

Chilmark Board of Selectmen Joint Meeting with Chilmark Planning Board
October 15, 2019 Meeting Minutes

Present: Chairman Warren Doty, James Malkin and Bill Rossi. **Planning Board:** Chairman Rich Osness, Cathy Thompson, Peter Cook, and Janet Weidner. Others: Tim Carroll, Police Chief Klarén, Fire Chief Bradshaw, Clark Goff, Heather Goff, Margaret Maida, Clarissa Allen, Jan Buhrman, Ann Wallace, reporter Brian Dowd & MVTV videographer.

At 5:00 PM Chairman Doty called joint meeting to order in the Selectmen's meeting room.

Chairman Doty said when we have a resignation in an elected position we have to have a special joint board meeting to elect a new member. With both committees having a quorum they reviewed applicants for the position. Ann Wallace was present and spoke to the committee and board of her interest and qualifications in serving as a Planning Board Member. Chairman Doty said there is also an application for the position from Robert Zeltzer. Chairman Doty said in his absence he will say that he served 2 terms on the Martha's Vineyard Commission and was elected as a Dukes County Commissioner. Chairman Doty asked for comments from any of the board members present.

Mr. Rossi said he knows both of the applicants; Ann Wallace who he has worked with on the Housing Committee is very good at digging into the details. Mr. Rossi said he is very impressed with Ms. Wallace and gave his endorsement. Mr. Rossi said Mr. Zeltzer is also a very impressive applicant but he is not here tonight. Mr. Malkin asked Mr. Osness as Planning Board chair what the major issues coming to the Planning Board over the next few years are and of the two candidates what might be relevant.

Mr. Osness said he knows Ms. Wallace better and from his letter can see that Mr. Zeltzer is a very fine citizen who has served our community extensively. Mr. Osness said either applicant would be excellent additions to the board. Mr. Osness said Ms. Wallace has attended and contributed to many Planning Board meetings over the past few years. Mr. Osness said Ms. Wallace is steady and direct. What is needed in the foreseeable future is what is always needed in the past; diverse viewpoints and being respectful of one another during discussions and planning. Mr. Osness said he would support having Ms. Wallace on the board. Mr. Osness said if the vote goes to Mr. Zeltzer he would be fine with that though.

Ms. Thompson said in the memo we worked on, Ms. Wallace looked at the housing options in a full scope that many of us were unable to do. Ms. Thompson said she also knows Mr. Zeltzer and he is a very accomplished person.

Mr. Cook said he would like to get to know Mr. Zeltzer, as he has a very impressive qualifications and he could be a real service to the board in the future. Mr. Cook said right now the issue of housing is going to be very important in the next year or two and he can't think of anyone better than Ms. Wallace for that. Mr. Cook said having the gender balance on the board is also an important consideration. Chairman Doty asked for a nomination for the position on the Chilmark Planning Board.

Ms. Weidner moved to nominate Ann Wallace to fill the vacated position until the April Annual Town Election. Mr. Osness seconded the motion. The motion was approved unanimously.

Ms. Maida said on the agenda for tonight it lists approving a Special Town Election in December. Chairman Doty explained that is an election for override debt exclusion. Chairman Doty said Ms. Wallace can run for election for the position this April. Mr. Carroll explained that Mass General Law states in Section 11 Chapter 41 the procedure that must be followed on a vacancy as we have. The town has Special Town Election on behalf of the Town Treasurer or the Board of Selectmen.

With no further Planning Board issues the Planning Board members departed.

Possible reconsideration of Commercial Scallop season- Shellfish Advisory Recommendation:

Chairman Doty reported that the Committee met again this past week at our request and will delay their recommendation a few weeks to assess the conditions of the scallops during the recreational opening. Chairman Doty reported there was also discussion at the Shellfish Advisory meeting of the possibility of opening a Commercial Oyster Season. Chairman Doty tabled any action on the Shellfish Commercial Seasons till the Selectmen's November 5, 2019 meeting.

Beach Committee:

Chairman Doty asked for Beach Committee members present to discuss the trash and dogs on the beach issues. Beach Committee Chair Clarissa Allen said the committee met on October 1, 2019 and discussed 2 issues that were brought to them by residents. The issues being dogs on beaches and off season trash particularly at Lucy Vincent Beach. Ms. Allen said there are regular beach walkers who pick up trash that has washed ashore and they leave it at the entrance of the walkway. The committee agreed to put totes (fish totes) that are marked with "for beach debris only". The committee also agreed in an effort to keep people from leaving dog poop bags behind to have signage to say "clean up after your dog and take away, do not leave behind feces filled plastic bags". Ms. Allen said the Beach Department budget as it is now doesn't allow for the purchase of these signs and monthly removal of the beach debris. Ms. Allen said a member of the Board of Health had mentioned that they might be able to take on these expenses. Ms. Maida said the beach debris is not like household garbage that really smells bad if it is not picked up immediately when it is full. Ms. Allen said we are seeking assistance in funding during this winter and we will assess the costs and work into the budget for next year.

