

## Selectmen's Meeting Minutes 02/19/19

### Chilmark Board of Selectmen February 19, 2019 Meeting Minutes

Present: Chairman James Malkin, Warren Doty, Bill Rossi, Tim Carroll, News reporters Landry Harland and Rich Saltzberg.  
MVTV videographer

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

#### Minutes:

Draft minutes from the Selectmen's January 22, 2019 meeting were reviewed. Corrections were made. Mr. Rossi moved to approve minutes as corrected. Mr. Doty seconded the motion.

**SO VOTED: 3 Ayes**

Draft minutes from the Selectmen's January 8, 2019 meeting were reviewed. Corrections were made. Mr. Doty moved to approve minutes as corrected. Mr. Rossi seconded the motion.

**SO VOTED: 3 Ayes**

#### Solar As Of Rights Zoning - Planning Board Memo:

Chairman Malkin read the memo aloud:

Mr. Doty said what legal counsel did was correct a few items but the essence of the bylaw is the same and looks good to present to the town at the Annual Town Meeting in April. Mr. Doty recommended including as amended in our ATM warrant. The final Annual Town Meeting Warrant will be set in March.

#### Harbor Master hiring process - updates Selectman Malkin:

Chairman Malkin said the Harbor Master Preliminary Screening Committee has met twice and today interviewed four candidates of the six that applied for the position. The HMPSC is preparing to submit a recommendation to the Board of Selectmen to interview finalist candidates. Chairman Malkin said he has scheduled a Selectmen meeting for one purpose next Tuesday at 5:00 PM to interview the recommended candidates.

#### Fire Department - street signs and house numbers:

Chairman Malkin said Don Leopold who is the Selectmen's liaison to the Chilmark Fire Department has had discussions about the signage issues. Chairman Malkin said Mr. Leopold is prepared to address this and discuss at length at the Selectmen's next regular scheduled meeting.

#### Fire Chief - future expectations for this position:

Mr. Carroll said this can be discussed at the next meeting with Mr. Leopold but that Mr. Leopold had recommend we have a long range plan for the fire department.

Mr. Carroll said it seemed we should not be looking to hire a new Chief as a full time position until we have a long range plan for the department. Mr. Doty said that will be a very useful discussion.

#### Fire Chief - hiring process discussion:

Chairman Malkin said as for the hiring process this is something Mr. Leopold wants to talk about. Mr. Carroll said he and Mr. Leopold worked on the hiring process and it really depends on what the masterplan wants when you want a person to actually start. Mr. Carroll said you have the ability through the contract to hire the existing person as a consultant or as a non-firefighting administrative chief. Mr. Carroll said this affects the timeline; basically we would back into the timeline. This is three months from when you want a new person to start.

Chairman Malkin said what we know from labor counsel is that effective the 25<sup>th</sup> of July 2019 the Fire Chief cannot act as a chief. And whatever other position we work with him to create in the interest of the fire department, he will be compensated at a stipend level for x number of hours limiting him to specific number of hours. Tim Carroll said he thought it was 920 hours. Mr. Carroll said the statute is July 31<sup>st</sup>. Mr. Carroll said once you know what you want for a department then you can advertise for someone you want to lead that department. Mr. Carroll said it seems a strategic plan for the department is a priority rather than rush to hire to replace the chief.

Chairman Malkin said we are not rushing to replace the chief we have been talking about this for a year. Mr. Carroll said that is true but we have not addressed a strategic plan. Mr. Rossi said the job has gotten to another level over the last 10 years and we need to look at that. Mr. Rossi recommended looking 10 years ahead. Chairman Malkin recommended looking ahead at least 3 years.

