

Town of Chilmark
ANNUAL TOWN MEETING MINUTES
April 25, 2022

MODERATOR: Janet L. Weidner
TOWN CLERK: Jennifer L. Christy
REGISTRARS: Susan Heilbron, Judy G.L. Mayhew
CONSTABLE: Marshall E. Carroll, III
TELLERS: Linda Coutinho, Eric Glasgow, Judith Flanders, Marie Larsen

At the close of voter registration on April 5, 2022 there were one thousand and ninety six (1096) registered voters in the Town of Chilmark. With one hundred eighty-five (185) voters present at the Annual Town Meeting, 17% of the total number of registered voters, the Moderator called the meeting to order at 7:05PM at the Chilmark Community Center at 520 South Road. The Moderator declared a quorum (25) was present and Constable Marshall E. Carroll, III attested to the posting of the warrant. The Moderator stated that all registered voters must be seated in the main room and non-voters must be seated in the red chairs in the smaller room in the back of the Center. The Moderator requested that all voters who are recognized to speak to please use the microphones and to please identify themselves before they speak. The Moderator recognized Selectman James Malkin who stood to speak in honor of the late Moderator Everett Poole and relate a personal story from his time with Moderator Poole. The Moderator called for a moment of silence for Moderator Everett Poole in honor of his 40 plus years of service. A moment of silence occurred.

Article 1. The Moderator stated Article 1 is postponed until Wednesday, April 27, 2022 when the Town will meet again to cast ballots at the Annual Town Election.

Article 2. The Moderator read Article 2 and asked if there were any reports from Town Officers or Committees to be given and also noted there are two reports provided by the Planning Board in paper form in the entrance to the Community Center.

Article 3. The Moderator read Article 3. The Article was moved and seconded. The Moderator declared that she would read aloud the totals for each department, for both expenses and salaries. The Moderator stated that if any voter has a question or requests discussion for any department to please call out “check” and the Moderator will return to that section at the completion of the reading of all of the totals. The Moderator stated that all voters have available a copy of the annual proposed town budget in the handout provided to voters at check-in. A voter asked if the reading of the totals could be waived. Town Counsel advised that the reading of the totals be read aloud in order to allow for voters to object. The Moderator read the totals for each of the departments. The Moderator announced the total proposed operating budget to be voted was \$12,493,431.96. The Moderator declared that she heard no “check” as she went through the budget reading. The Moderator asked if there was any discussion on Article 3. Selectman Warren Doty was recognized and described the procedure followed for developing the annual budget before it comes before the voters and clarified that the Selectmen each are paid \$1500 in a year. Jill Iscol was recognized and inquired if the other island Towns contribute the same amount to the

costs of the Martha's Vineyard Regional High School. Selectman Malkin answered that the amounts each Town pays is dependent on a formula and the amounts are not the same for each island Town. The Moderator asked the voters if there was any more discussion. There was no more discussion and the Moderator brought the Article to a vote.

The Moderator declared Article 3 CARRIED UNANIMOUSLY.

Article 4. The Moderator read Article 4. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 4 PASSED UNANIMOUSLY.

Article 5. The Moderator read Article 5. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 5 CARRIED UNANIMOUSLY.

Article 6. The Moderator read Article 6. The Article was moved and seconded. The Moderator inquired if there was any discussion. Chris Murphy was recognized and stood to ask for clarification of what this Article funds. Town Administrator Tim Carroll responded that the Article addresses the sick and vacation time for current employees upon retirement. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 6 CARRIED UNANIMOUSLY.

Article 7. The Moderator read Article 7. The Article was moved and seconded. The Moderator inquired if there was any discussion. Selectman Doty was recognized and stood to explain why there was a surplus of free cash in the last year and the decision to allocate those funds in the stabilization funds as listed. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 7 PASSED UNANIMOUSLY.

Article 8. The Moderator read Article 8. The Article was moved and seconded. The Moderator inquired if there was any discussion. Chris Murphy was recognized and stood to ask for clarification of why there is a need for a generator. He noted that the Community Center already has a generator and also if the Town's electricity is out then there will be no school and Chris Murphy urged a no vote on the Article. Robert Lionette was recognized and stood to urge a yes vote on Article 8. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 8 CARRIED.

Article 9. The Moderator read Article 9. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 9 CARRIED UNANIMOUSLY.

