

DRAFT Chilmark Board of Selectmen October 6, 2015 Meeting Minutes

Present:

Chairman Jonathan Mayhew, Bill Rossi, Warren Doty, Tim Carroll, Ron Rappaport, Seth Karlinsky, Isaiah Scheffer, Sam Hart, Judy Miller, Dennis Jason, Meg Rehraver, Danielle Padien, Chuck Hodgkinson, Reid Silva, Janet Weidner, Joan Malkin, Jim Malkin, Jane Slater, Alison Berger, John Armstrong, Barbara Armstrong, Pam Goff, Zack Lee, Rodney Bunker, Everett Poole, Alex Elvin and Coleen Suter.

At 7:30 PM Chairman Mayhew called meeting to order in the Selectmen's meeting room.

Minutes:

Draft Minutes from the Selectmen's September 15, 2015 meeting were reviewed, corrections were made. Mr. Doty moved to approve minutes as corrected. Mr. Rossi seconded the motion.

SO VOTED: 3 Ayes

Squibnocket Beach Lease:

Town Counsel Ron Rappaport gave a brief summary of the Squibnocket project the process to date of executing a 99 year lease for the town Squibnocket Beach. The lease will be in effect after all the permits needed for this project are completed. Mr. Rappaport discussed the different facets of all of the parties involved with this project. Mr. Doty said the Selectmen have reviewed and support the lease they were presented. Discussion ensued.

Chairman Mayhew asked for any comment from Town Committee on Squibnocket (TCS) members that are present tonight. Chairman Mayhew said this committee worked very hard on this project, that this is very time consuming but very worthwhile project. Mr. Malkin who chaired the TCS said the board was glad that the negotiations key document that everything spins off of was the same document that was recommended by the committee and approved at the Annual Town Meeting (ATM).

Mr. Doty moved to approve the Squibnocket Beach Lease as presented and negotiated by Mr. Rappaport (Town counsel). Mr. Rossi seconded the motion. Chairman Mayhew asked if anyone else had a comment prior to the vote. After a few comments Chairman Mayhew asked for a vote. **SO VOTED: 3 Ayes**

Lease documents were signed and notarized.

Squibnocket Environmental Notification Form (ENF):

To view the entire ENF please find it online at:

http://www.chilmarkma.gov/Pages/ChilmarkMA_squibnocket/FinalENFOct.1,2015.pdf

Chuck Hodgkinson gave a recap of the Squibnocket project history. Meg Rehraver and Danielle Padien were present to represent the Squibnocket Home Owners Association (SHOA). Reid Silva of Vineyard Land Surveying is present as the Squibnocket Project surveyor for the town.

Mr. Hodgkinson said that we are doing one joint filing ENF (a permitting discloser document for the public) per the State's request. Mr. Hodgkinson said after the ENF the Town and SHOA will proceed separately on the Notices of Intent (NOI) for our separate projects. Mr. Hodgkinson said we are seeking Selectmen approval of the draft ENF tonight.

Squibnocket ENF Continued:

Ms. Rehraver spoke about the draft ENF and the test boring. Ms. Padien of the VHB permitting company said that the guiding principal for the ENF is the footprint created and recommended by the Town Committee on Squibnocket and then by Town at ATM. Ms. Padien spoke about the design of the elevated access road the SHOA will utilize to access their properties. Mr. Silva discussed the parking lot and the designated area of this project. Extensive discussion ensued.

Mr. Doty moved to endorse and approve the ENF presented tonight. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Chairman Mayhew signed the ENF

Mr. Malkin asked how the grant from Coastal Zone Management was going. Mr. Hodgkinson said the town has until June 30, 2015 to spend the grant.

ACE MV (Adult Community Education):

Sam Hart the director of ACE MV and Judy Miller the chairman of the ACE MV Board presented the report of the assessment survey they conducted this past year concerning adult educational needs in our community. Mr. Hart discussed the courses to be added to the curriculum to license workers in our community. Mr. Rossi applauded Mr. Hart and Ms. Miller for the advancements in their program in the past two years. Discussion turned to the funds that manage the program and where they come from.

