

Chilmark Select Board May 2, 2023 5:00 PM Meeting Minutes

Present: *Select Board:* Chairperson Bill Rossi, James Malkin and Marie Larsen. *Others:* Town Administrator Tim Carroll, Fire Chief Jeremy Bradshaw, Police Chief Sean Slavin, Town Accountant Ellen Biskis, Marissa Jackson (Eversource), Ronit Goldstein (Eversource) Ann Wallace, Frank Fenner, Billy Meegan, Clark Goff, Deb Hancock, Erich Greenebaum, Fred Khedouri, , Hugh Weisman, Jeffrey Maida, Jessica Roddy, Katie Carroll, Linda Coutinho, Margaret Maida, Patricia Egan, Richard Osnoss, Vicki Divoll, Patrick_, Andrew_, Judie Flanders, Seth Woods, Brisk Leona, Jennifer Maxner, Jane Greene, MV ANA (2 people on video), Julie Flanders, Harbormaster Ryan Rossi and Tim Rich. News reporter Eunki Seonwoo, MV Gazette reporter and MVTV agent.

At 5:00 PM Chairperson Rossi called the meeting to order on the Zoom (remote participation) platform.

Chairperson Rossi said welcome to Marie Larsen and new member to the Chilmark Select Board. Ms. Larsen thanked Chairperson Rossi.

Chairperson Rossi said traditionally after Annual Town Election we reorganize the Select board positions.

Mr. Malkin moved that Bill Rossi will resume as Chairperson, James Malkin as Vice-chair and Marie Larsen as Clerk. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes completed as roll call as remote participation.**

With a few minutes till public hearing posted time start Chairperson Rossi asked to review minutes from April 18, 2023 Select Board meeting.

Minutes:

Draft meeting minutes from 4/18/23 were reviewed. Mr. Malkin moved to approve as written. Chairperson Rossi seconded the motion. **SO VOTED: 2 Ayes** Marie Larsen abstained from vote as not Select Board member at the time of meeting. *Completed as roll call as remote participation.*

At 5:05 PM Chairperson Rossi opened the public hearing.

Petition of Eversource for pole location at 86 Menemsha Cross Road:

Marissa Jackson of Eversource rights and permits department presented this plan.

Tim Carroll screen-shared the proposed location and supporting documents supplied by Eversource. Ms. Jackson said she is here to address any questions on the projects. Chairperson Rossi asked for Ms. Jackson to explain the projects. Ms. Jackson said we're proposing with this first item on the agenda is the installation of one stub poll, an anchor, and guy wire. The purpose of this is to accommodate a request we received from one of the residents, a customer will be upgrading service. We need to further brace the existing poll that is located along the roadway currently identified as 3/42. Request is to set this stub poll directly across the roadway and further brace that poll. Ms. Larsen said this pole 3/42 is really leaning and asked if it will it be straightened. Ms. Jackson said yes they will, and gave explanation of process.

Petition of Eversource for pole location at 86 Menemsha Cross Road Continued...

Ms. Larsen asked if it was possible to move the pole 3 feet off the pavement of Menemsha Cross Rd. Ms. Jackson said prior to installation the engineers will mark where pole and anchor will go. Ms. Jackson said the pole will be typically within 2 feet of Menemsha Cross Road. Ms. Larsen said out Highway department would like to see this pole 3 feet off the pavement. Ms. Jackson said that could be added to the condition of permit.

At 5:11 PM with no further comments or questions from anyone present at meeting Chairperson asked for a motion to close the public hearing. Mr. Malkin moved and Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes completed as roll call as remote participation.**

Chairperson Rossi requested to put some condition on this project at 86 Menemsha Cross Rd. Ms. Jackson said certainly once you sign the documentation if you want to add an additional form and note you want the pole 3 feet back based on feedback from Highway department. Ms. Jackson said she will address that with the Maintenance & Construction Office prior to any work being done.

Mr. Malkin moved to approve proposal with condition that it be located 3 feet back as long as the engineers involved, find that to be appropriate and suitable for the location. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes completed as roll call as remote participation.**

With 7 minutes till next public hearing Chairperson Rossi asked if there was something from agenda to address in that timeframe.

