we might need to get creative about housing some firefighters in our community. Mr. Bradshaw affirmed that Chilmark has top notch equipment that is up to date. Mr. Bradshaw said we are working on getting new recruits trained here on the island, rather than having to go off island.

Mr. Malkin asked Mr. Bradshaw to determine the most challenging item from the Strategic Plan. Mr. Bradshaw said recruitment and building the numbers of certified firefighters in Chilmark. Secondary are the water sources.

Mr. Malkin said the new OSHA requirements are stringent. Mr. Malkin asked what types of training will you need to be compliant. Mr. Bradshaw said he will take training for new Fire Chiefs; and that there is one in Western Massachusetts that he would sign up for.

Mr. Bradshaw said a major focus he would take as Chief will be to update all the electronic reports to the State Fire Marshall because if there is ever an emergency and we need federal funding; we can't get it unless we have everything updated in the system electronically.

Mr. Bradshaw said the way to keep Selectmen and Fire Department communicating well is through open communication. Mr. Rossi asked Mr. Bradshaw for his comments on regionalization of up island Fire Departments. Mr. Bradshaw said it's more complex than you think it is. The logistics on who is spending more money in the different towns. Chilmark is 20 square miles populated with very expensive homes. Mr. Bradshaw said if the towns decided to regionalize there would need to be more paid positions. Mr. Bradshaw supports continuing with mutual aid rather than regionalization.

Mr. Rossi asked what Mr. Bradshaw's thoughts were about instituting educational program at the high school level for firefighting. Mr. Bradshaw said he would love that. Mr. Bradshaw said he would also like to have some elderly education and to check in on them in the winter when there are bad storms. Mr. Bradshaw said we will have Fire Fighter training beginning again in September.

Chairman Doty said this has been a good interview and wanted to mention that the Selectmen have received many letters of support from local residents supporting an appointment of Mr. Bradshaw as our next Fire Chief. The Selectmen's office will continue with some more background checks and meet Friday morning to appoint a new Fire Chief. Mr. Bradshaw thanked the Selectmen for this opportunity.

Chairman Doty moved ahead of some items in the agenda to talk about VTA item.

VTA - Ridership Representative appointment:

Chairman Doty said the VTA Advisory Board is scheduled to meet tomorrow at 5:00 PM at the VTA office in the Airport Business Park (beside the RMV). Chairman Doty said the AFLCIO has written back to us stating that Carlton Crocker would be an appropriate representative. Carl Crocker was present and introduced himself and stated his interest in being appointed to the advisory board. Mr. Crocker said he has been riding the VTA busses for over a decade and is very familiar with the busses and routes.

Mr. Malkin moved to appoint Carlton Crocker as the Chilmark Ridership Representative. Mr. Rossi seconded the motion. There was some discussion on the number of names submitted.
SO VOTED: 3 Ayes

Island Girl Excursions:

Chairman Doty said we have a request before us asking for permission to take riders for hire around the ponds in Chilmark waters. Chairman Doty said we have had debates about this with other applicants.

Mr. Malkin said we have a letter from our Town Counsel concerning the application from Island Girl Excursions. Mr. Malkin read aloud the document for the record:

On July 9th The Board of Selectmen received a request from Island Girl Excursions to pick up and drop off passengers in Menemsha and / or at Quitsa Landing. The request stated that captain Eamonn Solway is holder of a 6 pack license and as such having up to 6 paying passengers on his 25 foot boat. The request further states they believe there is demand for non-fishing charters for people who simply want to experience the Vineyard by boat and we anticipate the need to pickup and drop-off in Menemsha approximately 1 to 2 times weekly throughout the season.

