

Joint meeting of West Tisbury & Chilmark Select Board March 21 2023 5:00 PM

Meeting Minutes

Present: Chairperson Bill Rossi, James Malkin (Mr. Carroll said Mr. Doty let him know he will be joining shortly but to start without him) West Tisbury Select Board: Chairperson Cynthia Mitchell, Jessica Miller and Skipper Manter. Others: Jen Rand, Tim Carroll, Susan Murphy, Russell Maloney, Susan Wasserman, Julie Flanders, Chilmark Police , Anna McCaffrey, Abigail Rosen, D. Barnes, Harbormaster Ryan Rossi, Marie Larsen, Judy Flanders, Deb Hancock, Diana DeBlase and news reporter Thomas Humphreys, MVT agent.

At 5:00 PM Chairperson Rossi called meeting to order on the Zoom platform. Chairperson Mitchell also called West Tisbury Select Board meeting to order.

Howes House (Up Island Council on Aging) / Renovations & Funding for the project:

Chairperson Mitchell gave some data from FY21: there were 2231 eligible users in tri-town 60 years old or older. In Chilmark 598 people who were eligible of them 305 used the UICOA services rate was 51% of that population.

At 5:03 Mr. Doty joined the meeting.

Chairperson Rossi said he finds value in the program and we want to continue the program. The question when we met in the fall was the level of participation in new building project estimated at 8 mil and now estimated at 10 million. The funding level of participation is where we are unsure. Mr. Malkin agreed with programs usefulness.

Steve Lewenberg and Ellen Biskis joined meeting

Mr. Doty said he agreed that it is important to continue the tri town arrangement but recommended more outreach to Chilmark community. Appreciate the building tour we had. Some things could be gained by renovating elevator to utilize the second floor and making repairs to existing building. Maybe 2 million not 10 million. Skipper Manter said he serves on Howes house committee and responded with discussion on the code requirements; once you bring a % of building renovations you have to bring all up to code. Roof 4 walls and anything under it would be paid for by town of West Tisbury. Hard to give cost as keep going up.

Susan Murphy said she supports the idea. How towns treat their elders is indicator of community. The site is loaded with problems. Marie Larsen asked for clarification on difference of Howes House use and UICOA. Mr. Carroll asked if they had met with Aquinnah Select Board yet. Chairperson Mitchell said yes and received similar comments as Chilmark Select Board has given tonight. Chairperson Rossi thanked the West Tisbury Select Board for coming and that they are clear Chilmark wants to continue the UICOA services for our communities.

West Tisbury Select Board and Ms. Rand left the meeting

Minutes:

Tabled till next Select Board meeting 4/4/23.

Meet the fleet August 3 2023 3:00 PM – 7:00 PM:

Mr. Doty said this has been a very popular event that has been run very well and moved to approve event. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Septic Tax Credit

Senator Cyr request

BOH comment & possible vote on letter of support

Anna McCaffrey said she was not ready to discuss this she was attending as a member of the audience. Select Board supported a letter. Mr. Malkin moved to authorize Tim Carroll to issue simple letter of support after the Board of health meeting. Mr. Doty seconded the motion.

SO VOTED: 3 Ayes

Menemsha Harbor:

Harbormaster Rossi gave update preparations in getting Menemsha ready for coming season:

Line Painting-

- WHITE parking space lines from Basin Road Bridge to Beach Parking Lot.
- WHITE loading zone at Menemsha Texaco fuel tanks
- BLACK out extra white lines in parking spaces just north of fuel loading zone
- BLUE in all 5 handicap spaces with white handicap symbol
- YELLOW on entrance to Comfort Station dirt lot
- YELLOW in NE corner and NW corner of beach parking lot with WHITE “NO PARKING”
- YELLOW on bus stop with WHITE lines and “NO PARKING” between white lines
- BLACK over old handicap space
- WHITE parking space lines in 2 hour parking across from Homeport parking lot. 22’ apart and 10’ from centerline (07 spaces in total)
- YELLOW in front of Homeport outdoor seating area with WHITE “NO PARKING
- WHITE parking space lines between Galley and Market
- YELLOW triangles before first legal parking spaces on east and west sides on N road before Galley/Market
- WHITE crosswalk at N Road/ Basin Road intersection

Jeffrey DuBard joined the meeting

Signage-

- Re-drive all sign post that are leaning or loose in ground
- Replace Faded HANDICAP signs with new signs. All signs similar design. 06 signs in total. 05 along Basin Road/Beach parking lot, and 01 at Galley
- Remove 5 hour parking sign north of bridge and replace with shuttle bus sign

Menemsha Signage Continued...

