Town of Chilmark
ANNUAL TOWN MEETING
April 27, 2015

MODERATOR: Everett H. Poole
TOWN CLERK: Jennifer L. Christy
REGISTRARS: Susan M. Heilbron, Judy G.L. Mayhew
CONSTABLE: Marshall E. Carroll, III
TELLERS: James Malkin, Dennis DaRosa

At the close of voter registration on April 7, 2015 there were nine hundred and thirteen (913) registered voters in the Town of Chilmark. With one hundred and forty seven (147) voters present at the Annual Town Meeting, 16% of the total number of registered voters, the Moderator called the meeting to order at 7:35 p.m., in the Chilmark Community Center at 520 South Road. Constable Marshall E. Carroll, III attested to the posting of the warrant.

ARTICLE 1. Article 1 was postponed by the Moderator until the Annual Town Election at the Chilmark Community Center at 12PM, Wednesday, April 29, 2015.

The Moderator read the Questions that will appear on the ballot.

ARTICLE 2. The Moderator read the article and asked if there were any reports from Town Officers or committees. No reports were made.

ARTICLE 3. Read by the Moderator, moved and seconded. The Moderator stated he would not read the departmental budgets. The Moderator asked anyone with questions to please rise and be recognized. Robert Lionette, Up Island Regional School District Chilmark elected representative, was recognized and made a motion to amend the Up Island Regional School District budget for FY2016. He moved to reduce the assessment by $22,590.00 (on page 203, line 5695.) Mr. Lionette noted this would reduce the school budget to $2,451,897.98. The amendment was seconded.

The Moderator brought the amendment to Article 3 to a vote. The Moderator declared the amendment carried unanimously. The Moderator asked if there was any more discussion. There was no more discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 3 passed unanimously, as amended.

ARTICLE 4. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 4 passed unanimously.

ARTICLE 5. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:

Article 5 passed unanimously.

ARTICLE 6. Read by the Moderator, moved and seconded. Selectman William Rossi was recognized and stated the town is considering inserting the funding for the Vineyard Health Care Access program into the budget next year as a line item. Mr. Rossi requested Sarah Kuh, director of the Vineyard Health Care Access program, be recognized to speak on the article. Ms. Kuh was recognized and provided a history of the services the program since 1999. There was no more discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 6 passed unanimously.

ARTICLE 7. It was noted by the Moderator that this article, and the next 6 articles, require a 2/3rds vote to pass. The article was read by the Moderator, moved and seconded. The Moderator recognized Selectman Warren Doty who stated this article and the next 6 articles deal with funding stabilization funds as a result of the work in the last year of the Capital Improvement Planning Committee. There was no more discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 7 passed unanimously.

ARTICLE 8. It was noted by the Moderator that this article required a 2/3rds vote to pass. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 8 passed unanimously.

ARTICLE 9. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 9 passed unanimously.

ARTICLE 10. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 10 passed unanimously.

ARTICLE 11. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 11 passed unanimously.

ARTICLE 12. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 12 passed unanimously.

ARTICLE 13. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 13 passed unanimously.

ARTICLE 14. The Moderator stepped aside and asked the Town Clerk to read the Article. The Moderator stated he serves on a Board that owns the building that is the subject of this article and was advised to step aside for this article in order to avoid a conflict of interest. The Article was read by the Town Clerk, moved and seconded. Mr. Lagemann was recognized and inquired of the location of the building. Mr. Rossi explained the building is located in Tisbury. Ms. Puciul inquired of the use of the building. Martina Thornton, County of Dukes County Manager, was recognized and explained the services of the Martha's Vineyard Center for Living. Selectman Jonathan Mayhew asked the size of the building. Ms. Thornton stated it is 7,454 square feet. Susan Murphy was recognized and gave a description of the services of the Center for Living, as experienced by herself and her family, and stated her strong support for the program and the purchase of the building. There was no more discussion. The Town Clerk brought the article to a vote. The Town Clerk declared: **Article 14 passed unanimously.**

ARTICLE 15. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared: **Article 15 passed unanimously.**

ARTICLE 16. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared: **Article 16 passed unanimously.**

ARTICLE 17. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared: **Article 17 passed unanimously.**