Article 10. The Moderator read Article 10. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 10 PASSED UNANIMOUSLY.

Article 11. The Moderator read Article 11. The Article was moved and seconded. The Moderator inquired if there was any discussion. Randy Milch was recognized and stood to ask for clarification of the “50/50” formula. Selectman Bill Rossi stood to explain the “50/50” formula for Dukes County. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 11 PASSED UNANIMOUSLY.

Article 12. The Moderator read Article 12. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 12 PASSED UNANIMOUSLY.

Article 13. The Moderator read Article 13. The Article was moved and seconded. The Moderator inquired if there was any discussion. Tim Rich was recognized and requested that a Finance Advisory Committee please explain the split vote on whether to recommend the Article. Committee member Vicki Divoll was recognized and stated that the Sheriff’s budget is supported by the State and that the Committee does not urge a no vote. She noted that the Town provides funds for the maintenance required in the Sheriff’s dept. The current request by the Sheriff’s dept., Vicki Divoll explained, includes \$40,000 that is not maintenance expense and is not within the agreement with the Town. Vicki Divoll also noted that the Town’s portion of the \$40,000 is \$4,000. A Chilmark voter who is a member of the County Sheriff’s dept. stood and spoke in support of the Article. Tim Rich clarified that he was not urging a no vote on the Article. Randy Milch was recognized and stood to urge caution in voting to pay for expenses that are outside of the agreement the Town has with the County. Selectman Malkin was recognized and stood to explain the fact that the Sheriff dept. is aware of the concerns that the Town has with the fact that expenses that are requested for funding are not within the original agreement, but he noted that it is an accounting issue rather than an issue of agreement. Selectman Malkin urged a yes vote on the Article. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 13 CARRIED.

Article 14. The Moderator read Article 14. The Article was moved and seconded. The Moderator noted that the Article requires a 2/3rds vote to pass. The Moderator inquired if there was any discussion. Mary Breslauer was recognized and stood to inquire why the vehicle will not be a fully electric one as opposed to a hybrid engine. Police Chief Jonathan Klarén was recognized and stated that the technology for support of fully electric cars is not advanced enough for a patrol vehicle and noted that the charge capacity is not adequate for a patrol vehicle that must idle for long periods of time. Joan Malkin inquired what the useful lifetime is of a hybrid vehicle. The Chief stated that it may be 4-7 years. Margaret Hannemann was recognized and strongly urged reconsideration of a fully electric vehicle. Joan Malkin was recognized and inquired what would the ramifications be for the department if there was a no vote on the Article. Chief Klarén stated that there would be continued maintenance on the existing vehicles. Mary Breslauer was recognized and stated that electric vehicles turn off when idling and expressed doubt that the issue of idling while on patrol would impact the battery charge. A voter called out

that heating and cooling requires the battery even if the car is stopped. A member of the Town's Energy Committee, Steve Lewenberg, was recognized and explained the current battery charging station status in Town and stated that there is a plan to install a fast charger at the school, but that this is up to a year in the future. He also noted that there is a need for fast charging due to the fact that charging now takes a long time. Candy Shweder was recognized and stood and asked if the Article should be put off for a year. The Moderator inquired if that was a motion to change the Article. A voter called out, "So moved". Town Counsel stated that the correct motion would be to indefinitely postpone and the Moderator asked the voter if her motion is to indefinitely postpone the Article. Candy Shweder stated her motion is to indefinitely postpone. The motion was seconded. The Moderator opened the motion to indefinitely postpone up for discussion. Eric Glasgow was recognized and stated that the request for funds to replace vehicles will return in 2 years again. Officer Sean Slavin was recognized and clarified that electric vehicles for the department need higher clearance than are currently available and stated he agreed that additional cruisers will be needed as soon as two years from now and a fully electric may be considered then. Thomas Bena was recognized and urged a yes vote on the Article. There was no more discussion on the motion to indefinitely postpone. The Moderator clarified that a yes vote would be to indefinitely postpone and a no vote would be to return to the original Article. The Moderator brought the motion to indefinitely to postpone Article 14 to a vote. The Moderator called on all those in favor to say aye. No voters said aye. The Moderator called on all those opposed to say nay. Many voters said nay.

The Moderator declared the MOTION TO INDEFINITELY POSTPONE FAILED.

