

Town of Chilmark
ANNUAL TOWN MEETING
Minutes
April 24, 2023

MODERATOR: Janet L. Weidner
TOWN CLERK: Jennifer L. Christy
REGISTRARS: Susan Heilbron, Kimberly Manter
CONSTABLE: Marshall E. Carroll, III
TELLERS: Bradley Carroll, Kevin Oliver, Genc Brinja, Linda Coutinho

At the close of voter registration on April 14, 2023 there were one thousand one hundred and thirty-one (1131) registered voters in the Town of Chilmark. The Moderator selected four tellers and notified the Town Clerk. With two hundred seventeen (217) voters present at the Annual Town Meeting, 19% of the total number of registered voters, the Moderator called the meeting to order at 7:13PM at the Chilmark Community Center at 520 South Road. The Moderator declared a quorum (25 voters) was met 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, other than members of the press who are in their assigned places, must be seated in the smaller room in the back of the Center and those voters standing between the two rooms need to find a seat. The Moderator requested that all voters who are recognized to speak to please use the microphone and to please identify themselves before they speak. The Moderator recognized Select Board member Bill Rossi who stood to recognize longtime Selectman and Select Board member, Warren M. Doty. There was loud and sustained applause for Select Board member Warren M. Doty in recognition of his many years of service to the Town.

Article 1. The Moderator stated Article 1 is postponed until Wednesday, April 26, 2023 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 Town Reports to be given and also noted there are reports from various groups in paper form at the entrance to the Community Center. No one stood to give a report.

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 noted that there is an error in the printed budget in the Town Report and said that the header refers to FY23 and should say FY24. 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 read the totals for each of the departments. A call of “check” was heard for 295 Dept. and 300 Dept. The Moderator announced the total proposed operating budget to be voted was **\$13,507,622**. The Moderator requested the person who called out “check” for dept. 295 to please come to the microphone. Jeffrey Maida came to the microphone and requested an explanation for the increase in the Harbor Dept. salary line noting that the increase over FY23 is 42.82%. Jeffrey

Maida further noted the specific increases in each of the positions. Select Board member, James Malkin, requested the Moderator to recognize Harbormaster (West Tisbury resident) Ryan Rossi. The Moderator asked voters if there was any objection to hearing from the Harbormaster. There was none. Ryan Rossi came to the microphone and explained the salary line as budgeted for FY24. Harbormaster Rossi noted that the majority of the salary increases are a result of the traffic harbor supervisor, and the other increases are due to an increase in grade for the Asst. Harbormasters from 6 to 8 and hours from 35 to 40 per week, with approval of the Human Resource Board and the Select Board. Harbormaster Rossi noted that additional responsibilities have necessitated the increase in hours for the Asst. Harbormaster and the Wharfinger positions. Discussion occurred regarding whether the increases in the Harbor Dept. salary line is due to the increased traffic work done by Harbor Dept. staff. This was confirmed by James Malkin. Jeffrey Maida asked for the total number of salary increase for traffic work by the Harbor employees as compared with the expense for the same work by the Police dept. when it was that department's responsibility. Select Board James Malkin addressed this question and explained the public safety issues that precipitated the increase in costs for the traffic work. Susan Murphy, Finance Committee chairperson, was recognized and stated that it is a \$19,000 increase for the traffic supervisor and also confirmed that the increases in the salary line were due primarily to the traffic duties of Harbor staff. Jeffrey Maida asked for the total Harbor staff traffic work increase. Harbormaster Rossi was recognized and further explained the grade and step rises for all Harbor staff. Police Chief Sean Slavin was recognized and shared details of decreases in the Police dept. budget for special and traffic officers and noted that summer police officers were budgeted, in FY22, at \$50,000 and this number is decreased to \$20,000 for FY23 and the traffic officer budget is also decreased from last year. The Moderator asked the voters if there was any more discussion on FY24 Budget Dept. Line 295. There was no more discussion on FY24 Budget Dept. Line 295. The Moderator requested that the person who called "check" on FY24 Budget Dept. Line 300 to stand to be recognized. The Moderator recognized Town of Chilmark Representative to the School Committee member, Robert Lionette. Robert Lionette made a motion to vote no on budget line item 5694 for Chilmark's Assessment for the Martha's Vineyard Regional High School (MVRHS) FY24 Budget. Robert Lionette explained that by voting yes on this motion this would reject the MVRHS budget and it would be zeroed out. The motion was seconded. Robert Lionette explained that three weeks ago, the school committee voted to lift the previously defined spending limit and cap on legal expenses related to the high school's law suit against the Oak Bluffs Planning Board. Robert Lionette further explained the process of school committee budget approval each year and noted that the issue of additional legal costs was raised after the Town's had reviewed the FY24 school budget. Robert Lionette urged voters to reject the MVRHS budget. Robert Lionette requested that both the Superintendent and the High School Principal be recognized during the discussion on this motion. Select Board member James Malkin was recognized and requested clarification that the Chilmark Finance Committee and the Select Board reviewed the budget during the winter budget hearings and at that time there was no information provided in the legal line about known legal costs. Robert Lionette stood to say that potential legal costs were not revealed during the budget hearings. Select Board member Warren Doty was recognized and stated that the motion is a drastic proposal due to a dispute and he noted that it is a mistake for one public body to sue another and it is not a good idea for the high school to sue the Town of Oak Bluffs. He stated he is a champion of the High School and he praised the staff and administration. He mentioned that if three towns turn down the MVRHS budget then it will create difficulty for the school and staff. He urged the voters to fund the MVRHS line and also send the message that they must resolve this issue. Voters were recognized who spoke in favor of the motion and who spoke against the motion. Susan Murphy, Finance Committee chairperson, was recognized and noted that the Finance Committee may not do a line item veto on a submitted budget, but must reject an entire budget if they do not recommend. She further noted that the vote on the regional school budget overall was unanimously voted to be recommended by the Finance