Mr. Rossi asked if the Board of Health had the funds in their budget to cover these additional expenses. Jan Buhrman a member of the Board of Health said the board had discussed this issue last spring. Ms. Buhrman said the board spoke with Kevin Oliver (Chilmark resident and trash collector) who said he could swing by once a week as he is clearing trash from his customers weekly. Ms. Buhrman said the Board of Health is committed to paying for once a month having someone go and remove the trash. There was discussion that Mr. Karlinsky could swing in monthly to remove the beach trash as part of his existing job with the town. Mr. Doty asked what Mr. Oliver's regular charge for a pickup would be and said this doesn't need to be a free service to the town. Ms. Allen said they (Beach Committee) could ask both Mr. Oliver and Mr. Karlinsky for a quote to do the monthly trash pickup at the beach. Ms. Buhrman asked to bring discussion back to Board of Health role of educating the public using good signage. Ms. Buhrman said we don't know the cost but that 2 to 3 signs are needed. Mr. Buhrman said she would be happy to work with Beach Committee members to see this done. Ms. Buhrman said as for the cost she would like the Selectmen to approve spending this and covering the cost. Chairman Doty said there is a budget in our books listed as other town property that might be suitable for covering these costs. Mr. Carroll said if we can get a quote we have a Finance Committee Meeting on Thursday (10/17/19) and we could ask to use the FinCom reserve fund.

It was recommended to have signs at both beaches; Lucy Vincent and Squibnocket.

Ms. Allen said the Beach Committee reviewed letters about bad behaving dogs on Lucy Vincent Beach but said we also have letters of advocacy to allow dogs on the beach. Ms. Allen said the committee is very committed to opening the beach (Lucy Vincent) after September 15th to the larger community. The dogs are very present in the last weeks of September and it was our decision to say no dogs are allowed on the beach until October 1st. Ms. Allen said a sign will also be needed for Lucy Vincent Beach stating "no dogs allowed on beach till October 1st".

Mr. Rossi moved to approve the Beach Committee's recommendations. Mr. Malkin seconded the motion.

SO VOTED: 3 Ayes

Chairman Doty said the beaches were extremely well run this summer. Squibnocket, Lucy Vincent and Menemsha Beaches were a pleasure and it was a very successful season. Mr. Rossi said we are happy with all our town departments in general.

Filming request - NYU Graduate - Lucy Vincent in November:

Chairman Doty said we have a request for a student film project on Lucy Vincent November 3-7, 2019. Chairman Doty referred to a letter of support from Frank Fenner stating this student worked for him for many years and that he is a responsible young man.

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

Chilmark Community Center - Meditation- sound workshop request:

Mr. Carroll read aloud the request sent to the Selectmen's office from Jess Hall: The workshop will be charging entry fee of \$25 to \$50 per person. They plan on serving Soup, tea and baked goods. They estimate 50 persons.

Mr. Rossi said this is a nonresident sponsored event and should be handled as outlined in our fee schedule. Mr. Malkin requested that any Board of Health permits needed be acquired. Mr. Malkin approved this commercial use with condition that our fee schedule with our current rates be followed and compliance with any permits needed with the Board of Health. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Climate Change - working group:

Mr. Malkin reported he has had a number of people from town volunteer to serve on this working group. Mr. Malkin recommended the group to be comprised of the following Chilmark residents: Lenny Jason, Jane Slater, Gary Mottau, Peter Neilley, Rob Doyle, and himself. Mr. Malkin gave a brief qualifying factor for each person mentioned for the working group. Mr. Malkin said the group will come up with a list of priorities to address with climate change. Mr. Malkin said he proposes the group meet openly Monday mornings at 8:00 AM. Mr. Malkin said we will request recommendations from Chilmark Boards and Committees of the priorities they recommend listing. Mr. Malkin said we will also hold 2 informational meetings for the public to comment on the lists we have come up with prior to submitting the recommended list to the Board of Selectmen and the Town of Chilmark.