Healthy Aging Task Force:

Chairman Mayhew is on the Healthy Aging Task Force Oversight Committee and spoke about the needs assessment and the draft cover letter to be included in the surveys. Mr. Doty moved to support the needs assessment and encourage people to participate. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Medialann Filming Request:

Mr. Carroll said that the Selectmen's Office received a written request to be allowed to film in Menemsha for their 40th Anniversary Filming Jaws documentary. The proposed filming would entail 7 people on October 11, 2015 for a single day of filming. Mr. Doty moved to approve this 1 day film project on October 11, 2015 with the regular conditions we require. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Solar Array:

A brief production report for the Chilmark Landfill solar array is available at the following link: http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2015/10062015/landfill%20solar%20array%202015%20Annual%20Report.pdf

This data was compiled by Chilmark's solar power production managing company Vineyard Power. Mr. Doty discussed data from the report.

Impacts of Dredging in Menemsha Pond:

Mr. Carroll discussed the possible financial impacts that the United States Army Corps of Engineers (USACE) dredging project may have on our budget planning for the coming year.

Impacts of Dredging in Menemsha Pond Continued...

Mr. Carroll referred to possibly needing to hire extra help to cover monitoring the Menemsha Pond and purchasing of markers to delineate mooring areas to protect the shellfish beds. Mr. Carroll asked Harbormaster Dennis Jason for input on this. Mr. Jason asked to first discuss the possibility of sun-setting a warrant article and applying the funds to the pilings warrant article. Mr. Carroll said that the Selectmen do not have the ability to make this request that it must go onto a town meeting warrant.

Chairman Mayhew asked that the warrant for navigational aids (the warrant that Mr. Jason asked to be spent on pilings) be spent on aids to navigation verses taking to town meeting to transfer.

Mr. Doty asked Harbormaster Jason to discuss any concerns or ideas he would like to share with the Selectmen about the impact to Menemsha Pond by USACE project. Mr. Jason said they will need to be monitoring the pond moor and may need to hire an additional wharfinger. Mr. Jason said that the town has 2 options one would be to establish a mooring field; purchase tackle and remove each year prior to shell fishing season or to designate an anchorage area. Mr. Jason recommended designation of an anchorage area just after the channel in the deep water area east of the oyster grants and to the west of the shellfish flats.

Mr. Jason said there will need to be a lot of patrolling in the Menemsha Pond to protect our resources. Mr. Rossi recommended additional wharfinger for the coming year. Mr. Jason brought up the possible need for an additional small boat. Mr. Jason believes the Harbor department can enforce the Town Waterways Rules and Regulations to prevent overnighting in the Menemsha Pond.

Mr. Doty said we will have to work at building these needs into the harbor budget for the FY17 budget planning: 1.) Establish an anchorage 2.) No overnighting 3.) Additional wharfinger and a small craft for them to utilize in monitoring the Pond. .

Mr. Jason spoke of remembering (from years ago) a joint Waterways Rules and Regulations agreement with Aquinnah. Mr. Jason spoke with the Aquinnah Harbormaster and they both believed they were using a joint waterways rules and Regulations, but neither can find anything in writing pertaining to a joint agreement.

Mr. Carroll asked that a draft joint Waterways R & R agreement be ready by the November budget schedule deadline for Annual Town Meeting warrants.

Chairman Mayhew discussed the condition of the access road to the West Dock and the difficulty in getting repairs done as it is owned by both Aquinnah and Chilmark.

Mr. Jason discussed the timeline of the dredging project and that he has been updated about the project start time. The dredge is expected to be in the harbor by next week. Chairman Mayhew recommended using the spoils (sand) to Squibnocket Beach. Discussion ensued.

Treasurer - Health Insurance plans:

Due to the lengthy agenda tonight Mr. Carroll recommended this be postponed to the Selectmen's October 20, 2015 meeting.

Maintenance Supervisor of Town Buildings (MSTB):

Rodney Bunker the MSTB discussed the Chilmark Community Center (CCC) Building needs. Mr. Doty moved to award the repairs project to the CCC to Noiseux for the bid amount of \$17,250.00 Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Mr. Bunker also requested Selectmen award the solar panel removal and reinstallation of upgraded electrical connection to Fuller Energy for the bid amount of \$3,900.00.

Mr. Doty moved to award Fuller this contract. Mr. Rossi seconded the motion.
SO VOTED: 3 Ayes

Mr. Carroll said the solar system inverter burnt-out this past year and Mr. Bunker has been pricing out replacements and they are still researching this but it's possible that one of the vendors may be able to replace it for 6,000.00 and change. Mr. Carroll said while this project is taking place it is financially advisable to address the solar inverter at this time as well. Mr. Bunker requested this solar inverter as a Special Town Meeting Warrant article.