Committee when it was presented in February. Susan Murphy explained that the Finance Committee met after being notified of the increased legal costs, reminded the voters that the town previously voted no on the spending on the playing fields, and noted that the Finance Committee met last week and now does not recommend, by a vote of 5-1, the line item for the High School budget. Matt Poole was recognized and asked if school officials could be recognized and he stated that he felt this is an internal matter among the school committee. Sara Dingley, Principal of the MVRHS, was recognized and stated the budget, as presented during the budget hearing season was not misrepresented. Sara Dingley read from a prepared statement, urged support for the MVRHS budget and noted that the vote of the School Committee on the legal funding issue was 5-4 and that the argument needs to be completed at the school committee level. Don Leopold, member of the Finance Committee, stood and stated that he was the one dissenting vote at the recent Finance Committee meeting when there was a vote to reject the MVRHS budget and urged support for the MVRHS budget as presented. Other voters stood to voice opposition and support for the MVRHS Budget. Vicki Divoll, another member of the Finance Committee, was recognized and urged voters to reject the MVRHS budget. Richie Smith, the Superintendent of Schools, was recognized and stated that a motion that would reject the MVRHS budget would negatively impact school staff and programs. Mary Breslauer was recognized and suggested an amendment that does not impact the budgeted amount, but instead directs the School Committee to resolve the issue of legal funding. Discussion occurred about what options there were for the Town and Select Board member, James Malkin stated that Counsel has advised that the Town may only accept or reject the MVRHS budget in its entirety and may not amend the assessment. Brief further discussion occurred. The Moderator asked if there was any more discussion on the motion to amend Article 3. The Moderator restated the motion to amend and stated that it has been moved that we change the line item for budget item 5694, the Martha's Vineyard Regional High School Assessment, from \$993,112 dollars to zero. The Moderator explained that a yes vote would bring that to zero and a no vote would leave the budget, that line item, as it is printed in the book. The Moderator stated again that if you vote yes that means that the MVRHS assessment line item will be changed to zero and a no vote will leave that number as printed and a no vote leaves it as \$993,112. The Moderator also clarified that the vote on this motion impacts just this line item, 5694.

The Moderator brought the amendment to Article 3 to a vote. The Moderator called for all those in favor of the motion to amend to say aye. Many voters said aye. The Moderator called for all those who are opposed to the motion to amend to say nay. Many voters said nay. The Moderator stated she must call for a standing vote and asked the tellers to come forward. The Moderator called for all voters who vote yes to please stand and reminded voters again that a yes vote is a vote to make the MVRHS assessment line zero. The tellers counted all those standing and reported the vote to the Moderator. The tellers counted 114 yes votes. The Moderator asked those voters to be seated. The Moderator called for all voters who are opposed and vote no to stand. The tellers counted those standing. The tellers counted 71 no votes. The Moderator asked those voters to please be seated. The Moderator declared that a motion was made to change budget line item 5694, the Martha's Vineyard Regional High School District Assessment, from \$993,112 down to zero and

The Moderator declared the motion to amend ARTICLE 3 CARRIED BY A VOTE OF 114 TO 71.

The Moderator stated that the budget is amended accordingly. The Moderator brought Article 3 to a vote and noted the budget is amended to reflect the line item 5694 is now zero and the total budget is now less by the amount of \$993,112. The Article 3, as amended, was moved and seconded. There was no more discussion and Article 3, as amended, was brought to a vote.

The Moderator declared ARTICLE 3, as amended, is carried and Article 3, as amended is passed.