It is recommended that the Board of Selectmen consider this request and deny it for the following reasons:

- 1. The request is incomplete as times of day, length of time boat would be tied up at requested location other than Quitsa Landing is not specified.*
- 2. The proposed activities are a commercial operation. Almost the entireties of the docking area in Menemsha harbor are unavailable for commercial activity other than commercial fishing.*
- 3. About 1/3 of the docking area in Menemsha is deed restricted by the Commonwealth for use by commercial fishermen. Another area is limited by the Commonwealth & Town funding sources to commercial fishermen. Another area was gifted to the Town for private use, not commercial. Another area has been designated transient noncommercial use. And another area is used and controlled by the US Coast Guard.*
- 4. Menemsha is an extremely busy and tiny harbor and commercial operations other than commercial fishing and grandfathered uses have traditionally not been aloud.*
- 5. There is very limited parking in Menemsha.*
- 6. Commercial uses in Menemsha other than commercial fishing and grandfathered uses are prohibited by zoning and run contrary to the town's Master Planning efforts.*
- 7. Quitsa Landing is not suitable for a commercial operation; parking is extremely limited.*

Its recommended that request that is filed under July 9, 2019 be denied.

Mr. Malkin moved the recommendation from Town Counsel to deny request filed to Selectmen on July 9, 2019. Mr. Rossi seconded the motion. Mr. Rossi asked that the Solway's get a chance to speak to this before we vote. Ms. Soleway said they respect the response from the Town Counsel and Selectmen. Ms. Soleway said they feel though that their request is a fairly benign use of the harbor. To clarify the unanswered question; they estimate it would be a 10 to 15 minutes for the drop-off and pickup times. Mr. Malkin responded saying that the town has very limited space in Menemsha. Ms. Solway said there are multiple entities already running commercial tour operations in Menemsha harbor specifying this on their websites.

Mr. Malkin said the Harbor Master has been instructed that if any non-fishing commercial use of people using town facilities in Menemsha happens then an incident report is to be filed and then brought to the Board of Selectmen.

Ms. Solway said one thing we offer is fishing charters and when we are what is the policy for pickup and drop off then? Mr. Rossi said we encourage offsite parking. Ms. Solway asked if they should resubmit their request for just the fishing chartering.

Mr. Malkin cautioned that during a Harbor Advisory meeting it was discussed that Mr. Burton just put a couple of fishing rods on his sightseeing boat. That's not in keeping with our Commercial Fishing Master Planning.

Mr. Rossi said he thought both the business plans concerning the applications from Mr. Burton and the Solway's were light in detail. Mr. Malkin said if you returned to us with a detailed proposal about fishing charters he would view that differently than the sightseeing application. Chairman Doty called for vote. **SO VOTED: 3 Ayes**

Kai Quinlan - movie / September 20, 2019 filming request:

Mr. Malkin said this requested date is during the Bass & Bluefish Derby. Chairman Doty said we need a lot more information about this request before making any decisions. (*Ms. Quinlan was not present*) Chairman Doty recommended no action be taken at this time.

Zoning Bylaw -Proposed Amendment to remove acreage requirement from homesite:

Chairman Doty said the essence of the proposal is that it would eliminate the 1 acre minimum lot size for a resident homesite. Mr. Carroll said the process for chapter 40A amendments to the zoning bylaws is either a petition to the Selectmen or a request from the Planning Board or another organization starts the clock rolling on our process. The Planning Board on its own can't just take something up. It has to come to the Selectmen / get notified then within 14 days send back to the Planning Board to hold hearings. Mr. Carroll said this is from section 5A.

Mr. Malkin moved to have the Planning Board begin this process. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

West Dock - repairs - \$8,000 remaining in warrant article:

Chairman Doty said we have a sinkhole problem in the West Dock area and we have found that there is \$8,000.00 in a warrant article that could go to this project. Chairman Doty said we supported the rebar recommendation from engineer Kent Healy at our last meeting. Mr. Malkin asked if we had an estimate of cost to do the recommendation. Chairman Doty said no. Mr. Carroll said the Selectmen harbor liaison (Mr. Malkin) and the Harbor Master can be directed to seek quotes up to \$8,000.00.