Ms. Larsen moved to rename the meeting room at town hall from Selectmen's Meeting room to Select Board Meeting Room. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes completed as roll call as remote participation.**

Tim Carroll said you have 2 resignations to take notice of; Andy Goldman submitted resignation from Housing Committee and Peaked Hill Pastures RFP Committee and Lisa Burkin is resigning from the Community Preservation Committee. We would be looking for applications at your next meeting this month for all the annual appointments for committees and boards and employees. Chairperson Rossi said we accept those resignations with regret. Chairperson Rossi said we (Select Board) need to think about what committee assignments we are all going to take. Mr. Carroll said the Tri Town Ambulance would like to have a Chilmark representative at their next meeting scheduled for next week. Marie Larsen said she would like to be the representative for that committee. Chairperson Rossi moved to appoint Marie Larsen as the Chilmark Select Board member on the Tri Town Ambulance Committee. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes completed as roll call as remote participation.**

At 5:15 PM Chairperson Rossi opened the public hearing

Petition of Eversource for 2,280 feet of two 5" Underground Cable and Conduit Locations on Menemsha Cross Road: *Tim Carroll screen shared a legend of the proposal from Eversource*

Eversource petition hearing continued...

Marissa Jackson of Eversource rights and permits department presented this plan. This proposal is for system improvement and reliability. In the event of outages this project could positively affect about 1,500 customers. This project would take about 4 to 5 weeks once started. Ms. Jackson answered some questions about appearance and location of the pull-boxes. Ms. Jackson said they would like to start this project in September and would be in communication with the town for scheduling.

Ms. Larsen asked if the starting and ending polls would have more equipment on them. Ms. Larsen said for full disclosure one of them is in front of her house. Ms. Jackson said there would be no change to the poles but they would be reducing 2 lines to a single line on the pole. Ms. Larsen said about the Eversource station that is located at Menemsha Cross Road; thought there was going to be *beautification remedies to that area, it has not happened yet. Ms. Jackson said she could not speak to that yet but can address that first thing. Ms. Larsen thanked Ms. Jackson for following up on that issue. Mr. Carroll asked for clarification about if the covers for the 4x6 foot boxes. Ms. Jackson said they would have covers and manhole covers in the cover. Mr. Carroll said the town has installed surface French drains (gravel filled) from in front of the Church along the roadside. Mr. Carroll asked if Eversource would restore the drainage system back in place after their job. Ms. Jackson said absolutely. Mr. Malkin explained the drainage system for clarity. Mr. Carroll proposed he walk with the Eversource engineer at the sight for them to have a clear understanding of the existing system. Mr. Carroll asked besides the crossover from poll 3/24 is there was going to be any cutting of the asphalt. Mr. Carroll pointed out that we have a new Fire Station apron just being installed and we are planning our paving project for Menemsha Cross Road this September. Ms. Jackson mentioned adding these issues to the conditions in writing.

At 5:24 PM with no further comments or questions from anyone present at meeting Chairperson asked for a motion to close the public hearing. Mr. Malkin moved and Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes completed as roll call as remote participation.**

Mr. Malkin moved to approve this project with conditions mentioned regarding the paving and drainage and location in relation to new fire station, Tim Carroll said and manholes*. Marie Larsen seconded the motion. **SO VOTED: 3 Ayes completed as roll call as remote participation.**

With 5 more minutes till start of next public hearing Tim Carroll reminded everyone about town appointments. Anyone interested to be appointed to committees and boards to please send letter to Select Board office ASAP asking to be appointed at the next Select Board meeting on May 16, 2023. Mr. Carroll also mentioned item 18 on agenda is the Chilmark Preschool RFP to make sure we put on your next agenda. Mr. Carroll said we have the original RFP from 10 to 15 years ago as a starting point and we can add into that land instead of a room. With more time till hearing Select Board Chairperson said Jim is unable to attend the posted joint meeting with the Peaked Hill Pastures RFP Committee tomorrow. Chairperson Rossi said we will need to postpone till the following week (5/11/23 noon).

Discussion while waiting for public hearing time continued...

Mr. Carroll said are there any questions about the town meeting and election results.

Mr. Carroll reported that all of the overrides passed. Mr. Carroll said everything passed except for the High School Budget, and that appears to be getting some resolution. We will have to schedule a Special Town Meeting to do the Martha's Vineyard Regional High School budget. Mr. Carroll said we will also have to have the 2 Ambulance articles that were omitted from the ATM.

At 5:30 PM Chairperson Rossi opened the public hearing

Application of Seth Woods for a Common Victualler License at the Homeport Restaurant 512 North Road:

Chris and Seth Woods were present for this agenda hearing. Mr. Woods referred to the Homeport & Oyster bar operating intention for summer of 2023 he had sent Tim Carroll. *Mr. Carroll screen shared the document.* Mr. Woods introduced Brisk Leona his managing partner and General Manager Jennifer Maxner. There was discussion about the number of seats in and outside of the Homeport. Chairperson Rossi said this will still need to go through the process with Board of Health and Building department we are having hearing for the Common Victualler so the badness plan. Ms. Larsen asked what the employee parking plan is. Jennifer Maxner said they will be utilizing the Tabor house parking and VTA bussing and hope that it works. If needed they have management vehicles to move bodies (employees). Ms. Maxner said it will be a condition of employment that parking is at the Tabor House lot.