Mr. Rossi moved to appoint this (as presented 6 member) Climate Change working group. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

US Army Corps of Engineers draft report regarding the replacement of the Sagamore & Bourne Bridges:

Mr. Malkin said he wanted discussion about how this project could cause disruption to our community. Mr. Carroll said the USACE is allowing for comment about this project. Mr. Carroll said he believed they intend to leave the other bridges intact until the others are ready. Mr. Malkin expressed his like of tunnels as an alternative to bridges. Chairman Doty said the USACE has a website available for public comment.

Aquinnah Planning Board - Swolinsky application:

Chairman Doty said the Aquinnah Planning Board has a request from Wendy Swolinsky asking to be allowed seven boats at the channel dock for her rental business. Mr. Rossi said this doesn't fit in with our commercial fishing agreement in the memorandum of understanding with Aquinnah. Mr. Carroll said there is room for 1 car to park on that road and this increase could impact the already congested area.

Mr. Malkin moved to send something to the Aquinnah Planning Board saying that we recognize that this is within the Aquinnah jurisdiction but we note that the MOU states that area is for Commercial Fishing and note the concerns we have of the already congested parking along Boat House Rd. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Special Town Election:

Chairman Doty asked for a motion to call a Special Town Election on December 4, 2019 from Noon to 8:00 PM at the Chilmark Community Center with a single question: to exempt from Prop 2 1/2 borrowing for the Public Safety Buildings designer services; including OPM, Architect & Clerk of the Works. Mr. Malkin moved, Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Energy Committee - Vehicle Policy:

Chairman Doty said this policy will help in our Green Communities Act that we are committed to move forward with. Chairman Doty explained that the Police and Fire department and EMS vehicles are exempt so there is very little impact to our municipality.

Mr. Malkin moved to approve the vehicle policy as proposed by the Chilmark Energy Committee. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Department and Projects Updates:

Fire Department report:

- Chief Bradshaw said the department did a drill / tested the draft at Tiasquam River getting 100 gallons per minute. At the time of that test the department found 2 more water sources giving us 3 good sources on Middle Road. Chief Bradshaw asked if the Selectmen would permit the Fire Department to mark the spots for locating easily at night. Chairman Doty said a reflective marker would be fine.
- Chief Bradshaw said in Squibnocket there is an area he would like to bury a water tank at a spot with a good turn around area for the equipment to protect the area as other sources of water are lean. Chief Bradshaw reported that the Fire Department has a new recruit; Janice Brown who will work as a safety person she is a registered nurse. She will do the base line count on staff and work on the new OSHA standards for the department.
- Chief Bradshaw asked how the Selectmen would like him to work inspections of B&B / rentals (Short term rental tax). Chief Bradshaw reported that Mr. Carroll said there are 139 places in Chilmark. Selectmen supported once a year testing in the spring before they are rented. As for the fee or how to cover cost to have Fire Chief do inspections will be discussed at a later date.
- Chief Bradshaw said he met with Stonewall Road Association rep and that went well and the brush clearing and tree cutbacks are going forward to ensure rescue vehicles have access. Chief Bradshaw will have a follow up meeting with Mr. Healy at Quansoo Road to go over their concerns.
- Chief Bradshaw said he is about 1/3 through the fire chief education program the next section will address municipal planning and budgeting.
- Chief Bradshaw ended his report with news of new recruit to join the department today is the new manager of Beetle Bung Farm.

Chairman Doty said there is a \$30,000.00 warrant article intended for water source on South Road and asked for an update on that. Mr. Carroll said the abutter appealed a decision from the building inspector and is in litigation so we put a hold on this project while the case is still on going. Chief Bradshaw said the ideal place for a tank is at the Quansoo affordable housing lot area.

Mr. Rossi said he really appreciated the report and communication that Chief Bradshaw is doing with the Selectmen. Mr. Malkin and Chairman Doty expressed similar gratitude.

Police Department report:

- Chief Klarén said things are going smoothly at the department. Weekends have been busy with the wedding season.

Public Safety Building Update:

Mr. Rossi said the committee met again this morning and is zeroing in on the space needs prior to hiring an architect. Mr. Rossi said he and Chuck Hodgkinson are working on a budget that they are trying to be conservative with. Mr. Rossi reported progress is being made on the funding formula to be used for the Tri Town Ambulance Headquarters. Mr. Rossi said by next Thursday we will be interviewing the Owners Project Manager or OPM.

Chilmark Community Center HVAC Update:

Mr. Carroll said there is a site visit coming up with the engineer. The engineering services are estimated at \$5,000.00 in preparation to take this project back out to bid. Mr. Carroll said he plans to have Mr. Bunker and Cole Powers at the site visit with the engineer and himself. Chairman Doty said there is an article on the Special Town Meeting warrant for additional funding for the project. Mr. Rossi said this project needs to move forward.