Article 4. The Moderator read Article 4. The Article was moved and seconded. 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. 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. There was no 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. Former Fire Chief David Norton was recognized and asked for clarification on the amount to be voted. Susan Murphy of the Finance Committee stood to explain. There was no more discussion. The Moderator brought the Article to a vote.
The Moderator declared Article 7 carried unanimously.

Article 8. The Moderator read Article 8. The Article was moved and seconded. The Moderator stated the Article requires a 2/3rds votes to pass. Rob Hannemann, Finance Committee member, was recognized and explained the basis for the increased amount needed. It was noted that 10% each of the cost would be borne by West Tisbury and Aquinnah. It was also noted that the Finance Committee is working on developing a capital improvement plan. There was no discussion. The Moderator brought the Article to a vote.
The Moderator declared Article 8 passed unanimously.

Article 9. The Moderator read Article 9. The Article was moved and seconded. The Moderator stated the Article requires a 2/3rds vote to pass. There was no discussion. The Moderator brought the Article to a vote.
The Moderator declared Article 9 passed unanimously.

Article 10. The Moderator read Article 10. The Article was moved and seconded. The Moderator recognized School Committee member Robert Lionette and he asked the Moderator if the Town would recognize Sam Hart (Aquinnah resident), a member of the Regional High School Administration. The Moderator asked the voters if there was any objection to hearing from Sam Hart. There was no objection. Sam Hart came to the microphone and described the work of the last seven years and to urge the voters to support the Article to fund a feasibility study. There was no discussion. The Moderator brought the Article to a vote.
The Moderator declared Article 10 carried unanimously.

Article 11. The Moderator read Article 11. The Article was moved and seconded. The Moderator recognized School Committee member Robert Lionette and he asked the Moderator if the Town would recognize Richie Smith, Martha's Vineyard School Superintendent. The

Moderator asked the voters if there was any objection to hearing from Richie Smith. There was no objection. Richie Smith came to the microphone and thanked the group that worked last year to develop the new Regional Agreement and urged the voters to support the Article to accept and approve the amendment and restatement of the Regional Agreement. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 11 carried unanimously.

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

The Moderator declared Article 12 carried unanimously.

Article 13. The Moderator read Article 13. The Article was moved and seconded. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 13 carried unanimously.

Article 14. The Moderator read Article 14. The Article was moved and seconded. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 14 passed unanimously.

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

The Moderator declared Article 15 carried unanimously.

Article 16. The Moderator read Article 16. The Article was moved and seconded. The Moderator stated the Article requires a 4/5ths vote to pass. There was no 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. A vote requested how the money would be spent. The Moderator asked the voters if there was any objection to hearing from the Shellfish Constable, Isaiah Scheffer. There was no objection. The Shellfish Constable addressed the voters with clarification of where the dredging would occur. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 17 passed unanimously.

Article 18. The Moderator read Article 18. The Article was moved and seconded. Tim Rich inquired about the funding of the station and if there was a member of the Energy Committee to speak. Robert Hannemann, Finance Committee member, stood and explained that a \$42,900 grant is expected from the State and a grant from Eversource that will, together with the \$25,000, make it possible to install the Fast Charger. Tim Carroll briefly explained the funding formula and noted that electricity will be obtained at a charge to consumers. Ann DeWitt was recognized and inquired about when the project would be completed. Robert Hannemann stated the plan is to have the charger installed and operational at summer. Brief discussion occurred regarding the planned location of the charger. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 18 carried.

Article 19. The Moderator read Article 19. The Article was moved and seconded. There was no 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. Rodney Bunker was recognized and inquired about a capital improvement plan for the Harbor. Select Board member James Malkin requested that the Moderator recognize Ryan Rossi, Harbormaster. The Harbormaster came to the microphone and noted that the Town is currently in phase 2 of a four phase project. He further noted that plans will come before the Town to approve. Deborah Hancock, member of the Harbor Advisory Committee, noted the need for improvement of the docks and there is a report completed by Childs Engineering and she read the summary of the findings. Ryan Rossi clarified that the Childs Engineering report, in Phase 1, refers to a timber bulkhead on the east side of harbor and the discussion here is regarding the repair of the west side of the west dock. There was no more discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 20 carried unanimously.

Article 21. The Moderator read Article 21. The Article was moved and seconded. Jeffrey Maida was recognized and inquired about a pile expense in the Harbor Dept. FY24 budget. The Harbormaster came to the microphone and noted that he recommended removing this from the budget for FY24. Ryan Rossi continued to explain the reasoning and planning involved in planning the replacement of pilings. 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. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 22 carried unanimously.

Article 23. The Moderator read Article 23. The Article was moved and seconded. There was no discussion. The Moderator brought the Article to a vote.

The Moderator declared Article 23 carried unanimously.

