

Select Board April 4, 2023 5:00 PM Meeting Minutes

Present: Select Board: Chairperson Bill Rossi, James Malkin and Warren Doty. Others: Tim Carroll, Michelle O'Connor, Suellen Lazarus, Hugh Weisman, Deb Zetterberg, Rich Osnoss, Julie Flanders, Ann Wallace, Peter Cook, Deb Hancock, Clark Goff, Jeff Dubar, Russell Maloney, Jessica Roddy, Janet Weidner, Billy Meegan, Marie Larsen, Bob Rosenbaum, David Rhoderick and Police Chief Slavin. News reporters: Thomas Humphreys, Eunki Seonwoo and MVT agent. At 5:00 PM Chairperson Rossi called the meeting to order on the Zoom platform.

Minutes:

Draft minutes from FY24 budget hearings; 01/31/2023, budget hearing 02/01/2023, budget hearing 02/02/2023, budget hearing 02/09/2023. Select Board meetings from: 01/10/23 (executive session of this date too), 01/31/2023, 02/01/2023, 02/08/2023, 02/14/2023, 02/21/2023, 03/07/2023, 03/14/2023 and 03/21/2023.

Mr. Doty noted he was not present for the Budget hearing meetings so he would not vote on them but recommended to approve the rest as written. Mr. Malkin seconded and approved the Budget Hearing minutes as written. Chairperson Rossi seconded the motion. All draft minutes were approved as written. **SO VOTED: 3 Ayes**

Highway – Superintendent of Streets- Use of WRAP State funds & Paving plans for 2023:

Town Administrator Tim Carroll's connection through Zoom was not allowing for him to have audio and visual was not strong either. Mr. Carroll was able to screen share the WRAP documents for Select Board to review. Mr. Doty said looks like we were granted \$47,000. Mr. Doty said we have a bullet point document outlining plan for spending funds. Mr. Malkin said Mr. Carroll has sent a message stating the list of items is expected to use up the entire \$47,000.00. Mr. Malkin moved to use the WRAP funds for projects specified in the documentation shared on the agenda. Mr. Doty amended motion to include that we accept the WRAP grant and authorize Tim Carroll to sign the grant. Mr. Malkin seconded the amended motion. **SO VOTED: 3 Ayes**

Chairperson Rossi said we have 7 bullet point Paving Projects titled 2022 but this is intended for fall 2023. Select Board supported getting the proposed paving done this fall.

Chilmark Town Affairs Council – Summer Program at CCC:

Michelle O'Connor said she too was also having internet connection difficulties but was able to present the CTAC plans.

Tim Carroll screen shared the CTAC plan that is on the agenda.

- Tents to have additional space for kids out of the sun
- Road race
- Book festival
- And updates for the CCC Summer program.

Chairperson Rossi mentioned the new surfing pilot program. Ms. O'Connor said it runs for 2 weeks; each session will be for 1 week. Ms. O'Connor said this program would need access to the beach for drop-off and pickup. 9:00 AM drop-off and Noon pickup.

Chilmark Town Affairs Council – Summer Program at CCC Continued...

Ms. O'Connor said she should probably go to the Beach Committee with this proposal as well. The instructors would have beach passes as they are town residents. And will purchase as all Chilmark residents can. Suellen Lazarus gave an explanation of the plans for the Book festival starting August 4 through August 6th.

Hugh Weisman gave the explanations for the Chilmark Road race. No change from last year; he will coordinate with EMS and Police Chief.

Mr. Doty said the proposed tent placement seemed fine. And asked for a bit of discussion about hiring a new Executive director. Ms. Lazarus gave an explanation. Mr. Doty also asked to talk about the pre-school program. The second room in the school may not be available. Ms. Lazarus gave an explanation and outlined change of the age groups. Each year we ask for 2 classrooms. Chairperson Rossi said if the HVAC system passes at town meeting the building use will be severely effected. Will need very good coordination between the contractor and the pre-school director. The contractor may be bringing portable bathrooms for use during the project. Chairperson Rossi said we will have confirmation after ATM but we are restricting use to a single room and a single bathroom. Ms. Lazarus said if it does not get voted at ATM would like to keep request of second room for summer program pre-school.

Mr. Doty said we usually vote each of the events separately as they come to us for approval but with it completed here today would move to recommend as presented. Chairperson Rossi said we need to be careful as that includes the preschool. Ms. Lazarus read aloud the preschool language: we understand we are given access to two classrooms for the play-school. And we will also need sufficient restrooms based on the Board of Health guidance for this number of young children.