- Put 5 hour parking sign south of bridge on new 8 foot post so the sign is not blocked by the bridge railing
- Add small 30 minute sign under compact car sign in first parking space after bridge
- Remove small 12pm-9pm signs from under 30 MINUTE PARKING signs across from Menemsha Fish Market
- Remove 12pm to 9pm signs from split rail fence in front of Comfort Station dirt lot and replace with 30 minute parking signs (need one for each space)
- Add 01 1 HOUR PARKING sign in front of Menemsha Market
- Move current one our Parking sign to end of railroad ties before Menemsha Marker driveway
- Add 01 1HOUR PARKING sign at first space in front of split rail fence across from Galley with right facing arrow
- Replace 1 HOUR PARKING sign at last space across from Galley to have a left facing arrow
- Add Shuttle bus sign under "STOP AHEAD" sign across from Larsen Lane
- Add shuttle bus sign before stop sign at end of Basin Road
- Place crosswalk cone on Menemsha Blues side of N Road
- Place NO PARKING sign under yellow triangle sign across from Oliver property
- Replace "DIRT LOT PARKING BY PERMIT ONLY" sign and re-drive post next to fence post at entrance to lot
- Add " DIRT LOT PARKING BY PERMIT ONLY" sign with post next to fence post on opposite side entrance to lot

Spring 2023 Parks and Rec Signage (To be placed by Harbormaster):

- "NO PARKING VIOLATORS WILL BE TOWED" sign on locust posts on either side of Karsten Larsen and Matt Mayhew lots
- "NO PARKING THIS SIDE PRIVATE PROPERTY" signs at each telephone pole west of Basin Road on removable 4 foot black cast iron posts (04 in total)

Margaret Maida asked if lobstermen would be given a parking permit. Harbormaster Rossi said we had lots of discussion on that but they will need to park in legal parking areas. Marie Larsen asked how many signs we have and how many are new. Harbormaster gave explanation. Ms. Hancock asked about the Stop to be painted at the stop sign (North Road intersection at Basin Rd) on the road and what happened with that. If they are painting would be a good time to do it. Mr. Malkin asked Harbormaster to talk to Keith Emin about this. Chief Slavin supported having word STOP painted on the road where they are talking. Chief Slavin said he would talk to Keith about this.

Marie Larsen said she counted 9 new signs. Harbormaster Rossi said he would send Marie an email on this. Mr. Doty said we are happy with all the preparation and effort on this report. Thank you to Park & Rec and Harbormaster.

MR. Doty moved that the Select Board endorses the plans presented by the harbormaster. Mr. Malkin seconded the motion. **SO VOTED: 3 AYES**

Jeffrey Maida joined the meeting

Police Department:

Mr. Carroll said this is the request for Posting Sargent position that was vacated by Sean Slavin when he was promoted to Chief. Chief Slavin asked to remove strong in house candidate wording. Mr. Doty moved to advertise position vacancy for Chilmark Police Sargent. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Police Chief Slavin said he was notified that the Police Vehicle stabilization for FY24 was drastically reduced to reduce the increase to budget this year. Chief Slavin noted The Capital Plan was for a replacement vehicle and in Fy25 and with strong community support for EV intended to purchase electric vehicle. The EV appropriate for police vehicle is estimated at \$60,000 to \$70,000. Chief Slavin said he will be looking to have that money added to the stabilization fund in future.

Mass-Highway – Award of the Combination Dynamic Speed Feedback & School Zone Speed Limit Sign Assemblies (Units on MASS DOT Roads):

Mr. Carroll said we were awarded the grant and asked Select Board to vote to move forward to sign MOU with State.

Mr. Malkin moved to authorize Tim Carroll to do this. Mr. Doty seconded the motion.

SO VOTED: 3 Ayes

Town Offices:

Town Administrator Carroll said Kara has given notice she will be stepping down from her positions in Chilmark not immediately but we should move at replacing the positions. Mr. Carroll said there is also the position vacancy for the Facilities Manager and the Assistant to Fire Chief that went from grade 6 to grade 9 and we will be looking to advertise them all along with the police sergeant position.

Chairperson Rossi said he would like to discuss the Assistant to the Fire Chief. Chairperson Rossi said she has been in this position for over 2 years from what he understands. Mr. Carroll said she was appointed by the Fire Chief but not by Select Board or any appointment process. Chairperson Rossi said it's a 7 hour a week position do we think we need to start that process for someone who has been in the position for over 2 years, and who worked at it for free for a little while. Chairperson Rossi said she went through the process of doing the grade and step change. Chairperson Rossi said he knows there is a process argument, but it seems like advertising for position where they have someone they obviously want to keep, seems kind of silly. Chairperson Rossi said it's a formality he is questioning the need to do.

Mr. Malkin said 1.) This has nothing to do with the qualifications of the individual. This is all about process. The Human Resources Board's concern was the position was vacant and someone was put into the position without it being advertised. Then the position came for up-grading which is the first time the Human Resources Board was made aware of it.

