

## Chilmark Select Board September 26, 2023 5:00 PM Meeting Minutes

**Present:** Select Board: Chairperson Bill Rossi, James Malkin and Marie Larsen. Housing Committee: Chairperson Jim Feiner, Ann Wallace (*Housing & Planning Board member*), Allison Cameron Parry, (Bill Rossi is also on the Housing Committee). Housing Committee *not present were: Peter Cook and Nettie Kent Ruel*. Alison Kisselgof, Others: Town Administrator Tim Carroll, Jeffrey Maida, Diana DeBlase, Laura Silber, Deb Hancock, Julie Flanders, Emily Josephs, D. Barnes, Mr. & Mrs. Marcus, Sergio Modigliani, Vicki Divoll, Robert Kenny, Jim Thorpe, Tucker Drummond, Mike Drezner, Deb Zetterberg, Jonah Maidoff, Elise Greene, Tracy Thorpe, Jim Karabees. Abby Rabinovitz, Monina Von Opel, Edward Miller, 2 unidentified men, Eversource Reps: Ronit Goldstein & Marissa Jackson. News reporters: Thomas Humphreys and Eunki Seonwoo. MVTV videographer Lynn Christoffers.

At 5:00 PM Chairperson Rossi called the meeting to order in the Select Board meeting room at Chilmark Town Hall 401 Middle Road, Chilmark.

Housing Committee Chairperson James Feiner called the Housing Committee portion of meeting to order.

At 5:00 PM Chairperson Rossi opened the public Hearing

### Public Hearing: Affordable Housing Committee:

Chairperson of the Housing Committee Mr. Feiner gave an outline of the proposal and why it is important to our community. Ms. Cameron Parry and Ms. Wallace also spoke in favor of this proposal giving supporting comments to all present.

- Request to raise the Rooms Excise from 4% to 6%
- And allocate \$200,000 to the Molly Flender Affordable Housing Trust each fiscal year.

There was discussion about corporate and fractional ownership and short-term rentals through that ownership and how that effects Chilmark.

Ms. Hancock shared her concerns about this proposal. Bring to ATM not a STM and Gross income figures need to be reviewed prior to presenting to the town for a vote.

Chairperson Rossi said this really needs to come to Annual Town Meeting as an article on the warrant for vote.

Ms. Rabinovitz asked if the proposal was to be retroactive to 2024 or voted on going forward for 2025. Chairperson Rossi said he believed this if voted would not go in effect till July 1 2024 as Fiscal year 2025.

Chairperson Rossi closed hearing at 5:16 PM

Mr. Malkin moved to take this recommendation to the Chilmark voters at our (2024) Annual Town Meeting. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

At 5:17 PM Chairperson Rossi opened the public hearing.

### Public Hearing – Eversource Petition to locate (7) new mid-span poles along Middle Road:

Marissa Jackson from Eversource rights & permits department and Ronit Goldstein from Eversource community relations presented the petition and were available for Q & A.

Ms. Jackson gave a brief outline of the petition allowing to add resiliency and electric service support for Chilmark & Aquinnah. The poles will be added to the existing 4 mile stretch along Middle Rd. There was discussion of the type of pole and connection for the mid-span connection. 45 foot poles with wires at the top. Mr. Malkin said we have to balance resiliency and structural integrity with the issue of neighbors and view shed. Ms. Goldstein said we met twice with neighbors once in November 2022 and worked with feedback to this alternate plan from 48 to 7 poles. Ms. Goldstein said we met again with community in May of 2023. At that meeting we (Eversource representatives) gave Middle Road community information about underground. Ms. Goldstein said underground is not an option for this project. Drew Marcus said we have come to an agreement with the plan working as presented but even a foot variance from the plans here would really effect their view. Tracy Thorpe said the lines are going to be higher and they are thicker that is a concern. The property values of their houses are tied to the view. Ms. Goldstein responded that the wires are ½ inch more in width size. Chilmark homeowners and residence at Middle Road view shed spoke about how this is a good alternative to the original proposal but still would prefer an underground option. Sergio Modigliani, Elise Greene, Jim Karabees, Edward Miller all spoke about the importance of underground option for utilities. Mr. Miller supported Chilmark putting ½ mile of utility wires underground each year. Cost comparison of underground and above as presented was discussed up as well. Ms. Goldstein said estimate for underground is 1.5 million dollars per mile. Ms. Goldstein said she would get the figures for the cost of this project as presented tonight. Jim Thorpe said not seeing the cost figures for this project makes it hard to make a vote tonight. Chairperson Rossi said it would be good to get the figures for all who are asking to be able to see. Ms. Goldstein said you can generate a work order to get that information but we need to move this forward now.