At 5:49 PM with no further questions or comments Chairperson Rossi asked for motion to close the public hearing. Mr. Malkin moved and Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes completed as roll call as remote participation.**

Mr. Malkin moved accept proposal conditioned by any conditions the Board of Health may have. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes completed as roll call as remote participation.**

Police: Request of Chief of Police, recommended by Human Resources Board, to authorize Step 8 for the new Police Sergeant - Request of Chief of Police to appoint new Police Sergeant:

Chairperson Rossi said the Sergeant Position interviews were completed and the Police Chief has a candidate he would like to hire and Select Board appoint at a step 8.

Chief Slavin said due to the unique experience of over 18 years that Sergeant Vieira (Sergeant for West Tisbury) has and that he would still be taking a substantial pay cut from what he is currently paid. Police Chief Slavin said he is requesting approval for this step 8 hire. Chief Slavin said the budget already covers this request and he would also like to give the EMT stipend at hire date vs waiting 1 year.

Chief Slavin said he had originally planned for an appointment recommendation tonight but need more time for the background checks and a medical & psychological exams. Intend for this appointment to be on May 16, 2023. Start date is anticipated for May 26, 2023. Chairperson Rossi asked if the EMT stipend is also in this budget as well. Chief Slavin said yes.

Police Continued...

Mr. Malkin said he is delighted that Sergeant Vieira has decided to come to Chilmark. Mr. Malkin noted that Garrison Vieira was a real interesting and solid candidate for Police Chief. Chairperson Rossi noted that Vieira would not be eligible for the education incentive until 1 year after hire date. Chief Slavin confirmed this. Chief Slavin asked for Select Board to endorse hiring at step 8 grade 11 and to also receive the EMT stipend at time of hire.

Mr. Malkin moved this request and Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**
completed as roll call as remote participation.

Town Administrator -Request to appoint Facilities Manager:

Mr. Carroll said there was an interview committee of himself, Warren Doty and Linda Coutinho with Jennie Greene as the HRB observer. We interviewed 4 candidates 3 that we liked very much. We came to a clear candidate for the position of Facilities Manager. Mr. Carroll said that Patty Egan is here if Select Board members would like to interview at this time. Lunda Coutinho said we had some great candidates but we all believed Patty was the best fit for Chilmark, and has the right skills and attitude. Ms. Greene said she believed Patty Egan was the best candidate without question. Chairperson Rossi asked if Patty was available in June to do training on the new buildings. Patty Egan confirmed she is available. Mr. Carroll said he is requesting Select Board approve hire of Patty Egan as Facilities Manager at grade 10 step 3. Mr. Carroll said this is within the hiring policy and will not need to return to HRB. Ms. Larsen said she has known Patty for a long time and is thrilled to have her to be the Facilities Manager.

Chairperson Rossi asked for motion to appoint Patty Egan as Chilmark's Facilities Manager.

Mr. Malkin moved to approve, Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**
completed as roll call as remote participation.

Tim Carroll said he would contact Patty Egan tomorrow.

Fire Department:

Request of Fire Chief to purchase new Mini-Pumper to replace Class-A 37 year old pumper "Fouts Four V2" mini-pumper <https://foutsfire.com/stock/fouts-four-2/> through a cooperative purchasing organization. 9 foot aluminum body, 315 gallon capacity, Ford F-550 crew cab 4x4, Hale DSD 1500 GPM pump – with SAM System upgrade available, 300/15 gallon tank, Whelen lighting package, Optional: Rear booster reel with 100 ft. of 1 inch hose.

Legal review of collective purchasing process

- https://nppgov.com/state_statute/massachusetts/ G's office suggests towns have answered:1) Check whether the public procurement unit advertised the procurement in a relevant publication;2) Confirm that it used specific purchase descriptions in the solicitation;3) Ensure that it used a clear rule for award or determination of best value in the solicitation;4) Confirm that it used an appropriate comparative evaluation process for choosing vendors; and5) Confirm that it provides for renewed competition on a regular basis.

Fire Department Continued...