The Moderator returned to the original Article 14 and asked the voters if there was discussion. A voter stood to clarify the charging issue. There was no more discussion and the Moderator brought Article 14 to a vote.

The Moderator declared Article 14 CARRIED UNANIMOUSLY.

Article 15. The Moderator read Article 15. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 15 PASSED.

Article 16. The Moderator read Article 16. The Article was moved and seconded. The Moderator inquired if there was any discussion. Selectman Doty was recognized and stood to explain the use of surplus funds for this expenditure. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 16 CARRIED UNANIMOUSLY.

Article 17. The Moderator read Article 17. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 17 CARRIED UNANIMOUSLY.

Article 18. The Moderator read Article 18. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 18 CARRIED UNANIMOUSLY.

Article 19. The Moderator read Article 19. The Article was moved and seconded. The Moderator inquired if there was any discussion. Chris Murphy was recognized and stood and asked why no money was provided for a denitrification system. Caitlin Cook was recognized, stated that the island is in a crisis of more people coming and inquired why the Comfort Station could not be rebuilt using composting toilets. Selectman Doty was recognized and stood to ask if a voter would make a motion to amend the article to require a denitrification system. The Moderator asked that if a motion to amend is made would the voter please provide the amendment in writing so that she has it. Caitlin Cook stood and asked if there were specific details as to what will be needed to upgrade the Comfort Station and whether it would be good to recommend solar panels for example. Selectman Rossi was recognized and stated that the funding that an affirmative vote on this Article would authorize is a stopgap measure just for the next few years and there is a need for new restrooms in Menemsha that will require planning and feasibility studies. Caitlin Cook stood and asked what is the plan. Tim Carroll clarified that the septic system at the Comfort Station is working properly, but the building itself is in bad repair and he also mentioned that some of the funding that will be used is restricted to certain types of projects. Tim Carroll noted that the last time that the Comfort Station came before the Town which was many years ago the cost for replacing the building was about \$250,000. Chris Murphy was recognized and noted that the Comfort Station septic system is a title 5 system that is working properly, but that these systems do not restrict nitrogen from entering surrounding ponds and waterways. He suggested that the Board of Selectmen come back to the Town with a plan. Selectman Malkin stated the Board of Selectmen would return to the Town with a plan within the year. Mary Breslauer asked about time limits for expending the funds. Tim Carroll explained that there may be limits. There was no more discussion. The Moderator brought the Article to a vote. **The Moderator declared Article 19 CARRIED UNANIMOUSLY.**

Article 20. The Moderator read Article 20. The Article was moved and seconded. The Moderator inquired if there was any discussion. Mary Breslauer was recognized and asked if there was information about why the Finance Advisory Committee did not agree to this expenditure. Susan Murphy of the Finance Advisory Committee was recognized and explained that a similar vehicle exists that the Police Dept. has and the Committee thought that since the Harbor employees are taking over the ticketing of parking violations in Menemsha that existing vehicle could be used for this year. Colin Ruel suggested the use of electric bikes. Tim Carroll noted that the vehicle will be used to transport equipment and tools. The Moderator asked the voters if there was objection to hearing from the Harbormaster, a West Tisbury resident. There was no objection. Ryan Rossi, the Harbormaster, was recognized and stood and noted that the Police Dept. still uses the electric vehicle that they own. He noted that the use of the vehicle proposed will be to stage harbor staff on the east and west sides of Menemsha and he noted that the vehicle is very similar to a standard golf cart. Mary Breslauer asked why the responsibility for parking ticketing in Menemsha was turned over to the Harbor Dept. from the Police Dept. Selectman Malkin stated that the Article is the result of lengthy discussions and noted that there is a desire to efficiently address the needs of the Town in the season with the staff that the Town has available. There was no more discussion and the Moderator brought the Article to a vote. **The Moderator declared Article 20 CARRIED.**

Article 21. The Moderator read Article 21. The Article was moved and seconded. The Moderator inquired if there was any discussion. Selectman Doty was recognized and stood to explain the Article and the process. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 21 CARRIED UNANIMOUSLY.