Police Station update: Mr. Bunker reported he attended a Chilmark Historic Commission meeting a couple weeks prior to hear if they supported paving the police station parking lot. Mr. Bunker reported they were not in favor of paving. A member of the Historic commission recommended an alternate drainage suggestion of diverting water by extending the gutter drainage in combination with packed gravel.

Mr. Rossi supported this alternate plan. Chairman Mayhew asked if the Police Chief was in favor of this plan. Mr. Carroll said the Police Chief requested the paving. Mr. Bunker said the Police Chief was agreeable to the alternate plan if it worked. Mr. Bunker has an estimate of \$2,767.00 for this drainage project.

Mr. Rossi moved to approve this as a warrant article for the coming Special Town Meeting. Mr. Doty seconded the motion requesting Mr. Carroll to designate where funds should come from.
SO VOTED: 3 Ayes

Planning Board:

Planning Board members; Janet Weidner, Joan Malkin and Pam Goff were present to discuss and recommend a Historical Structure bylaw for the April Annual Town Meeting. This would be in part an amendment to the Big House zoning for an exemption of old houses from the "big house" square footage requirements. Ms. Goff shared her concerns and reasons behind this amendment; that if someone were to purchase an old home they would tear it down and try to maximize their footage rather than restore the building.

Ms. Weidner said the Planning Board is planning to post a public hearing at a Planning Board Meeting at the ends of October and would seek endorsement in writing from the Selectmen or recommendations if they have them prior to the public hearing. Discussion ensued.

Mr. Doty moved to direct the Planning Board to bring this proposed bylaw amendment to their meeting at the end of October for the public hearing and to have the proposed bylaw brought to the town at our Annual Town Meeting. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Mr. Carroll asked Chairman Mayhew permission to discuss topic not on the agenda but pertaining to our zoning bylaws. Chairman Mayhew allowed discussion. Mr. Carroll said when we created our resident home sites we did not issue ourselves a special permit we put that responsibility on the lottery recipients; causing up to a 3 month delay the with permitting process. Mr. Carroll proposes a bylaw allowing the town to pull a special permit for these kinds of projects. Mr. Carroll hopes this will help to streamline the permitting process for Town created affordable housing.

Special Town Meeting:

Town Moderator Everett Poole was present to confirm when the Special Town Meeting will be held. Mr. Rossi moved to post our Special Town Meeting for November 9 2015. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Shellfish Advisory Committee (SAC) Recommendation:

Shellfish Constable Isaiah Scheffer was present to discuss recommendations made by the Shellfish Advisory Committee concerning Chilmark's scallop and oyster season. Mr. Scheffer said On September 30 the SAC met and unanimously recommend:

Scallop Season 2015/2016

Menemsha & Nashaquitsa Ponds-

-Commercial Season- begins Monday November 16, 2015.

-Commercial Fishing Days- Monday thru Friday (7:00 A.M.-4:00 P.M.)

-Commercial Limit- Two (2) Struck Bushels per Day (Shrimp baskets or rectangular boxes allowed).

-Check in at Menemsha Harbor or Quitsa Bridge no later than 4:10 P.M.

-Family/ Recreational Season- starts November 1, 2015 (One Half (1/2) Bushel per Week).

In an effort to protect and allow small scallop seed to grow both commercial and recreational scalloping is later than usual this year. This was the best course of action to protect a late seed set and perhaps boost the scallop harvest for next year. Please exercise caution if you are in an area that has small seed to not damage them.

Chairman Mayhew said he is opposed to the shrimp basket recommendation as they are bigger than a bushel. Discussion ensued. Mr. Doty discussed the attendees at the SAC were unanimous support of shrimp basket. Mr. Rossi moved to approve the shellfish advisories recommendation. Mr. Doty seconded the motion. **SO VOTED: 2 Ayes, 1 Abstain Jonathan Mayhew**

Discussion turned to the lack of eelgrass in Nashaquitsa pond.

Oyster Season 2015/2016

Mr. Scheffer said he will monitor this season and may need to close oystering as he sees fit to.

Oyster Season 2015/2016 Continued...

Commercial Oyster Season-Tisbury Great Pond

- Commercial Oyster Season- in Tisbury Great Pond begins November 2, 2015.
- Commercial Limit- Two (2) Struck Bushels per Day (Shrimp baskets or rectangular boxes allowed).
- Commercial Fishing Days- Monday thru Wednesday (7:00 A.M.-4:00 P.M.)
- Check in at Old Coast Guard Station no later than 4:10 P.M.