Assistant to the Fire Chief Continued...

And rather than how our procedures manual call for rather than the supervisor presenting case for up-grading the position and the hours, the individual herself made the presentation.

Rather than the supervisor who is the Fire Chief. Mr. Malkin said all of that caused concern from the Human Resources Board about process being followed. Mr. Malkin said he believed through various communications that the position has more hours as well. Mr. Malkin said this is then more hours at a higher grade for position that wasn't advertised and filled without following any of our processes.

Chairperson Rossi suggested limiting the hours to what is in the budget line for the position.

Mr. Malkin said he believed the Fire Department submitted changes to their proposed budget after FinCom review. Mr. Malkin said maybe FinCom Chairperson Murphy has something to add to this.

Susan Murphy (FinCom Chairperson) said it was submitted way after. Ms. Murphy said we did not support the change (increase) of hours in budget line. Ms. Murphy said Fire Chief doesn't have funds in the FY24 for more than 7 hours a week and that was at the grade 6.

Mr. Carroll said there is a request for \$12,047.00 based on the grade 6 position in the Assistant to Fire Chief budget line. Mr. Carroll said this is then underfunded for the grade 9. Mr. Carroll said he (Fire Chief) could go to reserve fund request. Or also request at Special Town Meeting for an appropriation. Mr. Carroll said the request was made 1 week ago, which is long after we closed the hearings.

Mr. Malkin said there are 2 issues:

1. Issue of process in terms of filling the job.
2. Issue of the money for the individual who will be in the job

Mr. Malkin said Chairperson Rossi was speaking to the former; do we deal with the process failure, which happened a while ago and are we basically correcting the process by wasting time by going through the motions to adjust it. This is separate from the failure to submit a budget request for the funds necessary for the new position.

Chairperson Rossi said so we just move forward with what has been presented in terms of posting for positions. Mr. Doty asked if we had enough detail and do we know what we are posting. Usually we post for so many hours per week at a certain salary and list the qualifications we are looking for.

Mr. Doty has not seen the job description as it has not come to the Select Board for approval.

Tim Carroll said currently it would be 6 hours a week at step 3 grade 9.

Mr. Malkin said he is prepared given the amount of time that has passed and the fact that the Fire Chief has asked for forgiveness. Mr. Malkin continued; and clearly wasn't aware of our process, which is unfortunate but speaks to some of the Human Resources issues we have been discussing over time. To forgo posting the job vacancy. Mr. Malkin said he is not prepared however to entertain anything other than the original budget request that was made for the position. Mr. Carroll said it would be good to vote on policy. Mr. Doty summarized that Mr. Malkin's suggestion is to not post for the position, but fund it at the amount that was submitted to the Budget committee for the Fire Department hearing. And that the person who is in the position as Assistant to Fire Chief would stay in that roll.

Assistant to the Fire Chief Continued...

Mr. Doty asked for specifics of position job description and to make an appointment at the next Select Board meeting.

Mr. Doty said he would like to talk about the other postings and start by saying Kara Shemeth has been such a positive force in town hall and has done a wonderful job as board administrator and the Conservation Officer and he is sorry she is leaving but understands. Mr. Maloney (from the Conservation Commission) said Kara has been amazing and we will miss her dearly. Mr. Malkin and Chairperson Rossi agreed with the sentiments. It was recommended to send Kara Shemeth a note of thanks from the town.

- Approve posting of position vacancy notice – Board Administrator/Conservation Officer

Mr. Malkin moved to approve posting for vacancy of the Board Administrator/Conservation Officer. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

MDAR- Annual Appointment request for Animal Inspector – Chris Murphy:

Mr. Doty moved to approve nomination. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Superintendent of Schools - Up Island School District use of E&D funds by the school. 45 day clock March 14 - April 28:

Mr. Doty said Mr. Freidman spoke at our last meeting giving great detail to the figures and cost of projects and was grateful for all of his work. Mr. Doty said the management of the numbers for the school districts have been managed very well by Mr. Freidman.

Mr. Doty moved to take no action. Mr. Malkin seconded the motion. **SO VOTED 3 Ayes**

Open Meeting Law / Remote Participation March 31 expiration:

- a. House and Senate have approved extension to 2025. Awaiting conference committee and Governor. Two more weeks.
- b. Town Administrator will be suggesting that all town Public Bodies post their meetings between April 1 - 14 as in-person, or reschedule to after April 16.

Mr. Carroll said this is just an FYI for you. Chairperson Rossi said he plans on in person Meetings starting beginning of April. Mr. Malkin said me too.

