

Select Board October 17, 2023 5:00 PM Meeting Minutes

Present: Select Board: Chairperson Bill Rossi, James Malkin and Marie Larsen.

Others: Town Administrator Tim Carroll, Peter Cook, Jeffrey Maida, Diana DeBlase. News reporters Okie & Humphreys and MTVV Videographer.

At 5:00 PM Chairperson Rossi called the meeting to order in the Select Board meeting room.

Minutes:

Draft minutes from Select Board meetings on September 26, 2023 and October 3, 2023 were reviewed.

Ms. Larsen moved to approve both meeting minutes. Mr. Malkin seconded the motion.

SO VOTED: 3 Ayes

Planning Board Ban on Pickle Ball Chapter 40A sec 5.

Mr. Carroll said this is the Planning Board notifying the Select Board and you have 14 days to return to Planning Board. Letter includes the recommendation from Town Counsel.

Mr. Cook said the Planning Board received a dozen or more correspondences requesting to stop pickle ball in Chilmark. Town Counsel noted if want a moratorium the practical way is to announce there is a public hearing on ban of pickle ball. So then you would have practically have a moratorium because there would be a disincentive for anybody to build a pickle ball court that may have to be taken down if ban goes into effect. During this time we would have a public hearing for a chance to hear any support for pickle ball.

Mr. Malkin moved to receive the notice and send back to Planning Board to proceed.

Ms. Larsen seconded the motion.

SO VOTED: 3 Ayes

CTAC - Tennis Court expense invoice - \$10, 375 from CCC Joint Maintenance Account (in lieu of rent):

Chairperson Rossi said we approved this maintenance last year. Mr. Carroll said this is now the invoice for the maintenance. Chairperson Rossi advised Mr. Carroll to pay out of Chilmark Community Center joint maintenance account. Chairperson Rossi said The Chilmark Community Center Advisory Committee will review how much money we have in the joint maintenance account and assess if we are putting enough funding in this line.

Mr. Carroll noted this account has yet to be used for landscaping so asked for this direction to pay. Chairperson Rossi said we will address MOU and revise when needed. Chairperson Rossi said he and Linda Coutinho will work on this together. Chairperson Rossi noted that the conceptual use needs to be in writing. Chairperson Rossi said this MOU is 6 years old and plan is to review every 5 years.

Mr. Malkin moved to pay invoice from the CCC joint maintenance line. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

Compensation & Classification Study - Updates, committee recommendation, funding, and possible award:

Ms. DeBlase (Chairperson of the C&CSWC) said the Town received three proposals; all where professionally presented within our deadline of October 6, 2023. The C&CSWC met October 12, 2023 and completed evaluations of each. One of the companies who sent proposals had no experience working with Massachusetts municipalities so we moved forward with two with further evaluations.

Collin's Center was the lowest price proposal. We completed extensive reference checks on both GOV HR USA and UMASS Boston Collin's Center. Collin's Center was slightly more advantageous after our review process. The Classification & Compensation Study Working Committee recommends that the Town move forward in negotiating contract with UMASS Boston Collin's Center.

Mr. Carroll said the proposal from Collin's Center is \$10,000 more than warrant appropriation. Mr. Carroll noted if directed to move forward with contract negotiations he would work to get that lowered to the amount we have appropriated. Mr. Carroll said if he is unable to get lowered \$10,000 we will have to find out whether we can get more money, or pull back the scope of services. Chairperson Rossi advised to see what we get with negotiations. Mr. Carroll said there has not been a full study completed in a long time. We could also ask the FinCom for funding from reserve fund. Chairperson Rossi said he is more likely to support downsizing the study. Mr. Malkin thanked C&CSWC for this good product. Delighted we have this to go forward with. Negotiation really important. Mr. Malkin said his view is if we can afford to, that we do all positions for the additional cost, all staff should be in this study. Mr. Carroll said then that would be Town Administrator going to FinCom for the additional money from reserve fund. Mr. Malkin said yes. Ms. Larsen said she agrees with Mr. Malkin all positions, including seasonal positions should be included in study.

Mr. Malkin moved to accept recommendation and move forward with negotiations. Ms. Larsen seconded the motion. **SO VOTED: 3 Ayes**

Chairperson Rossi said we have the Select Board maintenance account and the FinCom reserve between the two we should be able to cover the additional cost but that should be done after negotiations are completed.

Mr. Malkin directed Mr. Carroll suggest at FinCom 10/19/23 that we may come to them for funding Compensation & Classification Study after negotiating contract. Mr. Carroll noted that Fire Chief and Town Administrator positions are by contract so remove them.