Family Oyster Season-Tisbury Great Pond

- Family/ Recreational Oyster Season- in Tisbury Great Pond begins October 17, 2015.
- Family Limit- One Half (1/2) Bushels per Week.

Mr. Doty moved to approve the SAC recommendation. Mr. Rossi seconded the motion.

SO VOTED: 3 Ayes

Mr. Doty presented paperwork and discussed a new proposal for an Assistant Shellfish Constable Job description. This position recommendation includes increased responsibility and increasing working to a full 12 months. Mr. Scheffer discussed the need for this increasing coverage.

Mr. Doty said he would like to see fiscal allowance for this position proposal on the Special Town Meeting warrant. Mr. Rossi discussed the productivity report from Mr. Scheffer that illustrates the need for extra help. Chairman Mayhew ended the shellfish discussion by saying the increase to the recreational shellfish harvesting is nice to see.

Comfort Station:

Seth Karlinsky presented the Selectmen's office with a power point presentation and notes concerning the Menemsha Comfort Station needs and the Vineyard Transit Authority (VTA) Bus pickup drop-off options.

The Armstrong's (whose property is just above the Comfort Station) asked that the VTA drop off pickup be located north of the comfort station at the start of the walkway.

Chairman Mayhew said he is supportive of the plan to keep the busses from turning around at the beach parking area. Extensive discussion ensued.

Mr. Carroll recommended getting a meeting of the VTA and ConCom together to work on a bus turn around area.

Mr. Karlinsky estimated cost for replacing a comfort station in the range of \$350 per square foot. Mr. Carroll recommended seeking funding at the Special Town Meeting for a feasibility study / engineer designs & planning. Mr. Rossi recommended including design of parking and roadway in Menemsha.

Boathouse Road Repairs:

Mr. Doty recommended hiring John Keene to bring loads of fill for the road with a maximum of \$2,000.00 to be expended for repairs to West Dock access. Selectmen directed to spend from Selectmen's unclassified account. Chairman Mayhew moved this recommendation, Mr. Rossi seconded. **SO VOTED: 3 Ayes**

Discussion turned to the land behind the Galley. No action was taken at this time.

Nabs Corner Affordable Homesite Project:

Mr. Carroll reported the Housing Committee reviewed and approved the building plans submitted by Mathea & Chioke Morais, these plans are presented to the Selectmen for their approval tonight. Mr. Rossi moved to approve the plans submitted. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Mr. Carroll presented the Nab's Corner Project Road Association Agreement recommended by the Housing Committee for the Selectmen to approve. Mr. Doty Moved to approve the Road Association Agreement, Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**
Selectmen signed documents pertaining to Road Association

Mr. Carroll asked for the Selectmen to sign the remaining three leases and to have Town Counsel hold them in escrow till the individual mortgage closings. Mr. Doty moved to sign leases and have them held in escrow. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**
Selectmen signed the three leases

Chilmark Community Center (CCC):

Mr. Doty asked if the rental fee would be waived for the Free Music Potlucks that he is hosting this season at the CCC. Mr. Rossi moved to waive the rental fee. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Mr. Carroll said in the past the Selectmen have delegated these decisions for fee waivers to be done by the Executive Secretary and asked if they would agree to that procedure again rather than bringing them all to a Selectmen's Meetings. Mr. Carroll said he will bring some requests when necessary for the Selectmen to decide and advise on. Mr. Rossi said any profit events even if it's a non-profit organization requesting rental waiver should come to the Selectmen. Mr. Doty moved approve this recommendation. Mr. Rossi seconded the motion.
SO VOTED: 3 Ayes

Sticker Office Report:

Chairman Mayhew read the letter from June Manning who was the sticker clerk for the town beaches this summer. Chairman Mayhew said this was a valuable report and thanks Ms. Manning for this correspondence.

Mr. Rossi and Mr. Doty said she was and continues to be a great addition to the Town Hall staff.

At 10:08 PM Mr. Carroll recommended moving to Executive Session to discuss land acquisition, and to not return to regular session. Mr. Rossi moved, and Mr. Doty seconded motion.

Roll Call: Doty: Aye, Rossi: Aye, Mayhew; Aye. *Tim Carroll also attended the Executive Session.*

Draft minutes respectfully submitted by Diana DeBlase