Ms. Larsen said this project is ready to be started next week so we should move forward on this now and look to go underground in future.

Ms. Goldstein said the Keith Farm stretch is about 1800 feet so figuring that into cost of underground we would apply the 1.5 mil per mile.

At 6:02 PM Chairperson Rossi closed the public hearing.

Mr. Malkin moved to approve the petition from Eversource as presented. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

#### Minutes:

Draft minutes from Select Board meeting held 9/12/2023 were reviewed. Ms. Larsen recommended edit in the paragraph from Vineyard Power; at no cost vs free. Mr. Malkin moved to approve with edit. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

#### Chilmark Community Church - December 16th annual Christmas Flea and Fundraiser, non-profit fee waiver:

Mr. Malkin moved to approve this request. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

### Affordable Housing Committee

- a. Mass Housing - Complete Neighborhoods grant participation

Ms. Kisselgof gave an explanation of this as Ms. Silber was called away to an alternate Select Board meeting via Zoom. Mr. Malkin moved participate in this program. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

Ms. Silber returned to the Chilmark Select Board meeting and presented information on the following items:

- b. Testimony on Act to create MV Housing Bank
- c. September 14, 2023 Housing Policy Workshop slides

Laura Silber discussed the needs and ask. Select Board members supported these proposals. Select Board Chairperson Rossi said we would like to see any draft letter prior to sending on Chilmark's behalf. Ms. Silber said she would send along for the Select Board to review at their October 3, 2023 meeting. Mr. Malkin said we can hold a meeting to authorize support with as little as 48 hours needed for agenda posting open meeting criteria. Ms. Silber thanked the Select Board members for that consideration.

### Shellfish Department

- a. Recreational Bay Scallop Season: dip net only October 2,2023 -Nov 13, 2023, No Dragging in Muddy Cove
- b. Commercial Bay Scallop Season: Nov 13, 2023, M-F 7A-4P, Two Struck bushels a day.
- c. Commercial Oyster Season: Tisbury Great Pond - Nov 13, 2023, 800 count limit per day, only three days a week,
- d. Recreational Oyster Season: Tisbury Great Pond - Nov 13, 2023, 1/2 bushel a week.

Mr. Malkin moved to approve recommended shellfish season as presented. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

### Planning Board – Pickleball:

Mr. Carroll said the Planning Board submitted a letter about doing a moratorium. Mr. Malkin asked if the Planning board resolved that at their meeting last night. Mr. Carroll said nothing resolved yet. Ms. Wallace said the committee did get a response from Town Counsel on either a ban or a moratorium the Planning Board will continue this to the next meeting. It was determined that there would be no action on this item at this time.

### Interview of possible Alternate on the Zoning Board of Appeals – Emily Josephs:

Chairperson Rossi asked Ms. Josephs to explain why she wanted to be considered for position on the Zoning Board of Appeals to serve as an alternate. Ms. Josephs Explained she was asked by Joe Chapman (member of the ZBA) if she would consider. Ms. Josephs stated the ZBA's purpose to protect its natural assets and minimize development impacts wherever possible aligns with my sensibilities not only as a Chilmark resident but as a design professional. My experience in sustainable design and construction lends itself to this position, along with my willingness to listen and learn in my role as an alternate. I attended the August ZBA meeting along with a site visit and can confirm that I am genuinely interested in this position and can envision myself being involved on this board into the future.

Possible Alternate on the Zoning Board of Appeals – Emily Josephs Continued...

Mr. Malkin moved to appoint Ms. Josephs to be an alternate on the Zoning Board of Appeals. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

Bruce Golden volunteering for Capital Improvement Planning Committee (CIPC)-appointment:

Mr. Malkin moved to appoint Mr. Golden to the Capital Improvement Planning Committee. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

Treasurer – Next steps after report:

Treasurer D. Barnes Thanked the BOS for the tools they have supplied her office with:

- Regular PT financial assistant position
- Professional consultant review of office (generated final report)
- Adjustment of office hours to allow for quiet focus time on complex calculations

D. Barnes gave her goals between now and Jan/Feb 2024

- Cash completed for FY23 timely to allow for a STM (coordinated with the new Accountant)
- Treasurer end of year reporting due to DOR a.) End of year cash b.) schedule of Indebtedness in Gateway
- Restart conversation with Harpers & move forward with electronic Time and Attendance from all departments to streamline payroll. Add to the conversation with Harpers Payroll Forward features used to onboard new hires including pricing set up and timeframe to introduce this function. This will help the new HR admin in the onboarding process
- Dec/Jan prep for bonding the short term debt to long term
- Create FY25 budgets

Hunting permission – J. Rogers:

Mr. Carroll said he has been granted permission for many years now and we have not had any problems. Mr. Malkin moved to approve this request. Ms. Larsen seconded the motion.