### **Old Business**

#### **Ambulance and Fire Station Updates:**

Mr. Doty asked for update on the new ambulance barn and the new fire station. Mr. Carroll said Pacheco Ross will get us a report by the end of February so at the March 5, 2019 meeting you can review it. Mr. Doty said The Yard has been going through a significant plan with the Zoning Board of Appeals and the Planning Board referred them to the MV Commission. Mr. Doty said their expansion project would be a project of regional impact. Mr. Doty said The Yard's architect is Blake Middleton who will be on island March 7<sup>th</sup> and 8<sup>th</sup> and Mr. Doty will do a walk around with him when he is here.

Mr. Rossi said he really likes what Clark Goff has done with the design recommendations for the Ambulance Barn. Mr. Doty said one of the Yard's concerns is their entrance driveway is right on the property line and asked what we can do to screen our development.

#### **William Brewster traffic consultant:**

Chairman Malkin said Katie Carroll wished to speak with Mr. Brewster. Mr. Brewster has since reached out to Ms. Carroll. Mr. Carroll said he spoke with Mr. Brewster yesterday and he reported leaving a message last week but will reach out to her again this week.

Chairman Malkin said we are going to try either Barbara Armstrong's suggestion (alternate Bus turnaround) or Ms. Carroll's or a version of the two of them or something so we will need an engineer to draw this out so we can look at it and paint lines. Mr. Carroll said Bill Austin from Vineyard Land surveying could do this and that Bill Brewster will have some recommendations to share with Bill Austin.

#### **Walkway easement on DiMaura property update:**

Mr. Carroll said the order of conditions should be available from the Conservation Commission soon and we will need to file that with the registry. Mr. Carroll said he spoke with Ed Fay who is the attorney for the DiMaura's who have asked for a written confirmation from the town that he would be made whole for the expenses of his attorney and landscape architect to review the plans. Mr. Carroll said we have a verbal confirmation from the anonymous donor of that. Mr. Carroll told Mr. Fay it would be difficult to get that in writing from an anonymous donor. Mr. Carroll said however once we have a quote from Ed Fay for the all of the costs the town has a warrant article and for up to that amount we can assure we can make him whole for that amount.

Mr. Carroll said he has talked with the DiMaura's landscape architect Carly Look. Mr. Carroll said he gave her the plans from VLS and Mr. Brewster's visual rendering. Ms. Look will work with these and deliver us a design for the stone wall. Mr. Doty asked if we were on target to have this in place by Memorial Day. Mr. Carroll said he left a message with John Keene asking him to freshen up his quote so he can schedule this project. Mr. Carroll said he has not heard back from him yet.

#### **Harbor electrical project update:**

Mr. Carroll said we have a signed contract and a submission for payment. Mr. Carroll said the payment was questioned by the town and we have not heard back from them since we had questioned that. Chairman Malkin said he questioned the request for payment, he requested confirmation that the equipment had been delivered. Mr. Carroll said one of the deliverables is the bond. Mr. Carroll said Eversource will need to be contacted to disconnect power prior to work starting and to reconnect at finish before April 15, 2019.

#### **Martha's Vineyard Commission (MVC) meeting March 4, 2019:**

Mr. Doty said there is a meeting 12:30 PM March 4 at the MVC about the short-term rental tax. Representative Fernandes, Senator Cyr and a representative from the DOR as well will be at the meeting. Chairman Malkin said there is also a Housing Bank proposal tied into the rooms' tax as well. Chairman Malkin said at the FinCom meetings we had a lot of enthusiasm about this but also on the other hand a lot of facts missing on how this is going to function.

#### **MVC DRI referral update:**

Chairman Malkin said he has been working to submit a referral to the MV Commission. This is about the impact of the proposed casino and about public safety on the roads of Chilmark.

Chairman Malkin said the application for the referral is difficult to complete without there being an application (building).

Chairman Malkin said he is working with various people on how to submit a referral.

#### **New Business:**

Mr. Carroll said Kent Healy (engineer) did inspect the Basin Road box culvert and deemed it safe for H20 truck traffic. Mr. Carroll said he will submit this report from Mr. Healy to the Mass. DOT. Mr. Doty said we refer to it as a bridge but it is officially box culvert. Mr. Carroll said that is what it was called but the Mass DOT team this year refers to it as a bridge but could not say why.

