

*Town of Chilmark*  
**ANNUAL TOWN MEETING**  
April 24, 2006

MODERATOR: Everett H. Poole  
TOWN CLERK: Margaret T. Orlando  
REGISTRARS: Judie G.L. Mayhew and Carol Merry  
CONSTABLE: Daniel Bryant  
TELLERS: William Meegan and Julianna Flanders Thorpe

At the close of voter registration April 4, 2006 there were Eight Hundred six (806) registered voters in the Town of Chilmark. With One Hundred and twenty (120) voters present, the moderator called the meeting to order at 7:35 p.m. This represents 14.9 % of the Town voters.

Constable Daniel Bryant attested to the posting of the Warrant. Mr. Poole asked if there were any non-registered persons on the town meeting floor.

Selectman Warren Doty stood to speak about the retirement of Catherine Thompson, the Chilmark Free Public Library Director of 17 years. He said that he wanted to thank her for being a devoted public servant for so many years and spoke of her organization of the children's programs, programs for the school and her grant writing which ultimately resulted in a new library for the community. He wished her well in her retirement.

**ARTICLE 1.** The election of officers on the Official Ballot was postponed by the Moderator until the Annual Town Election, at noon Wednesday, April 26, 2006.

**ARTICLE 2.** Mr. Poole asked for reports from the Town Officers or Committees. J.B. Riggs Parker reported on the progress of the repairs to the Filled Dock in Menemsha.

Mr. Poole asked if there was anyone else with information to bring forward under Article 2. There were none.

**ARTICLE 3.** Departmental budgets read by the moderator were moved and seconded. The following items were checked for further discussion:

Selectmen's Maintenance Unclassified  
Harbor Master Salaries  
Board of Health

Judith Jardin questioned the expenses of this unclassified fund. Mr. Doty said that it was used for repairs to the Menemsha School and general repairs to town buildings and grounds. Mrs. Jardin pointed out that in each of the budgets for buildings there are monies earmarked for such repairs in the budget. Mr. Fenner said it was for unanticipated repairs and that he could say that \$10,000.00 was going to repairs on the Silva barn.

Mr. Parker stood to amend the Harbor Master Salaries budget as follows:  
Account # 5108 Administrative Assistant from \$5,224.80 by \$2,946.00  
the **revised amount \$ 2,278.80**  
Account # 5242 Facilities Maintenance from \$ 8500.00 by \$1,800.00  
the **revised amount \$ 6,700.00**  
Account # 5293 Rubbish Disposal from \$ 7,000.00 by \$2,000.00  
the **revised amount \$ 5,000.00**

**Total Reduction \$6,746.00**

The amendment was moved and seconded. The amendment came to a vote and passed unanimously.

Matthew Pool spoke to the questions on Board of Health Salaries. He said the Administrative Assistant would have the jobs combined and be in the office from 9:00 a.m to 1:30 pm five day per week. This would include perc tests and restaurant inspections eliminating the per inspection fees. Mr. Poole said they had gone to the Personnel Board and agreed to make this a 30 hour per week position. Mrs. Jardin asked why the budget was reflecting only 22 ½ hours? Mr. Poole could not explain but did say that it represented a 17% increase to handle the Commonwealths Emergency Preparedness requirements.

The budget, as amended came to a vote and passed unanimously.

**ARTICLE 4.** Read by the moderator, moved and seconded. There was no discussion. Article 4 came to a vote and passed unanimously.

**ARTICLE 5.** Read by the moderator, moved and seconded. Mrs. Jardin asked about the Reserve Fund administered by the Finance Advisory Committee. The Selectmen said that it was for emergency and unforeseen expenses and had been used mostly for legal bills involving the Building Inspector and the Zoning Board of Appeals. Mrs. Jardin pointed out the in the Edgartown Town Report these expenses are clearly listed in the budget. Article 5 came to a vote and passed unanimously.

**ARTICLE 6.** Read by the moderator, moved and seconded. Judith Jardin asked, she said just as she had last year, about the Engley House purchased by the town 3 ½ years ago. She sited the \$40,00.00 for a study, the monies borrowed by the town for eighteen years and asked what we were doing with the Engley house? Mr. Fenner said that we were doing nothing and that he would give the same answer he had given last year that they were still discussing the issue in Executive Session. He anticipated that within the next year they would have an answer. Article 6 came to a vote and passed unanimously.