**SO VOTED: 3 Ayes**

Winter Music Potlucks – Community Center:

Ms. Larsen presented this request for 4 dates that she would like to wave the rental fee for. Ms. Larsen said she would request that Mr. Karalekas secure liability insurance for each event and give a cleaning deposit. Mr. Malkin said there should be no alcohol in the Community Center or on grounds or parking area. Chairperson Rossi said we will approve with condition it is an alcohol free (No Alcohol) event. Mr. Malkin moved to approve with the conditions mentioned tonight for all 4 events. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

UIRSD Contingency Fund – Chilmark School exterior doors:

Mr. Carroll this is the Superintendent's Office notifying us as we have requested, no action is needed.

Correspondence not discussed at meeting from: Pay & Class Materials, DEP Large Entity inventory, Cape Light Compact H.3852, Attorney General - extension on Chilmark pool bylaw review, Comcast programming updates, USCG Lease renewal.

Mr. Malkin moved to adjourn.

Marie Larsen said she had a couple items to discuss. Chairperson Rossi asked for these items.

Ms. Larsen said she had learned that there is no Commercial Fisherman on the committee for the Phase II Menemsha Dock improvements. Ms. Larsen said Matt Mayhew said he would be interested in working with that group. Ms. Larsen asked for a motion to appoint Matt Mayhew. Mr. Malkin moved to appoint Matt Mayhew to the dock-repair replacement committee. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

Ms. Larsen said secondly the Drug & Alcohol policy that the Human Resource Board is proposing is too strict and not in keeping with our community. Ms. Larsen said she has concerns that the policy being proposed to become a bylaw needs review before approval. Mr. Carroll said he believed that the HRB can approve a bylaw without the Select Board needing to approve. Ms. Larsen said they have a continued hearing scheduled for first Thursday in October.

Chairperson Rossi said he had yet to review the proposed bylaw and believed the Select Board reviews and approved before it becomes a bylaw.

At 6:49 PM Chairperson Rossi asked for a motion to adjourn. Mr. Malkin moved to adjourn, Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

Minutes respectfully submitted by Diana DeBlase.

**Approved 10/17/2023**

Document list:

- 5\_pm\_public\_hearing\_advert\_roomstax.pdf
- memo\_to\_sb\_from\_chc\_re\_excise\_increase\_7-3-23.pdf
- room\_tax\_fy\_2023\_pdf\_from\_bruce\_stone\_copy.pdf
- 5:05\_pm\_public\_hearing\_poles\_middle\_rdpdf.pdf
- eversource\_pettition\_middle\_rd.pdf
- draft\_select\_board\_minutes\_09122023.pdf
- chilmark\_church\_christmas\_flea\_ccc\_request.pdf
- motion\_for\_approval\_to\_submit\_testimony\_mvchtf.pdf
- mvc\_housing\_task\_force\_09142023.pdf
- commercial\_bayscallopoyster\_season.pdf
- shellfish\_committee\_recreational\_season\_09062023.pdf
- pickle\_ball\_pb\_09132023.pdf
- emily\_josephs\_zba\_alternate\_letter\_of\_intent.pdf
- capital\_improvement\_planning\_committee\_golden.pdf
- bos\_mtg\_9-26-23\_review\_massmunifin\_dlb\_002.pdf
- j\_rogers\_hunt\_town\_forest\_request.pdf

- winter\_music\_potlucks\_4ccc.pdf
- mvps\_uirsc\_contingency\_chil\_exterior\_doors20230922\_10154834.pdf
- advert\_classification\_and\_compensation\_study.pdf
- chilmark\_pay\_classification\_study\_rfq\_fy2024\_final.pdf
- dep\_largeentity\_reporting\_action\_required20230915\_12534674.pdf
- h.3852\_-\_cape\_light\_compact\_-\_support.pdf
- ag\_extention\_10917\_chilmarkatm202320230915\_12523329.pdf
- comcast\_program\_advirory\_sept\_202320230922\_10285389.pdf
- uscg\_notice\_to\_renew\_lease\_0901202320230915\_12513090.pdf