Article 22. The Moderator read Article 22. The Article was moved and seconded. The Moderator inquired if there was any discussion. Laurie David asked for clarification of this project. Selectman Rossi responded that the Article is necessary for the Town to create a plan. Joan Malkin was recognized and inquired about construction funding. Tim Carroll was recognized and explained the plan to construct a simple metal roof building and the plan for storage there. Tim Carroll directed voters to the previously approved plan for the use of the area and also noted the recycled materials that will be reused for this project. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 22 CARRIED.

Article 23. The Moderator read Article 23. The Article was moved and seconded. The Moderator inquired if there was any discussion. Randy Milch was recognized and asked what would be left over from the surplus funds. Selectman Doty was recognized and stood to say he hoped that there would be \$100,000 left over. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 23 CARRIED UNANIMOUSLY.

Article 24. The Moderator read Article 24. The Article was moved and seconded. The Moderator inquired if there was any discussion. Chris Murphy was recognized and recommended that a group of people come together to make a plan that is not just a list of the things that the Town likes. Rob Hannemann, of the Chilmark Energy Committee, was recognized and stated that there will be a master plan for energy that will be folded into the Master Plan for the Town. Rich Osness, of the Planning Board, was recognized and stated the funds would be used to obtain outside help to develop the Master Plan that includes specific initiatives. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 24 CARRIED UNANIMOUSLY.

Article 25. The Moderator read Article 25. The Article was moved and seconded. The Moderator inquired if there was any discussion. Selectman Doty was recognized and described the Town's affordable housing initiatives to this point. Rich Osness described the Planning Board's process to develop this warrant Article. Rich Osness referred to the Town's Housing Production Plan and the statement within that directs that the Town provide affordable housing, both rental and ownership. Rich Osness described the conclusions of the Peaked Hill Pastures Proposals Committee and noted that the Selectmen, subsequently, tasked the Planning Board with the creation of a plan. He described working closely with the MV Commission and conducting three public forums in the summer of 2021. He noted that the issue will require compromise and praised the partnership of the Select Board and the Planning Board to develop a concept. Andy Palmer was recognized and suggested "hi-rise" type structures to save land. Fred Khedouri was recognized and offered an amendment to Article 25. He provided a typed copy of the proposed amendment to the Moderator. Fred Khedouri summarized his amendment and stated it proposed 6-8 resident homesites, no rentals, and it proposed that the process be managed by the Select Board. Fred Khedouri stated that his key concern was for the Town to maintain control of the housing at Peaked Hill Pastures. He also

emphasized that those people who receive affordable homesites contribute to Town life considerably. Fred Khedouri expressed concern with the role of the developer in the proposed project concept. Fred Khedouri asked the Town to support the amendment to the Article. The Moderator asked for a second to the motion to amend. The motion to amend the Article was seconded. The Moderator read the proposed amendment to Article 25. The Moderator asked if there was any discussion. A voter was recognized and emphasized the need for more housing and moved to amend the amendment to add two more units so that the amendment would read “8 to 10 homesite lots” rather than “6 to 8 homesite lots”. Ross Seavey was recognized and stood in favor of providing more rentals in the Town due to the need for these types of housing units. Billy Meegan was recognized and stood to thank the Planning Board and other committees for the work to develop the concept. He noted that the members of the Planning Board are elected to the position by the voters. Billy Meegan urged a no vote on the motion to amend the Article. Margaret Hannemann stood and spoke in opposition to the amendment. Mitchell Posin stood and spoke in favor of rentals and in opposition to the amendment. Other voters stood in opposition to the amendment. The Moderator called for a vote on the amendment to Article 25. A voter inquired whether there should first be a vote on the amendment to the amendment and the Moderator declared that the amendment to the amendment was not seconded. The Moderator clarified that a yes vote would accept the amendment and a no vote would return the Town to the original Article as printed in the warrant. The Moderator asked for those in favor to say aye and then asked those opposed to say no.

The Moderator declared the VOTE IS NO ON THE AMENDMENT TO ARTICLE 25.

The Moderator returned to the original Article 25, stating that the amendment was voted down, and asked the voters if there was more discussion. Billy Meegan was recognized and stood to propose an amendment to Article 25 to add the word “optional” in no. 4 of the numbered list in Article 25, between the number and word “2” and “U-build”. Jessica Roddy called out that the word choice was incorrect. Jessica Roddy approached the microphone and there was discussion at the microphone. The Moderator urged the two voters to clarify what their intent is. There was no more discussion and the Moderator brought Article 25 to a vote.

