

***Town of Chilmark***  
**ANNUAL TOWN MEETING**

April 26, 2010

MODERATOR: Everett H. Poole

TOWN CLERK: Jennifer L. Christy

REGISTRARS: Susan M. Heilbron, Judy G.L. Mayhew, Laurisa D. Rich

CONSTABLE: Daniel Bryant

TELLERS: Catherine A. Thompson & Robin Smith

At the close of voter registration on April 6, 2010 there were eight hundred and sixty-one (861) registered voters in the Town of Chilmark. With one-hundred and seventy-six(176) voters present at the Annual Town Meeting, 20.4% of the total number of registered voters, the Moderator called the meeting to order at 8:49 p.m. Constable Daniel Bryant attested to the posting of the warrant.

**ARTICLE 1.** Read by the Moderator. Article 1 was postponed by the Moderator until the Annual Town Election at noon, Wednesday, April 28, 2010.

**ARTICLE 2.** Read by the Moderator, moved and seconded. Selectman Warren Doty stood and recognized J. B. Riggs Parker for his service as Selectman to the Town of Chilmark. Mr. Doty presented Mr. Parker with a certificate of appreciation from the Board of Selectmen. Mr. Parker thanked the town for the honor of serving. The Moderator asked if there were any other reports from Town Officers or committees. No reports were made.

**ARTICLE 3.** Departmental budgets were read by the Moderator, moved and seconded. The Moderator asked that voters call out, "check", if they had a question regarding an item in the budget and he would return to that item at the completion of reading the budget. The Moderator read the budget. Ms. Jardin called out "check" for the Assessor's Salaries item. No other requests for a "check" were made. At the completion of reading the budget, the Moderator returned to the Assessor's Salaries item and recognized Ms. Jardin. Ms. Jardin asked for clarification of the process of a grade change for the position. Ms. Jardin noted that a change in grade, in other island towns, is done through a town meeting vote. Ms. Jardin asked why a changed grade for a position is done without a town meeting vote and why there is not a review of all positions. Frank LoRusso, Personnel Board member, stated that the Personnel Board stands by their decision of a grade change for the Assistant Assessor. The Moderator remarked that this response did not answer Ms. Jardin's question and asked Ms. Jardin to restate her question. Ms. Jardin asked why the Personnel Board only reviewed one member. Mr. LoRusso stated that all positions in the financial team were reviewed. Ms. Jardin asked if the Personnel Board had a schedule of review. Mr. LoRusso stated that the Personnel Board was reviewing all positions. Ms. Jardin asked if changes would be brought to Town Meeting. Max McCreery, Personnel

Board chair, was recognized by the Moderator and stated that the Board of Assessors approached the Personnel Board because the position of Assistant Assessor had changed. Mr. McCreery stated that the Personnel Board graded the position three times and also looked at the entire financial group. Lenny Jason, Jr., member of the Board of Assessors, stated the Board of Assessors requested a grade change from the Personnel Board because the job had changed. Mr. Jason did not know why the decision of a grade change does not go to a town vote, but understood the Personnel Board may now change grades. The Moderator brought Article 3 to a vote.

**Article 3 passed unanimously as printed.**

**ARTICLE 4.** Read by the Moderator, moved and seconded. No discussion.

**Article 4 passed unanimously.**

**ARTICLE 5.** Read by the Moderator, moved and seconded. No discussion.

**Article 5 passed unanimously.**

**ARTICLE 6.** Read by the Moderator, moved and seconded. Tim Carroll asked to amend the amounts in Article 6. Mr. Carroll amended the article to say, "To see if the town will vote to transfer the sum of \$13,000.00 from the Overlay Surplus Account and transfer from available funds in the treasury the sum of \$27,000.00 for a Reserve Fund to be administered by the Finance Advisory Committee for the fiscal year beginning July 1, 2010." The Moderator brought the amendment to a vote. The amendment was passed unanimously.

The Moderator read Article 6, as amended. The article was moved and seconded. The Moderator asked if there was any more discussion on Article 6. There was none. The Moderator brought Article 6, as amended, to a vote.

**Article 6 passed unanimously.**

**ARTICLE 7.** Read by the Moderator, moved and seconded. The Moderator noted that this Article required a 2/3rds vote to pass. No discussion.

**Article 7 passed unanimously.**

**ARTICLE 8.** Read by the Moderator, moved and seconded. No discussion.

**Article 8 passed unanimously.**

**ARTICLE 9.** Read by the Moderator, moved and seconded. The Moderator noted that this Article will require a 2/3rds vote to pass. No discussion.

**Article 9 passed unanimously.**

**ARTICLE 10.** Read by the Moderator, moved and seconded. A short discussion ensued regarding the purpose of the County Pest Management Program. Lenny Jason, Jr. stated that the purpose was to kill rats, not mosquitoes.

**Article 10 passed unanimously.**

**ARTICLE 11.** Read by the Moderator, moved and seconded. Dr. Culley spoke in opposition to the article. Mr. Doty spoke in favor of the article. Sarah Kuh, Director of VHCA was recognized by the Moderator and clarified the need for services. Various voters were recognized by the Moderator and attested to the usefulness and benefits of the VHCA.