Mr. Carroll said Police Department is under union contract and questioned if we are locking them into the contract negotiations with Collin's Center grade and step need to ask Jack Collins (town labor law counsel). Mr. Carroll proposed removing police positions from study. Mr. Malkin advised to ask legal counsel guidance on that.

Draft letter from Laura Silber - (if necessary):

No action needed, none was taken.

MV Land Bank letter in opposition of amending the land bank legislation:

Mr. Malkin said based on speaking to other towns and the MVLB he is supportive of this letter and oppose the concept floating around. Select Board are in agreement of position of Martha's Vineyard Land Bank.

Fire Chief – Updates:

Chairperson Rossi said it is really good to get these. Mr. Malkin said he agreed. Ms. Larsen noted their apparel is so clean, since they can utilize the new station washing apparatus.

Gary Demers - permission to hunt on town lands:

Select Board reviewed application from Mr. Demers to hunt Fulling Mill Brook Preserve. Mr. Carroll noted Mr. Demers has been granted permission to hunt this location for many years. Mr. Malkin moved to approve this application to hunt and grant permission to Mr. Demers to hunt on Fulling Mill Brook Preserve. Ms. Larsen seconded the motion. **SO VOTED 3 Ayes**

Human Resource Board:

- a. Accepted draft drug & alcohol policy with addition about allowing off-duty consumption of alcohol at CCC & beaches. Update only.

Ms. Larsen (attended the HRB meeting) said they voted to accept the draft drug & alcohol policy. But we need to clarify with town counsel about off duty consumption of alcohol at the CCC and beaches (town facilities and property). This needs to be written in somehow. Chairperson Rossi noted public vs private events. Mr. Carroll noted no action is needed at this time.

- b. Recommendation that the Select Board require liability insurance for any event involving alcohol at the CCC. Possible vote to adopt policy.

Mr. Carroll said this is our policy but you can reaffirm that and make clear statement. Mr. Malkin moved to adopt policy that anyone serving alcohol at event at the community center buys liability insurance. Ms. DeBlase added that the Town of Chilmark be listed as holder of certificate of insurance. And that the host liquor coverage be indicated. Ms. Larsen seconded the motion. **SO VOTED 3 Ayes**

Ms. Larsen said with the Winter Music Potluck events (4) they then would not need a liability insurance as we already voted they are not to have any alcohol at these events. Mr. Malkin and Chairperson Rossi expressed concerns that the no alcohol requirement at the Winter Music Potlucks will be followed. Discussion turned to if every event now needs liability insurance. It was determined this would need further review.

Draft COLA numbers in for the next HRB meeting. The increase was 4.1% over the previous 12 month period. No Action Required:

Mr. Carroll said last year town gave everyone 7% increase that would go away, so if give 3% COLA this year that would be flat salaries to anyone who is stepped out. Mr. Malkin said last year we gave a onetime adjustment of 3% and a COLA of 4% but our practice is never below 1% and not over 3%.

Town Administrator:

Middle Line Road – 100-150% basis of rent possibly to high for the market:

Mr. Carroll said referring to the MLR-Apartment; Dukes County Regional Housing Authority asking if we are offering to the 120% AMI. Chairperson Rossi said \$2,900 seems more than market for a 1 bedroom. Chairperson Rossi said we need to look at this seriously as a project that was funded by the town. Want to encourage for town employees and we want them to stay. Chairperson Rossi mentioned possible use of Molly Flender Affordable Housing Trust to subsidize rental cost. Mr. Carroll said \$2,179 was the latest figure discussed. Mr. Carroll also noted that the town owns these rentals and we can determine the rate for rentals.

Mr. Carroll recommended to have DCRHA to give us figures, and then determine if they are suitable for our units. It's been 10 years (since MLR managed by DCRHA) need review.

Eversource site walk - Menemsha Cross Road project update:

Mr. Carroll said at the site visit he was told the plan was to go down the middle of the road. Mr. Carroll said that would need to be changed to alongside. During this reconfiguring was determined they will install a manhole. Mr. Carroll said it would be the first on in Chilmark. Mr. Carroll said the area proposed is near 2 Menemsha Cross Road.

ATC update on extension of municipal fiber and seven new nodes:

Mr. Carroll referred to a map of proposed node sites from American Tower Corporation. Mr. Carroll said this is 7 new nodes (for T Mobile), he would like them to consider preexisting licensed sites. Select Board members reviewed map. TC/they need preliminary approval before December. Mr. Carroll said they may need some level of new permits.

- Mr. Carroll said Today Updates not listed on agenda: Andy Farrissey was in Menemsha and will be pulling fiber to west dock and will be able to connect for cameras on the west dock. Also figured out the last 75 feet to get to Peaked hill Tower.