Harbor Master Rossi asked if the project can't be completed for under \$8,000.00 do we still want to move forward with the rebar project. Mr. Rossi said you complete what we have the funds for. Mr. Rossi said then we add remaining project cost to a Special Town Meeting warrant. Mr. Carroll said you need to seek 3 quotes. Mr. Malkin said he and Harbor Master Rossi will take care of this.

Cemetery Site Visit- Report:

Chairman Doty reported that there is a Cemetery Commissioner here tonight and that Tim Rich was also part of the site visit.

Chairman Doty said the essence of the site visit was at this moment in the laid out lot we have only six to eight cemetery lots that are available for lease for the next period of time. Chairman Doty said we need to move ahead with the grid layout for the new section. We need to be prepared to sell in 2020 some of the lots that will be in the new section.

Cemetery Commissioner Judy Flanders said we may consider space (smaller lots) in the old section that might be available for people who wish to be cremated.

Mr. Malkin said at the previous site visit to the Cemetery there was discussion about cutting some of the tree coverage by the front of the roadside so drivers can look into the cemetery. Mr. Carroll said the concern in the past is that roadside noise then would go into the cemetery causing hearing at services difficult. Ms. Flanders said the Commissioners have not cut trees down but have trimmed many.

Mr. Rossi discussed asking abutters and letting them know about the town needing more land at the cemetery. Mr. Rossi will explore this and report back to the Selectmen. Chairman Doty reported that the Cemetery land we have now should last for the next 20 years with the rate we have been selling the leases at a rate of eight to ten a year. Ms. Flanders said we are reviewing the requirements for eligibility to be able to buy a lot lease. Ms. Flanders said not everyone who lives in Chilmark is a land owner and we should consider all of our residence in the review of eligibility. Mr. Rossi supported this review.

Chairman Doty said Mr. Carroll has pointed out that there is a warrant article that still has \$3,400.00 still available for surveying and laying out the cemetery for new lots. Chairman Doty thanked the Cemetery Commissioners for their hard work on the improvements made to the Abel's Hill Cemetery.

Chilmark Community Center - Failed Generator - FEMA grant & temporary rental of generator:
Mr. Carroll said that the Chilmark Community Center (CCC) generator has failed and the CCC is our emergency shelter. Mr. Carroll said the quotes to replace it are more than we are hoping to spend, but now we have found we are eligible for a grant. Mr. Carroll said at this time we are applying for a grant to finish the PV (solar) system project which is \$25,000.00 worth of battery storage. Mr. Carroll said the generator is being increased in size rather than replacing in kind. Mr. Carroll said this fall we are doing the mini-split for the heating & cooling in the building and the new larger generator will be appropriate with the demand for more energy. The Community Center has never had air-conditioning before.

Mr. Carroll said giving its hurricane season we have put in an outlet on the exterior of the Center to support a mobile / portable generator. Mr. Carroll said the grant will not fund until December so it's probable we will lease a temporary generator. Mr. Carroll said we have to do a cost benefit analysis to complete the grant submission by Friday July 19, 2019. Chairman Doty thanked Mr. Carroll for this update.

Public Safety Building - TTA votes & committee composition concerns:

Chairman Doty said the Tri Town Ambulance (TTA) Board voted the following items for moving forward in the financing process:

Committee Member Cindy Mitchell motioned to have debt services for the new Tri-Town Ambulance Building paid out of the Tri-Town Ambulance Budget. Committee Member Jim Newman seconded the motion. The motion passed unanimously.

Voting in the affirmative: Committee Chair Warren Doty, Committee Members Jim Newman and Cindy Mitchell.

Committee Member Jim Newman motioned to have architect design costs prorated based on square footage of each building. Committee Member Cindy Mitchell seconded the motion. The motion passed unanimously. Voting in the affirmative: Committee Chair Warren Doty, Committee Member Jim Newman and Cindy Mitchell.

Chairman Doty said TTA Committee requested that a representative from Aquinnah and West Tisbury are appointed to the Building Committee. Chairman Doty said we have already appointed a five member board but that this increase of two additional members is important; making it a seven person committee.