Chief Bradshaw was present and discussed this item. This will be a very good addition to our fleet. Request to have Select Board approve purchase of this vehicle. And legal counsel review. Ms. Larsen inquired about the vehicle. Chief Bradshaw explained the vehicle in more depth. Chairperson Rossi asked for a motion. Mr. Malkin moved to approve this purchase. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes** *completed as roll call as remote participation.*

Mr. Carroll confirmed that legal counsel has the response from Fouts and the Association concerning following the collective purchasing process.

Up Island Regional School District Committee – HVAC

- a. IMA - draft updated agreement
- b. Appoint Rob Hannemann as town representative on School District HVAC Installation Committee

Mr. Carroll said West Tisbury says they don't need a joint meeting they will just vote and sign the agreement. Mr. Carroll discussed the financing and borrowing plans for the HVAC project. Mr. Carroll said there was discussion about asking Rob Hannemann to be the town representative to the project for the installation of the HVAC system. Chairperson Rossi said he is the perfect person to appoint because he understands it better than most. Chairperson Rossi said this is not a town project so Mr. Hannemann will need to get in touch with the Superintendent of Schools and get involved. Chairperson Rossi said it would be good for them to have a weekly or biweekly meeting during the project to make sure everything is going to schedule on to plan. Michael Owen who is our OPM for the Fire house & TTA HQ is also the OPM for the school HVAC project. Chairperson Rossi said Mr. Hannemann wanted to volunteer his time to see this project through.

Fred Khedouri - Letter responding to questions:

Chairperson Rossi said we received this letter responding to some people thinking there may be a conflict of interest with him participating on the Peaked Hill Pasture Housing RFP committee. Mr. Khedouri presented this saying he took a belt and suspenders approach as people had expressed concern. He submitted the form of appearance of conflict form. *This form was screen shared by Mr. Carroll.* Mr. Khedouri said this is definitively not actually a conflict under the State Ethics rules. Mr. Khedouri also has called the Ethics Commission and will report back to Select Board if they express concerns.

ATM/ATE results:

Mr. Carroll said he could submit a memo to the Select Board for their next meeting of updates since Annual Town Meeting and Annual Town Elections. Chairperson Rossi said that would be fine.

Mr. Malkin asked for Mr. Carroll to send out message to Committee & Board members who would like to be reappointed to send something into the Select Board office letting us know.

Mr. Carroll said in the past he had sent out emails and had had limited success so this year he put it on the handout at Annual Town Meeting in a printed form. Mr. Carroll reported already7 getting response from this and will also send out email reminders.

At 6:17 PM with no further agenda items to discuss Chairperson Rossi asked for a motion to adjourn. Mr. Malkin moved to adjourn and Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes** *completed as roll call as remote participation.*

Minutes respectfully submitted by Diana DeBlase.

APPROVED 05/16/2023

Document list:

- Gazette advertisement if Chilmark Public Hearing: Homeport Common Victualler application.
- Gazette advertisement if Chilmark Public Hearing: Eversource petition to locate pole at 86 Menemsha Cross Road
- Gazette advertisement if Chilmark Public Hearing: Eversource petition to install underground cable & conduit along Menemsha Cross Road.
- Eversource Petition documents for Installation of one stub pole 3/24-S with one anchor and guy wire
- Eversource Engineered plans for petitioned proposals for hearing
- Abutters list for Eversource petition for work at 86 Menemsha Cross Road
- Eversource Petition documents for Installation of underground cable & conduit locations along Menemsha Cross Road.
- Eversource engineered work order sketches of proposed project along Menemsha Cross Road.
- Abutters list for Eversource petition for work along Menemsha Cross Road
- Common Victualler application form filled out for Homeport by Seth Woods
- Homeport draft menu supplied by Seth Woods
- Homeport draft elevations plan for patio
- Homeport bar(oyster) layout
- Homeport Kitchen layout
- Homeport Patio floor plan
- Draft minutes from Select Board meeting held April18, 2023
- Sale agreement from Bulldog for Fire Department firefighting vehicle
- Proposed changes to Sale agreement from Bulldog for Fire Department firefighting vehicle
- UIRSD Intermunicipal Agreement 10-13-2021
- UIRSD redine Intermunicipal Agreement changes
- Letter from Fred Khedouri
- ATM Warrant 4/24/23
- Lisa Burkin resignation from Community Preservation Committee 4/28/23
- Comcast notice of renaming HBO Max to Max as of 5/23/23/

- Comcast programming updates to happen in May 2023 sent to town 04/14/23
- Additional Building plans of Homeport restaurant by Bruno Oliveira
- Homeport furniture (chairs & tables layout plan