Menemsha Cross Road - water drainage update:

Chairman Malkin asked if Mr. Carroll had heard from Kent Healy and Clark Goff about the water drainage off Menemsha Cross Road. Mr. Carroll said he has talked with them individually and encouraged them to get together with Keith Emin (Chilmark Highway Superintendent) to do a site visit together. Mr. Doty said our concern was the plans looked like there would be a swale / ditch along the side of the road which would not work alongside the Church. Mr. Rossi said there are esthetic concerns as well as functional concerns. Chairman Malkin requested that he meet face to face with Mr. Emin, Mr. Healy and Mr. Goff at the site to finalize this project.

Meet the Fleet 2019 - Menemsha:

Mr. Doty said the Martha's Vineyard Fishermen's Preservation Trust (MVFPT) would like to do the exact same thing they have done in other years with the addition of the USCG having a helicopter rescue demonstration. Mr. Rossi moved to approve this request from the MVFPT to hold the event for August 1, 2019 from 3:00 PM to 7:00 PM as presented in this written request. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes \_**

MMA - 8<sup>th</sup> Grade Essay Contest:

Mr. Doty recommended sending this to the West Tisbury School. Chairman Malkin requested this be sent along to the West Tisbury School.

Meals on Wheels:

Elder Services of Cape Cod has sent an invitation for Selectmen to participate on March 20, 2019 to help deliver meals and meet constituents. Chairman Malkin said he would be available to participate and is looking forward to it.

Updates on ongoing projects: \_

Mr. Carroll relayed the following project updates:

- 4 North Ridge Road updates for the March 5 meeting

Mr. Rossi said that John Flender has sent him the covenants and restrictions for this property.

Mr. Rossi said once we have the soil test we just need to pick a date to auction the property.

Mr. Carroll said the other project updates have already been discussed tonight.

Draft Financials from DCRHA for Middle Line Road Affordable Rental Units:

Mr. Carroll said our Accountant (Ellen Biskis) is concerned that her requests from the previous audits in particular 2015 were not changed in the 2017 audit. Mr. Carroll said the Accountant said this report is showing that they are carrying things in the wrong places and in the wrong format. Mr. Carroll said there is no material wrong they are just not following accepted practices.

Mr. Carroll said it's his understanding from the FinCom meeting that the Housing Authority is going out to market for a new auditor so investing too much time in this might be pointless.

Mr. Carroll discussed some of the items that needed correcting. Mr. Carroll said Ms. Biskis has contacted them about these items. Mr. Rossi said he would talk with the Accountant to get a clear picture of the issues and will follow up with Mr. Vigneault at the Housing Authority.

Mr. Carroll said if it doesn't work with their auditor we can ask our auditor what it would cost to include MLR financials in our audit.

There was discussion to include estimated receipts; the sum from Middle Line Road as an income. Then we can raise and appropriate that \$30,000.00 (from the rental units) we would be expecting it as revenue. Mr. Doty recommended that be discussed with the Accountant.

At 5:39 PM with no further items for discussion Mr. Doty moved to adjourn. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Minutes respectfully submitted by Diana DeBlase. **Approved 03/19/2019**

Document list:

- Draft Minutes from Selectmen's January 22, 2019 and January 8, 2019
- Chilmark Planning Board proposed zoning amendment for As-Of Right zoning
- Request from Martha's Vineyard Fishermen's Preservation Trust to hold Meet The Fleet event in Menemsha
- Ma. Municipal Association 8<sup>th</sup> Grade essay contest documents
- Elder Services of Cape Cod invitation for Selectman to serve meals on March 20, 2019 for the March for Meals campaign
- Middle Line Road rental units draft financials Dukes County Regional Housing Authority

- Nextra Energy disclosure label
- ComCast / xfinity international package update / TV changes.
- Zoning Board of Appeals January decisions and February agenda