Chairperson Rossi limited the motion to the Road Race and the Book Festival. Mr. Doty accepted that recommendation and limited his motion to approve the Book Festival and Road Race as presented. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Chairperson Rossi said while we are on the topic of the Community Center the CCCAC (Chilmark Community Center Advisory Committee) we (the CCCAC) discussed that the CCC would be reserved for the public (Chilmark community) to use on Monday Friday Saturday and Sundays and the pre-school / school limited to Tuesday Wednesday and Thursday.

Ms. O'Connor said we met with Pre-school board, school district representative Robert Lionette and school principal Susan Stevens. Tuesday Morning through Thursday evening the CCC would be available to a school entity. It was discussed that that would not work for the pre-school for what they need to setup for their infrastructure to run the program. It was discussed that the school use the three days for their specialists. (Gym, band, etc...)

Mr. Malkin moved to allow for school use of CCC Tuesdays through Thursday nights. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Chairperson Rossi said we have a bid for the mini-splits for the big room in the CCC. Chairperson Rossi said this discussion may be difficult without input from Tim Carroll who is having technical difficulties. Mr. Carroll said through the chat that for procurement laws we need 3 bids / quotes Mr. Rossi said he would get those for the next meeting to move this project forward.

Chamber Music request for reduced fee for public ticketed concert at CCC:

David Rhoderick presented this request on behalf of the MV Chamber Music. Mr. Rhoderick said they will be having concerts during the summer but would like to add 3 to 4 in the off season yearly. There was discussion about fees. Chairperson Rossi said he was not prepared to say yes to allow MVCM a reduced fee for the May 2023 concert. This essentially is because they are charging \$30.00 per ticket and it is not free to the public.

Suellen Lazarus said seems we have moved on from the Summer Program but wanted to ask if she were to send the Select Board a revised plan taking out the second class room for the pre-school and putting one class room and one bathroom at the Chilmark School. Would the Select Board be willing to approve the rest of the Summer Program proposal IE Tents etc... Mr. Doty said he would agree to approve if the wording was changed.

Mr. Malkin moved, Mr. Doty seconded the revised Summer Program proposal.

SO VOTED: 3 Ayes

Chairperson Rossi said sorry we cannot approve the MVCMS request for fee reduction at this time. Mr. Rhoderick said thank you for your time.

Human Resources Board- Request of Bob Rosenbaum to be appointed as member:

Mr. Malkin spoke in favor of appointing Mr. Rosenbaum to the HRB. Mr. Malkin then moved to appoint Mr. Rosenbaum to the Human Resource Board. Mr. Doty seconded the motion.

SO VOTED: 3 Ayes

Mr. Rosenbaum thanked the Select Board and said he would be at the HRB meeting this Thursday morning.

Peaked Hill Pastures – draft documents:

Rich Osnoss the Chairperson of the Chilmark Planning Board was present to speak to this agenda item. *Tim Carroll screen shared the posted agenda documents.*

Mr. Osnoss said he wanted to point out that there are 5 planning Board members present at this meeting but they would not be deliberating or voting so doesn't constitute an issue concerning the open meeting law.

Chairperson Osnoss said we understand it's been a year since article 25 passed at Annual Town Meeting. Chairperson Osnoss said we know the Select Board has had a sense of urgency to get this done and would have liked to see more progress. We had some concerns regarding encumbering the remainder of the property; approximately 16.5 acres in total.

There were a couple of items referred to Town Counsel and their response added to the boards need to slow down the process. Town Counsel suggestion was not to rush this. A professional consultant is necessary. The Peaked Hill Pastures RFP Committee report mentions going forward with 9 apartments and 18 bedrooms. The planning board still feels we should aim for the 10 apartments. 20 bedrooms.

So our next step is to find a consultant who is willing to work with us to move forward and to begin public hearings on discussions of amending the bylaw that pertains to rental apartments.

Peaked Hill Pastures Continued...

Mr. Osnoss asked to recognize Peter Cook for his work on the Executive Summary report for an RFP for the Peaked Hill Housing project. Chairperson Rossi supported getting an RFP out there to see what our costs would be.