Town Accountant has completed the first public procurement training on Goods & Services and is working on the second course involving Municipal Construction:

Mr. Carroll said the Town Accountant is getting training through state grant for general procurement, and has completed the first training. Mr. Carroll said goal is to have Accountant be certified procurement officer.

DVS - MIIA request:

Mr. Carroll gave update after corresponding with Tow's Insurance Company:

- The town has no alcohol insurance on any town property. Mr. Carroll said this is good reason to have a no alcohol policy.
- Also we should be checking the driving history, and driver status of all people operating; Fire engines, police cars, ambulances or operating their own personal vehicles on behalf of the town. Mr. Carroll explained we have liability for them all. Mr. Carroll said he has applied to the state to have an online process so we don't have to pay estimated \$20.00 per record. Mr. Carroll said we are working with Fire Department now and will work our way through all departments this applies to. Mr. Carroll said the policy of operating vehicles may have to be updated. It was submitted couple years ago to the HRB. Mr. Carroll said he did not believe we ever voted on it.
- Mr. Carroll said the Chilmark Pre-School brought over some plans. New proposal is to put new preschool on the back of the playground. Perpendicular to the tennis courts. At this location they might need zoning relief. Chairperson Rossi said if it's under an acre and half it is 25 foot setback. Mr. Carroll will ask our Building Commissioner to talk with Reid (Silva the engineer for this project).
- Mr. Carroll said the Chilmark School Principal has filed her retirement at the end of this school year. Mr. Carroll said she has been teaching for 49 years. Mr. Carroll said to start the replacement process wanted to ask Select Board for their input.

Chairperson Rossi said she deserves recognition for amount of time she has into the school system and in particular this school (Chilmark). Chairperson Rossi asked who hires the principal of our school is it the town or Superintendents Office. Mr. Carroll said he believed the Superintendent's Office with the cooperation of the community and a representative of Select Board. Chairperson Rossi asked that a letter from the Select Board be sent to the school committee (before Thursday) and Susan Stevens giving the recognition and our appreciation. Mr. Malkin added to say we are looking forward to the process of hiring new person for the position.

Select Board Member – items:

Chairperson Rossi said he is getting prices on the area between the Town hall Parking lot and the 399 Middle Road. Mr. Carroll referred to the area as the scarf. Chairperson Rossi said hopefully that will be getting done next month.

Marie Larsen said Menemsha Phase II of the Commercial Docks working group met. Harbormaster would like the first stakeholders meeting for Nov 13 6:00 PM at the Chilmark Community Center.

Jeffrey Maida said the group is now called the Menemsha Phase II Commercial Dock Replacement Group. Mr. Maida said we felt this early on replacement might be a little misleading as it may end up as a Commercial Dock repair. Chairperson Rossi said add the word repair. Ms. Larsen said the group is in agreement with that recommendation. Menemsha Phase II Commercial Dock Repair / Replacement Group

Mr. Maida asked if the town Moderator would run the meeting. Mr. Malkin said he could run the stake holders meeting on 11/13/23 unless Ms. Weidner wanted to.

Mr. Maida asked if it could be a hybrid meeting. Mr. Malkin recommended in person. Mr. Carroll said we could ask MVTV to record it. As zoom doesn't work well in that space. Mr. Carroll noted we can send a mailing out and advertise the next meeting for more input from the community for the Phase II Menemsha Dock repairs. Just new couple weeks' notice.

Mr. Carroll confirmed Select Board will move their regular meeting from November 21 to November 28th.

At 6:01 PM Chairperson Rossi moved to adjourn. Mr. Malkin seconded the motion.

SO VOTED 3 Ayes

Minutes respectfully submitted by Diana DeBlase.

Approved 11/7/2023

Document list:

- Draft minutes from Select Board meetings held 9/26/23 & 10/3/23
- Letter from Planning Board about Proposed Zoning Bylaw amendment to make pickle ball courts a prohibited use rather than a specially permitted use.
- Email correspondence about CTAC and Town maintenance of Tennis Courts and invoice for maintenance completed
- Letter from MV Land Bank opposing proposed legislation to change bylaw.
- Fire Chief report to Select Board for October 2023
- Hunting permit application from G. Demers to hunt Fulling Mill Brook Preserve
- Draft COLA figures from CPI for Urban Wage Earners and clerical workers
- Vineyard Gazette ad for vacancies on Chilmark Community Center Advisory (winter) Committee, and Community Preservation Committee.
- MV Regional High School GAO & Uniform Guidance Reports 06/30/2022
- MV Regional High School Financial Statements & supplementary info 06/30/2022
- ZBA application summary for Oct 2023
- ZBA September decisions summary