Opioid Settlement Funds –

Mr. Carroll said the town is receiving multiple small payments from a number of companies that must be used for opioid related needs. (Less than \$10,000 expected)

- Establish stabilization fund to transfer these/future settlement funds and their appropriation for use (as they are otherwise left in the general fund and closed to free cash, while still "restricted") after the FY23 Free Cash is certified.
- Request the Board of Health work with the other island BOHs and the MV Community Services/Dukes SUD to develop a plan for the use of these settlement funds as an island-wide effort.

Mr. Malkin moved that the Board of health take recommended actions. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Update on FY2024 proposed budget

Tim Carroll screen shared the data prepared on Monday 3/20/23

8.12% down from 11% Mr. Doty said this is what we asked for.

Town Treasurer D. Barnes said the rate change came from CCMHG to the Health insurance increased by \$70,000.00.

Vicky Divoll joined meeting

Town Accountant Ellen Biskis said she filed free cash with DOR and they will get to it next week for review. There was discussion as to what will be the override items.

Mr. Malkin moved to approve budget and commended FinCom and all in bringing down increase %. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Mr. Carroll said Select Board Bill has been approved. So changed from Selectmen to Select Board officially.

Warrant for Annual Town Meeting (ATM):

Mr. Carroll Screen Shared the draft 5 of Warrant for ATM. There was discussion of the warrant Questions. Mr. Malkin recommended for Question 4 & 5: Remove \$27,000 for purpose of hiring traffic officer and traffic supervisor. And remove question 5 health insurance review of elected officials' coverage. Just 1 member of FinCom was interested in this. Look at aggregate of compensation to other island towns then make recommendation. At this time we don't have information. Chairperson Rossi said this said to convene a committee to come up with recommendation for possibly next year. Mr. Carroll said he recommends keeping the health insurance for the three boards.

Select Board approved questions 1, 2 & 3.

Mr. Malkin noted we had agreed at last town meeting to have a report on the nitrogen in Menemsha RE Comfort Station. Mr. Carroll said Question 2 is when committees can give reports. Jeffrey Maida asked about the override taking out the traffic officer and traffic supervisor is it in the budget. Mr. Doty said it's in budget not to be voted separately. Mr. Carroll read the Articles and discussion was held on items that needed more clarification or if there were questions.

Mr. Carroll spoke to Article 8: The advice from Bond Counsel- recommended the school HVAC increase figure to \$2,251,047 million the \$950,000 previously approved null and void from Bond Counsel to simplify the borrowing.

Article 23 - Paying down the tax rate

- If we don't have free cash certified by ATM we would stand up at meeting floor and table articles that need to be.

Article 25 The preschool article stay with as written by town counsel and if needed can amend at floor.

Mr. Carroll said Article 26 Petition for alcohol, petitioner requested to withdraw but with all signatures there is no way to remove at this time. They can move to table on the ATM floor.

Article 27 needs 2/3 votes as a Zoning bylaw amendment (pools)

Mr. Doty said he would approve this warrant. Article 8 will change and Article 9 amended wording.

Mr. Carroll amended as was discussed during this meeting

Mr. Doty moved to approve ATM Warrant. Mr. Malkin seconded. **SO VOTED: 3 Ayes**

Ms. Murphy said Ellen Biskis did a great job bringing in the new software and has provided us the data needed to make the cuts to budget. Mr. Rossi said she has been outstanding.

Ms. Murphy said she would like to resign from being Chilmark's Howes House representative. Mr. Malkin totally understand you have done so much work with FinCom and we accept your resignation from Howes House Committee.

At 7:01PM Accountant Biskis asked if Select Board would approve the expense warrant Select Board said they would send approval via email after reviewing warrant. With no further items for discussion Chairperson Rossi asked for motion to adjourn. Mr. Doty moved and Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Approved 04/04/2023

Minutes respectfully submitted by Diana DeBlase

Document List:

- Draft minutes from (6) Select board meetings held: 1/31/23, 2/1/23, 2/2/23, 02/08/23, 2/9/23, 03/14/23
- Letter from Martha's Vineyard Fishermen's Preservation Trust requesting permission to hold annual Meet the Fleet in Menemsha August 3, 2023.
- State House News Service notice of Septic Tax credit increase
- Email correspondence RE: Title 5 Tax credits and support letter recommendation
- Memorandum of Agreement with Mass DOT RE Speed feedback sign / school zone and Chilmark
- MDAR – Nomination of Inspector of Animals 03.03.2023
- Superintendent of Schools notice about UIRSD voting to appropriate E&D funds for school building needs
- FY24 draft Town Budget from 03.17.2023
- MEPA notice to receive comments on EEA#16668 Chilmark Pond Dredging project
- Comcast License fee payment = to \$0.50 per subscriber of 951 Chilmark subscribers as of 12/31/22
- Comcast rate change notice 03/03/23