Chairman Doty said so far the committee consists of: Bill Rossi, Tim Rich, Clark Goff, Chilmark Fire Chief and Tri Town Ambulance Chief. Chairman Doty said if Belinda, who is a paramedic on TTA and lives in Aquinnah, is appointed that would be good. Mr. Rossi supported the concept but said we need to know who these people are. Chairman Doty moved to add a representative from Aquinnah and West Tisbury to the Tri Town Ambulance Building committee. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Police Department:

Chief Klarén presented a recommendation for appointing a new traffic officer. Chief Klarén said we are having traffic officers from 9 1/2 to 10 hours a day in Menemsha. Chief Klarén said some of the officers will be heading back to collage at end of August and that he would like to add an extra officer now when we are about to have many events in Chilmark; Meet the Fleet, Book Festival, Backyard Bash, Road Race...

Chief Klarén recommended Solon Oliver as an additional traffic officer for appointment tonight. Mr. Rossi moved to approve this recommendation. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Mr. Oliver spoke about having grown up in Menemsha and being very familiar with the area. Mr. Solon said he thought it would be a good fit and is thankful for this opportunity.

Mr. Malkin said in talking with the Police Chief one of the issues in Menemsha parking is employees of commercial activities staying longer than the time they are allotted in a parking space. Mr. Malkin wanted to be sure this would not continue and that the traffic officers are aware of this.

Chairman Doty said we have an additional appointment to make tonight and that is for the position of Administrative Assistant to the Town Accountant. Chairman Doty said we have held interviews for the position and the Accountant has recommended Lisa Guidi. Chairman Doty moved to appoint Lisa Guidi to the position of Administrative Assistant to the Town Accountant. Mr. Malkin seconded the motion. Mr. Carroll said this position is for 8 hours a week. **SO VOTED: 3 Ayes**

Katherine Kavanagh requested to have discussion about what is going on with the Vineyard Transit Authority. Ms. Kavanagh asked if Selectmen would please attend the VTA Advisory Board meeting tomorrow. Mr. Malkin confirmed he would attend. Ms. Kavanagh spoke.

Ms. Manning (who is on the VTA Advisory Board) expressed frustration saying we are almost into the 6th week of this strike and tomorrow is the first VTA Advisory Board meeting. Ms. Manning said the management company is based in Florida and their concept is not realistic to the island conditions.

Chairman Doty said we will have Mr. Malkin attend the meeting tomorrow along with our newly appointed rider representative Carl Crocker. Chairman Doty said the discussion about this topic tonight is completed. Ms. Manning and Ms. Kavanagh thanked the Selectmen.

At 6:15 PM with no further items for discussion Mr. Malkin moved to adjourn. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Minutes respectfully submitted by Diana DeBlase. **Approved 08/06/2019**

Document list:

- Draft minutes from Selectmen's 6/18/19 meeting
- Interview questions and responses for Fire Chief position
- Jeremy Bradshaw's Fire Chief application
- Support letter from Stan Mercer for Jeremy Bradshaw
- Island Girl Excursions proposal
- Town Counsel's recommended response to proposal submitted by Island Girl Excursions
- Request from movie location scout Kai Quinian about fall filming
- VTA vacancy appointment notice prepared by Jay Grande Tisbury Town Administrator
- West Tisbury Town Administrator Jen Rand's request to VTA Advisory Board to post a meeting ASAP
- Planning Board acknowledgement of receiving proposal from Chilmark Housing Committee to amend Zoning bylaw acreage minimum for homesite.
- Homesite Housing section 6.9 of Chilmark Zoning bylaws with redlined amendment to section 3.
- Email from Housing Committee Assistant to Board of Health concerning the Board of Health comments for the proposed amendment to homesite
- Tri Town Ambulance chief letter about the vote held at the TTA Committee meeting held July 9, 2019
- Notice from Striking VTA Drivers, ATU Local 1548 to Alice Butler of the Board of Directors of MV Transit Authority about their thoughts of VTA management