Chilmark School HVAC Update:

Mr. Malkin reported that the list of 9 items that were agreed to by the Up Island Regional School District (UIRSD) will be moving forward and 5 engineers have expressed interest in working on this project. Mr. Malkin said he and Mr. Carroll are drafting what could be considered an RFP but essentially a description of the building and what we believe we need and to ask if they consider this feasible and what it might cost.

Fishermen's Storage Lots - Highway Shed - Fire Training Area- DEP Filing / Landfill:

Mr. Carroll said we need to get the parties involved back together. Mr. Carroll said he sent plans out in the spring and received back some input but now we have a new Fire Chief. Mr. Carroll asked for the Selectmen's support to call a meeting of the group so we can get this rolling. Mr. Carroll said at the moment we are not using the DEP because we are using the main driveway instead of going through the landfill. Mr. Carroll said as for the park at the top of the landfill we applied for that with the DEP in May and have not heard anything to date. Mr. Carroll said he will be calling his contacts this week to see where we stand in this process. Chairman Doty said this is for adding additional parking at the landfill. Mr. Rossi asked if the bus shelter and the solar lighting at the parking lot are holding up. Mr. Carroll reported that the shelter condition has been problematic; the siding has blown out with each strong wind storm. Mr. Carroll said the solar lights are working well.

Heather Goff asked if the Fire Department training area will be used solely by the Chilmark department or if they are opening it up to multiple island fire departments. Chief Bradshaw said just our town but at times we have joint drills to practice when we call for mutual aid. Chairman Doty asked if the foam that has been found to be harmful will be used in the training area. Chief Bradshaw said we know it works it's not something we plan on training with, it is also very costly. Mr. Carroll said the previous Chief inventoried all of our foam and it is all approved by the National Forestry and is not harmful to the flora.

Basin Road sidewalk project update:

Mr. Carroll said our attorney has been talking with the landowner's attorney throughout the summer and into the fall. Mr. Carroll said there are two additional items to address that the landowner brought up. Mr. Carroll reported that the good news is the Assessors agreed to abate the taxes where the sidewalk is going to be. Mr. Carroll said we are losing the fall time construction window with the additional items to work out.

Chairman Doty asked to bring discussion to addressing the Mutual Aid Agreement (Police Department) that came before us at our last meeting that we did not sign at that time. Chairman Doty reported that the Mutual Aid Agreement was referred to town counsel to review. Mr. Carroll said he spoke with town counsel today and was told he will send his executive summary. Mr. Carroll said we are waiting to hear from MIIA our insurance group to find out if they have concerns with the way the agreement is written.

At 6:15 PM with no further items for discussion Mr. Malkin moved to adjourn. Mr. Rossi seconded the motion.
SO VOTED: 3 Ayes

Minutes respectfully submitted by Diana DeBlase.

Approved 11/19/2019

Document list:

- Letter from Ms. Wallace expressing interest to serve on the Planning Board
- Letter from Mr. Zeltzer expressing interest to serve on the Planning Board with additional background information.
- Draft recommendation from Shellfish Advisory Committee about commercial scallop and recreational scallop opening season.
- Request from Beach Committee to be on agenda to discuss dogs and trash on beach
- Mr. Ingber request to film on Lucy Vincent in November for student film.
- Support letter from Mr. Fenner on behalf of Mr. Ingber
- Request & outline of scope of event / meditation sound workshop at Community Center
- Mr. Malkin's request to discuss Climate Change working group
- Mr. Malkin's request to discuss USACE plan for Cape Bridges
- Aquinnah Planning Board Public Hearing notice / town of Chilmark is an abutter.
- Ms. Swolinzky's application for Special Permit to add 2 more boats in the slip area she leases at 22 Boathouse Rd.
- Draft Special Town Election calendar from the Town Clerk
- Notice of Special Town Election to call for December 4, 2019
- Fuel efficient vehicle policy presented by the Chilmark Energy Committee for Selectmen to adopt
- DPU public hearing notice for CLC Oct 30, 2019
- DRU public hearing Eversource Oct 30, 2019
- Letter from Island Housing Trust 2019 Standards & Criteria (DRI Checklist) Revision - from Mr. Jordi
- AG office letter approving some of the bylaws passed at Chilmark Town Meeting and holding others for determination
- DMF closer notice 10/10/19
- Voter registration report from Town Clerk
- ComCast TV channel updates
- ZBA September decisions and agenda for October meeting