Article 24. The Moderator stated that Article 24 is very long and stated her plan to read the introduction only. The Moderator asked the voters if anyone desired the Moderator to read the entire Article. No voter requested this. The Article was moved and seconded. The Moderator stated the topic of each of the 7 paragraphs and asked if there was any discussion. There was no discussion on paragraphs 1, 2, 3, 4, 5, 6. Lindsey Scott was recognized and made a motion, on behalf of the Peaked Hill Pastures Committee, to amend Article 24 by removing paragraph 7. The motion to amend Article 24 was seconded. Lindsey Scott alerted voters to the availability of an update from the Peaked Hill Pastures Committee printed and at the front of the Community Center. She noted that a comprehensive report will be provided to the Town at a future town meeting. Select Board members William Rossi responded to a financial question from voter Sarah Kuh about availability of funds. There was no more discussion. The Moderator brought the motion to amend Article 24 to a vote.

The Moderator declared the motion to amend Article 24 carried unanimously.

There was no more discussion on the amended Article. The Moderator reminded voters that the Article 24 that now comes before the Town for a vote is amended to remove paragraph 7 and remove \$150,000 from the total. The Moderator brought the Article, as amended, to a vote.

The Moderator declared Article 24, as amended, carried unanimously.

Article 25. The Moderator read Article 25. The Article was moved and seconded. Alicia Knight, member of the Chilmark Preschool Board of Directors, was recognized, gave a short description of the history of the preschool, and made a motion to amend Article 25 as proposed on a yellow paper provided to the Moderator and the Town Clerk:

“To see if the Town will vote to authorize the Select Board to issue a Request for Proposals (“RFP”) to lease an area of land adjacent to the Chilmark Elementary School for the construction of a building, which would contain two classrooms for *up to* thirty-six (36) preschoolers and/or toddlers (with priority enrollment to be offered to up island children, particularly those from Chilmark and Aquinnah including Chilmark School families and staff children); provided, however, that the permitting, design and construction of the building and the operation of the preschool would be managed and funded by a not-for-profit entity at no cost to the Town. The specific location of the building and the specific terms of any lease shall be authorized by a vote of a subsequent Town Meeting, and approved by the Up-Island Regional School Committee. It is the intent of this Article that title to the building will revert to the Town at the end of the lease term, or at such earlier time as the lease shall provide, or to take any other action relative thereto.”

The motion to amend was seconded. Brief discussion occurred regarding the need for a new preschool and Alicia Knight provided data to support this Article 25 that is providing a concept for the voters. The Moderator summarized the proposed amendments. There was no more discussion. The Moderator brought the motion to amend Article 25 to a vote.

The Moderator declared the motion to amend Article 25 carried unanimously.

Brief discussion occurred regarding the proposed location of a possible new preschool and the specific procedure required to proceed towards new preschool. The Moderator asked if there was any more discussion. There was no more discussion. The Moderator brought Article 25, as amended, to a vote.

The Moderator declared the Article 25, as amended, carried unanimously.

Article 26. The Moderator read Article 26. The Article was moved and seconded. Jenna Petersiel was recognized and made a motion to indefinitely postpone the Article. The motion to indefinitely postpone was seconded. Jenna Petersiel delivered a brief statement. There was no more discussion. The Moderator brought the Article to a vote.

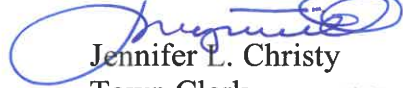
The Moderator declared the motion to indefinitely postpone Article 26 carried, but not unanimously.

Article 27. The Moderator stated that she would not read Article 27 in its entirety unless a voter asked for this. No voter asked for the Article to be read. The Article was moved and seconded. Rich Osness, Planning Board chairperson, was recognized and urged support for the Article amending the swimming pool section of the Town’s zoning bylaw. Rich Osness described the history of the bylaw amendment process, the lengthy period of input on the proposed amendment during the previous year in public hearings and addressed a question from a voter regarding the apparent increase in discretion provided to the Zoning Board of Appeals in this amendment. There was no more discussion. The Moderator alerted voters that the Article requires a 2/3rds vote to pass. The Moderator called all those in favor of Article 27 to say aye. Many voters said aye. The Moderator then called on those opposed to say nay. A voter said nay. The

Moderator stated the vote was not unanimous and asked those opposed to please stand. One voter stood. The Moderator asked all those in favor to please stand. Many voters stood in favor. The Moderator counted fifty-five (55) voters in favor and one (1) voter opposed.
The Moderator declared the Article 27 carried by a 2/3rds vote.

The Moderator asked the voters if there was any more business to come before the meeting. There was no more business that came before the Town. The Moderator asked for a motion to adjourn. A motion was made to adjourn. The motion was seconded. The Moderator declared the meeting adjourned at 10:25PM.

Respectfully submitted,



Jennifer L. Christy

Town Clerk

May 3, 2023