ARTICLE 18. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared: **Article 18 passed unanimously.**

ARTICLE 19. Read by the Moderator, moved and seconded. Deborah Dunn was recognized and inquired about the purpose of the position. Chief Brian Cioffi was recognized and stated state law allows for a school resource officer, subject to appropriation. Chief Cioffi itemized the duties of school resource officers. Mr. Lagemann inquired why the Finance Committee was against the article. James Malkin, Finance Committee member, was recognized and stated the size of the town, the location of the school in respect to the Police Station and the usefulness of a school resource officer were topics the committee discussed before voting to not support the expenditure. Vicki Divoll, another Finance Committee member, was recognized and stated her support of the expenditure explaining her view that the proposal was modest. Mr. O'Gorman was recognized and asked for clarification of the role of the school resource officer. Mr. Lagemann was recognized and stated his view that there other actions the town could take to improve the safety of children in town and suggested expending funds to build sidewalks. Selectman Mayhew was recognized, agreed with Mr. Lagemann, and stated his opposition to this article. There

was other very brief discussion at the conclusion of which the Moderator brought the article to a vote.
The Moderator declared the Article is lost.

ARTICLE 20. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 20 passed unanimously.

ARTICLE 21. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 21 passed unanimously.

ARTICLE 22. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 22 passed unanimously.

ARTICLE 23. Read by the Moderator, moved and seconded. Chief Brian Cioffi was recognized and requested to indefinitely postpone the article. There was no discussion. The Moderator brought the article to a vote to indefinitely postpone.
The Moderator declared Article 23 indefinitely postponed.

ARTICLE 24. Read by the Moderator, moved and seconded. Arlan Wise was recognized and asked for clarification on the location of this underground tank and well and the possible impact on surrounding wells. Selectman Rossi was recognized and explained the Fire Chief recommended the installation and further explained that the water source would be only used in an emergency. Selectman Doty was recognized and stated the tank would not be drawn upon unless there was an emergency need and therefore the well would not be activated unless an emergency required the tank to be refilled. There was no more discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 24 passed unanimously.

ARTICLE 25. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 25 passed unanimously.

ARTICLE 26. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 26 passed unanimously.

ARTICLE 27. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 27 passed unanimously.

ARTICLE 28. Read by the Moderator, moved and seconded. Selectman Doty stood to explain the repairs to the floor of the Chilmark Community Center. There

was no more discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 28 passed unanimously.

ARTICLE 29. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 29 passed unanimously.

ARTICLE 30. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 30 passed unanimously.

ARTICLE 31. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 31 passed unanimously.

ARTICLE 32. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 32 passed unanimously.

ARTICLE 33. Read by the Moderator, moved and seconded. Selectman Rossi was recognized and requested this article and the next be indefinitely postponed and explained the town has the deeds for both of the parcels and the town is just waiting to close on the properties. Selectman Rossi further stated the town will obtain, through a 100 year lease from the Squibnocket Farm Homeowners Association, an additional 1500 feet of beach and 300 feet of pond frontage, subject to permitting. There was no more discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 33 is indefinitely postponed.

ARTICLE 34. The Moderator stated he would entertain a motion to indefinitely postpone Article 34. It was moved to indefinitely postpone the article and the motion was seconded. Christopher Murphy was recognized and stated his concern with eminent domain and the process followed by the Selectmen. The Moderator stated the question is not regarding eminent domain but to vote to indefinitely postpone. Leonard Jason, Jr. was recognized and called for a point of order. There was no more discussion. The Moderator brought the article to a vote. The Moderator asked all those in favor to say aye. Those in favor said aye. The Moderator asked all those opposed to say no. Those opposed said no. Selectman Rossi was recognized and stated he has not received any compensation for his work to acquire the Squibnocket parcels and his colleague at the agency has not received any compensation either. Mr. Rossi also stated the tool of eminent domain was reserved to be used as a last resort. The Moderator brought the article again to a vote and declared:
Article 34 is indefinitely postponed.