**Article 11 passed unanimously.**

**ARTICLE 12.** Read by the Moderator, moved and seconded. No discussion.  
**Article 12 passed unanimously.**

**ARTICLE 13.** Read by the Moderator, moved and seconded. No discussion.  
**Article 13 passed unanimously.**

**ARTICLE 14.** Read by the Moderator, moved and seconded. No discussion.  
**Article 14 passed unanimously.**

**ARTICLE 15.** Read by the Moderator, moved and seconded. No discussion.  
**Article 15 passed unanimously.**

**ARTICLE 16.** Read by the Moderator, moved and seconded. No discussion.  
**Article 16 passed unanimously.**

**ARTICLE 17.** Read by the Moderator, moved and seconded. No discussion.  
**Article 17 passed unanimously.**

**ARTICLE 18.** Read by the Moderator, moved and seconded. No discussion.  
**Article 18 passed unanimously.**

**ARTICLE 19.** Read by the Moderator, moved and seconded. No discussion.  
**Article 19 passed unanimously.**

**ARTICLE 20.** Read by the Moderator, moved and seconded. Selectman Frank Fenner questioned the need for a siren and spoke in opposition to the \$9,000.00 expense to repair the siren. David Norton, Fire Chief, attested to the continuing need, usefulness, and tradition of the siren and advocated for approval of this article. Selectman Warren Doty noted that the town could approve the funds for the repair of the siren and still make a separate decision regarding whether the siren would be rung at 12 noon each day in addition to emergency times. The Moderator asked if there was any more discussion. The Moderator called for a vote.  
**Moderator declared Article 20 was carried.**

**ARTICLE 21.** Read by moderator. Moved and seconded. Mr. Carroll was recognized by Mr. Poole and noted that the Finance Advisory Committee voted to recommend this article earlier in the day, at their meeting on 4/28/2010. No discussion.  
**Article 21 passed unanimously.**

**ARTICLE 22.** Read by moderator. Moved and seconded. No discussion.  
**Article 22 passed unanimously.**

**ARTICLE 23.** Read by moderator, moved and seconded. No discussion.  
**Article 23 passed unanimously.**

**ARTICLE 24.** Read by moderator, moved and seconded. Mary Jane Pease asked if the purchase of a hybrid vehicle for the police department was considered. Brian Cioffi, Police Chief, noted the Police Department considered a hybrid vehicle but determined that the hybrids available were too small and/or did not satisfy the needs of the department.  
**Article 24 passed unanimously.**

**ARTICLE 25.** Read by moderator, moved and seconded. No discussion.  
**Article 25 passed unanimously.**

**ARTICLE 26.** Read by moderator, moved and seconded. No discussion.  
**Article 26 is passed.**

**ARTICLE 27.** Read by moderator, moved and seconded. Selectman Doty spoke in reference to the history and implementation procedure of the Seasonal Wage Scale and explained the return of the seasonal employees to the 8 step wage scale. Ms. Jardin questioned the process of notification of this change and asked why the change was not brought to town meeting. Mr. Carroll explained the change from a 4 step chart to the established 8 step chart for seasonal employees and noted that the chart is on the town's website.  
**Article 27 passed unanimously.**

**ARTICLE 28.** Read by moderator, moved and seconded. No discussion.  
**Article 28 passed unanimously.**

**ARTICLE 29.** The Moderator did not read the Article, with the approval of the town meeting. The Article was moved and seconded. Christopher Murphy questioned #11 and stated that it would, as written, allow the Selectmen to borrow money without coming to Town Meeting. Mr. Murphy proposed to omit #11. Mr. Carroll suggested #11 be amended to come back to Town Meeting. Mr. Murphy agreed this was acceptable. Ronald Rappaport, Town Counsel, noted that #11 cannot be omitted because the town needs to have a proper process to authorize borrowing. Mr. Murphy asked to amend the article to say, "Board of Selectmen and the town meeting." The Moderator read #11 of Article 29 and added the amended phrase, "and town meeting." Discussion occurred regarding the reasons for writing #11 in this way and the pros and cons of placing the borrowing power solely with the Board of Selectmen as opposed to Board of Selectmen and town meeting. Mr. Doty noted the possibility of home-site properties going into foreclosure and the need to be able to purchase back the property within 60 days. Mr. Doty stated that #11 would allow the

Selectmen the flexibility to purchase a home-site quickly. Mr. Murphy stated that town meeting can meet at short notice and the power to spend this amount of money should not be in the hands of a small group of people. Andrew Goldman, chair of the Housing Committee, stated #11 did not originate with the committee, but with the Selectmen. Mr. Goldman expressed support of the Article as written. Steven Flanders spoke in favor of the amendment to #11. Jonathan Mayhew spoke in favor of the amendment to #11 and noted the town has acted quickly, in the past, to secure the Kurth Property. Selectman Frank Fenner expressed concern with granting borrowing power solely to the Selectmen, but emphasized the need to act quickly in the case of a foreclosure. Russell Walton asked what the time limits are for holding a Special Town Meeting. Tim Carroll noted that it takes 3-4 weeks to arrange a STM. Steven Bernier suggested setting up a Reserve Fund for the purchase of a home-site in foreclosure. The Moderator brought amendment to a vote.

**Moderator declared amendment carried.**

Article 29, as amended, was brought to a vote.

**Article 29, as amended, was carried.**

Moderator Everett Poole asked if there was any further business. There was none. Mr. Poole adjourned meeting until 12:00 p.m. on Wednesday, April 28, 2010.

A true record. Attest:

Jennifer L. Christy  
Town Clerk  
May 12, 2010