**ARTICLE 7.** Read by the moderator, moved and seconded. There was no discussion. Article

7 came to a vote and passed unanimously.

- ARTICLE 8.** Read by the moderator, moved and seconded. Mr. Poole reminded the meeting that this article would require a 2/3 vote. There was no discussion. Article 8 came to a vote and passed unanimously.
- ARTICLE 9.** Read by the moderator, moved and seconded. Mr. Poole reminded the meeting that this article would require a 2/3 vote. There would be \$15,939.00 left in the landfill capping fund. Article 9 came to a vote and passed unanimously.
- ARTICLE 10.** Read by the moderator, moved and seconded. There was no discussion. Article 10 came to a vote and passed unanimously.
- ARTICLE 11.** Read by the moderator, moved and seconded. There was no discussion. Article 11 came to a vote and passed unanimously.
- ARTICLE 12.** Read by the moderator, moved and seconded. Mr. Doty explained the order the ponds would be enrolled in the Estuaries Project in the future. Article 12 came to a vote and passed unanimously.
- ARTICLE 13.** Read by the moderator, moved and seconded. There was no discussion. Article 13 came to a vote and passed unanimously.
- ARTICLE 14.** Read by the moderator, moved and seconded. There was no discussion. Article 14 came to a vote and passed unanimously.
- ARTICLE 15.** Read by the moderator, moved and seconded. There was no discussion. Article 15 came to a vote and passed unanimously.
- ARTICLE 16.** Read by the moderator, moved and seconded. There was no discussion. Article 16 came to a vote and passed unanimously.
- ARTICLE 17.** Read by the moderator, moved and seconded. There was no discussion. Article 17 came to a vote and passed unanimously.
- ARTICLE 18.** Read by the moderator, moved and seconded. There was no discussion. Article 18 came to a vote and passed unanimously.
- ARTICLE 19.** Read by the moderator, moved and seconded. Jay Lageman spoke of increasing the fines as a deterrent. Mr. Rappaport said there was a limit on the fines that could be charged.  
Mr. Lageman made a motion to amend Article 19 to read :  
Whoever owns a residence or building and has a burglar alarm or fire alarm shall not have more than two false alarms per calendar year, per building. The

Town of Chilmark defines a false alarm as “an alarm signal resulting in a response by the police or fire department when an emergency does not exist”. An alarm shall be presumed false if the responding officer(s) do not locate any evidence of an intrusion or of the commission of an unlawful act, a fire or emergency on the premises, which might have caused the alarm to sound. Alarms caused by thunder storms, hurricanes, other “violent” acts of nature, certain power outages and other valid situations, as determined by the Police Chief or Fire Chief, shall be exempt from this bylaw. The Chief will notify the owner by mail at his/her place of residence for each offense. Whoever violates this bylaw shall be punished by a fine of \$100.00 for the first offense and **an additional \$50.00** for each subsequent offense **up to the maximum permitted by law**. Municipally owned buildings shall be exempt from this bylaw. The motion was moved and seconded. The amendment to Article 19 came to a vote and passed.

Article 19 as amended passed unanimously.

**ARTICLE 20.** Read by the moderator, moved and seconded. Bonnie George asked what an ambulance run to the hospital would cost? Mr. Doty said about \$600.00 and that it would be covered by insurance or Medicare. The cost would be absorbed if someone had no insurance and could not pay. Article 20 came to a vote and passed unanimously.

**ARTICLE 21.** Read by the moderator, moved and seconded. The Treasurer spoke to postpone this article indefinitely. She said her research had revealed the we did not owe this money. It was passed unanimously that Article 21 be postponed indefinitely.

**ARTICLE 22.** Read by the moderator, moved and seconded. The moderator reminded the meeting that a past due bill requires a 4/5 vote. Article 22 came to a vote and passed unanimously.

The Moderator asked if there was any other business to come before this meeting.

At 8.38 p.m. the meeting was adjourned to the Chilmark Community Center at noon on Wednesday, April 26, 2006 for the Annual Town Election.

A true copy. Attest:

Margaret T. Orlando,  
Town Clerk  
April 25, 2006