ARTICLE 35. Read by the Moderator, moved and seconded. Deborah Dunn asked about the use of the current building if the article is passed. Selectman Rossi stated the building would be sold, but asked the Moderator to recognize the School Superintendent, Dr. James Weiss, in order to answer the question. The Superintendent confirmed that the building would be sold. Selectman Doty was recognized and stated his concern with the repairs needed to the island's school buildings and asked if Dr. Weiss would recommend postponing the construction of new administration offices until it may be identified what the costs will be of the school repairs. Dr. Weiss itemized the known repair needs of the island school buildings. Dr. Weiss stated the plan to construct new administration offices has been in the works since 2005. He further stated that funds to do feasibility studies and design work have been expended. Dr. Weiss agreed that repairs to the school buildings are needed. Joan Malkin asked for clarification of the costs of the project. Dr. Weiss responded and described the current condition of the administrative offices building in Tisbury. Selectman Mayhew was recognized and asked the superintendent if there had been consideration of existing buildings on island to house the administrative offices. Dr. Weiss stated a search had been made of existing structures, but that none appeared adequate. He further stated the administrative offices require approximately 10,000 square feet and stated the present building is approximately 5000 square feet. Dr. Weiss stated the current building is not adequate due to the fact that the building is not handicap accessible, there are no fire suppression or alarm devices, and there are no private spaces in the building to conduct confidential personnel work. Ms. Kuh was recognized and stated her support for the article. Mr. Lionette was recognized and expressed support for the article. Sam Hart was also recognized and expressed support for the article. There was no more discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 35 is carried.

ARTICLE 36. Read by the Moderator, moved and seconded. No discussion. The Moderator brought the article to a vote. The Moderator declared:
Article 36 passed unanimously.

ARTICLE 37. The Moderator stated that before reading the article he would recognize Jim Feiner, Chairman of the Housing Committee, who had amendments to the article. Jim Feiner was recognized and offered three amendments:

- **Definition of Caregiver**
  The text of **Article 2, DEFINITIONS; Caregiver Section 2.26** shall be replaced with the following:
  A "Caregiver" is an adult who resides on site for the purpose of caring for an elderly, chronically sick or disabled person.

- **Eligibility for Affordable Housing**
  Article 6.12 EXCEPTION FOR ACCESSORY APARTMENTS – PRIVATELY OWNED PROPERTIES, Section A.2.c shall be replaced with the following:
  The Accessory Apartment must be rented on a year-round basis to persons eligible to rent affordable housing in Chilmark following basic income certification by DCRHA*.

- **Review Period**
  In Article 6.12 EXCEPTION FOR ACCESSORY APARTMENTS – PRIVATELY OWNED PROPERTIES, Section D, the 5-Year Review the number **5** shall be replaced with the number **2** in the heading and where it appears twice in the text of Section 6.12.D.

*Dukes County Regional Housing Authority

The motion to amend the proposed bylaw was moved and seconded. There was no discussion and the amendments were brought to a vote. **The Moderator declared the amendments passed unanimously.** The Moderator declared the article would require a 2/3rds vote to pass. The Moderator read the article, as amended. Jim Feiner was recognized and stated his support for the article and the benefits to the Town of an accessory apartment bylaw. Jamie O' Gorman was recognized and stated her support for the article and shared stories of the difficulties many have in finding living space on-island. Rich Osnoss, Chairman of the Planning Board, was recognized and stated the support of the Board for the article. There was other very brief discussion and the Moderator brought the article to a vote stating that he had received a petition, signed by 10 voters, to conduct an Australian ballot. Andrew Goldman asked if there was a procedure to avoid an Australian ballot. The Moderator asked if the petitioners would withdraw their request. Approximately seven petitioners indicated they would withdraw their request. The Moderator stated he would take a voice vote to decide the issue. The Moderator asked for all those in favor of a secret ballot to say aye. He then asked for those opposed to a secret ballot to say no. The Moderator stated he would eliminate the secret ballot. The Moderator called for a vote. The Moderator declared:
Article 37 passed unanimously, as amended.

The Moderator asked if there was any more business to come before the Town. Margaret Maida was recognized and stated Dr. Weiss, Superintendent of Schools, should be recognized for his service since this is his last town meeting before retirement. There was applause.

The meeting was adjourned to the Chilmark Community Center, at 12:00 noon on Wednesday, April 29, 2015, the time of the polls opening at the Annual Town Election.

A true record. Attest:

Jennifer L. Christy
Town Clerk
May 5, 2015