Mr. Doty said we have a \$150,000 warrant for engineering costs for Peaked Hill Pastures and asked for a bit of explanation for funds. Mr. Osnoss said he did not write the warrant article but explained that Vineyard Land Surveying / Reed Silva has been working with the town (at PHP) and has drafted plans and perk tests at the site. Mr. Osnoss said the \$150,000 was a very high figure but would not be used if not needed. Mr. Osnoss said he believed the Article covers paying back the Molly Flender Affordable Housing Trust who approved the VLS work. Chair Person Rossi who is on the MFAHT said that they did approve spending up to \$150,000.00 to cover engineering costs and that the Article was to pay back the MVAHT. There was discussion on the AMI range for the project and what a friendly 40b constraints are. Chairperson Rossi said he would like to have the RFP developed to see what our options are Mr. Osnoss supported having public hearings, have a Special Town Meeting to vote on change to our bylaws moving forward a Peaked Hill Pastures Housing project. Ms. Hancock and Jess Roddy also spoke to the impacts town faces with the project.

Mr. Doty said a bylaw change would not only effect the Peaked Hill Pastures property but all of Chilmark. Mr. Osnoss said yes that is why we want as much input from Chilmark as possible. Hugh Weisman said we were talking (for the Peaked Hill Pastures area) about 10 apartments, plus 4 home sites on about 6 acres. Mr. Cook said let the town vote on whether town owned property should be exempt from that specific bylaw. It would apply only to town owned property, of which right now Peaked Hill is the only candidate. Mr. Osnoss said in response to Mr. Cook, town counsel responded and did not get to share prior to now but they did not support proposing an exemption for town owned land. Ms. Roddy supported the exempting bylaws from town land and said was not a bad idea.

Chairperson Rossi said the Select Board endorses the recommendation made by Rich Osnoss to get consultant and RFP in conjunction to public hearings and a possible Special Town Meeting.

Appropriation Transfers:

With Town Administrator unable to use the audio Tim Carroll responded to the question on whether this was what the policy has been or if changes are here and if Select Board are being asked to vote. Mr. Carroll screen shared see link here:

https://www.chilmarkma.gov/sites/g/files/vyhlf8411/f/agendas/igr17-13_1.pdf

Mr. Doty said he believes after reviewing it it is different than what we have done in the past. Mr. Doty referenced Therefore, during the last two months of each fiscal year, transfers between departments in town budgets may be made without the approval of the department from which the transfer is made.

- Policy
- Planning for May & June of 2023

Mr. Malkin read aloud the chat from Tim Carroll: It's not necessary that we do this tonight. The only change that this would make is that we're writing down what our practice has been.

Chairperson Rossi recommended to table till the next Select Board meeting.

Updates on Fire /EMS project:

Chairperson Rossi said we have a committee meeting tomorrow and we are getting down to the landscaping soon. We are ahead of schedule and on budget. Soon finish painting will happen. The steel beam correction has been completed. Mr. Doty said he is very impressed with the project. Chairperson Rossi said he believed there should be power into the buildings within the next few days. Chairperson Rossi commended the work Billy Dillion has done for the town as our clerk of the works.

MVC Joan Malkin – Ethics disclosure: housing visit to State House:

Select Board acknowledged having received notice. No action was taken.

Grant Extension DCFC:

This is the funding for the electric vehicle charging stations. No action was taken.

Chapter 332 of Acts of 2022 – Select Board:

Chairperson Rossi said this is about the Board being renamed officially to Select Board from Board of Selectmen.

At 6:30 PM with no further items for discussion Chairperson Rossi asked for a motion to adjourn. Mr. Malkin moved to adjourn. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Minutes respectfully submitted by Diana DeBlase.

Approved 04/18/2023

Document list:

- Draft minutes from FY24 budget hearings; 01/31/2023, budget hearing 02/01/2023, budget hearing 02/02/2023, budget hearing 02/09/2023. Select Board meetings from: 01/10/23 (executive session of this date too), 01/31/2023, 02/01/2023, 02/08/2023, 02/14/2023, 02/21/2023, 03/07/2023, 03/14/2023 and 03/21/2023
- Mass DOT Winter Recovery Assistance Program (WRAP) agreement 118159 and contract
- Proposal from Highway Superintendent for use of WRAP funds and 2022 paving plans
- Memo from CTAC for Select Board of overview of plans for 2023 summer program
- MV Chamber Music application to use Chilmark Community Center for May 6, 2023 ticketed event.
- Email request from Bob Rosenbaum to be appointed a member of the Human Resources Board
- Email correspondence about the Peaked Hill Housing project
- Peaked Hill Pastures RFP Committee revised Executive summary draft
- Additional documents for the PHP RFP of explanations to edits to executive report
- DOR May 2017 - Appropriation Transfers informational guideline release
- Mass DEP change in agreement for EV incentive program 03/28/23
- Bill H.3985 -2022 acts on 12/29/2022 Changed name from Board of Selectmen to Select Board
- Copy of Police Sergeant vacancy advertisement in Vineyard Gazette newspaper