The Moderator declared Article 25 CARRIED.

Article 26. The Moderator read Article 26. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was discussion about whether the Town is adhering to the required percentage of the funds that are dedicated to affordable housing. Selectman Rossi determined that the Town is adhering to this requirement. The Moderator brought the Article to a vote.

The Moderator declared Article 26 PASSED UNANIMOUSLY.

Article 27. The Moderator stated she would not read the entire Article and proceeded to read the first paragraph of Article 27. The Article was moved and seconded. The Moderator inquired if there was any discussion. Candy DaRosa was recognized and urged support for the Article. Rick Shweder was recognized and stood to express concern with the Article. He noted that overdevelopment would be a problem and he urged a no vote on the Article. Candy DaRosa was recognized again and explained that there would be local control and some of the funds would be used for new buildings whereas much of the funds would be used to reclaim existing year-round housing. The Moderator asked the Town if there was any objection to Laura Silber, a representative of the Housing Bank Coalition, to speak. There was no objection. Laura Silber addressed the voters and answered questions. There was extensive discussion among voters to understand the procedure for adopting the Housing Bank and on how a Housing Bank Act would address the issues of affordable housing. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 27 PASSED.

Article 28. The Moderator read Article 28. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was very brief discussion to clarify what section 20A of Chapter 90 of the MA General Laws addresses. It was clarified that the section allows for parking tickets to be issued. The Moderator brought the Article to a vote.

The Moderator declared Article 28 PASSED UNANIMOUSLY.

Article 29. The Moderator read Article 29. The Article was moved and seconded. The Moderator inquired if there was any discussion. Chris Murphy was recognized and stood to make a motion to propose an amendment to Article 29 to add “and Youth Lots” after the phrase “Homesite Housing Lots” in both section A. and B. of section 6.1. The motion was seconded. Discussion occurred about what types of lots this Article, and the amendment, would address. Joan Malkin stood and reminded the voters that it is very difficult to amend zoning bylaws on the floor of town meeting and urged a no vote on the amendment. Rich Osness stated there is an existing zoning bylaw that addresses Youth Lots and that this should be looked at before changes are made that would address Youth Lots. There was no more discussion. The Moderator reminded the voters that the vote is on the amendment to the Article. The Moderator brought the Article to a vote. A voice vote was conducted and the Moderator declared that a standing vote is required due to the lack of clarity of the voice vote. The Moderator asked all those in favor of the amendment to please stand. The tellers counted the standing voters. Fifty-two voters voted in favor of the amendment. The Moderator asked those in favor to please sit and then asked all those opposed to please stand. The tellers counted the standing voters in opposition to the amendment. Forty-seven (47) voters stood in opposition to the amendment.

The Moderator declared the AMENDMENT TO ARTICLE 29 PASSED, 52 IN FAVOR TO 47 OPPOSED.

The Moderator called for a vote on Article 29, as amended. The Moderator asked all those in favor of the Article, as amended, to please stand. The tellers counted eighty-four (84) standing voters in favor. The Moderator asked those in favor to be seated and asked all those opposed to the Article, as amended, to please stand. The tellers counted fourteen (14) opposed.

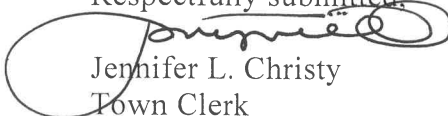
The Moderator declared ARTICLE 29, AS AMENDED, PASSED BY A VOTE OF EIGHTY-FOUR (84) TO FOURTEEN (14).

Article 30. The Moderator read Article 30. The Article was moved and seconded. The Moderator inquired if there was any discussion. There was no discussion. The Moderator called for a vote on Article 30. The Moderator asked all those in favor of the Article to please stand. The tellers counted ninety-two (92) standing voters in favor. The Moderator asked those in favor to be seated and asked all those opposed to the Article to please stand. The tellers counted one (1) opposed.

The Moderator declared ARTICLE 30 PASSED BY A VOTE OF NINETY-TWO (92) TO ONE (1).

The Moderator asked the voters if there was any more business to come before the meeting. There was none. The Moderator declared the meeting adjourned at 11:05PM.

Respectfully submitted,



Jennifer L. Christy
Town Clerk

May 2, 2022