

Present: Warren M. Doty, Frank M. Fenner, Jr., J.B. Riggs Parker, Tim Carroll, Jonathan Revere, Niall Reid, Rob McCarron, Esq., Donald Poole, Isaiah Scheffer, Julia Rappaport, Chief Tim Rich, Pam Bunker

Meeting called to order at 7:30 PM in the Selectmen's Meeting Room, Town Hall.

Public Hearing – Inn Keeper License for Niall Reid at the Inn At Blueberry Hill.

Mr. Reid said that the inn would be run the same as in the past with 24 rooms and a maximum of 50 overnight guests. Mr. McCarron said that a prior Special Permit allowed 25 rooms. Mr. Reid said the restaurant would remain open to the public. He said that the same opening and closing hours would be used for the restaurant. Mr. Reid said they would start with Thursday, Friday and Saturday, and then add more days as the season got busier.

Mr. McCarron explained the relationship between the White Badge and BHMV Property Company LLC. He spoke about how Everlands is a membership organization that will eventually utilize the property.

Mr. Doty inquired if Lifestyle Development Corp was still suing the town. Mr. McCarron said that there was a negotiated settlement going before the Zoning Board of Appeals on April 15<sup>th</sup>.

Mr. Parker noted that the documentation gave no clear authority for Niall Reid to represent White Badge. Mr. McCarron agreed to have Mr. Daniel George write such a letter. The board discussed the possible settlement agreement. The Public Hearing was closed at 7:43 PM.

The Inn Keepers License was tabled until April 1<sup>st</sup> 2008 to allow for consultation with the Zoning Board of Appeals and Town Counsel. Mr. McCarron agreed.

#### Church Flea Market

Mr. Doty reported that the Chilmark Community Church (United Methodist) was moving their fundraising biweekly summer flea market to the grounds of the West Tisbury School. The rent will be used to fund the 8<sup>th</sup> grade annual trip.

#### Assessors – Revaluation Contracts

Mrs. Pam Bunker presented the Selectmen with the recommendation of the Board of Assessors that the town contract with Regional Resource Group at \$24,600 to revalue Real Estate with an option of \$6,800 for additional work. Mr. Parker moved and Mr. Fenner seconded a motion to sign a contract with Regional Resource Group for \$31,400. SO VOTED: Three Ayes.

Mrs. Bunker presented the recommendation of the Board of Assessors that the town contract with Real Estate Research Consultants at \$3,000 (\$85.71 each) for revaluation of the Commercial Personal Property. So moved by Mr. Parker and seconded by Mr. Fenner. SO VOTED: Three Ayes.

Mrs. Bunker told the Selectmen that 6% of the assessed value is used for determining the value of Personal Property in residential property.

### Police & Parking Tickets

Chief Rich handed out the parking ticket statistics for 1988 – 2007. There was a discussion of the fines. Mr. Fenner moved and Mr. Parker seconded a motion to increase the \$10 and \$15 fines to \$30. SO VOTED: Three Ayes.

Chief Rich reported that the TriTown Ambulance was making progress on its internal reorganization. Mr. Carroll reported that the new policy & procedures had been reviewed by Town Counsel today.

Chief Rich reported on a grant that he was using to purchase a data collection device that uses radar to track the speed, direction and date/time of vehicles passing the unit. He hopes that this will work better on the dirt roads. He said this will allow the police to patrol for specific problems more efficiently.

### Green Shuttle of Cape Cod

Dean Athanas and a number of local business people came before the board to present their new service. Mr. Athanas said they use hybrid vehicles with zero emissions. He said they have a Toyota Precis garaged in Tisbury. Green Shuttle is not a taxi service. The island car would provide a connection to the ferry and then their other vehicles will transport people to TF Green, Logan and JFK airports. Tisbury permitted the service. Aquinnah approved the service, but did not feel it required a permit. The Selectmen agreed that Chilmark did not need to license this shuttle service at this time and wished the group good luck.

### Shellfish Propagation Report 2007

Propagation Agent Isaiah Scheffer presented his 32 page report detailing 2007 shellfish propagation efforts. Mr. Fenner asked how the upweller worked behind the transient yacht dock. Mr. Scheffer said that it worked well in that location, though a single diesel spill had him concerned. It was agreed that signage explaining what was being done there should be made to educate the public.

Chairman Doty and the other Selectmen commended Mr. Scheffer for his well written report. Mr. Doty said he could not be more impressed.

### Shellfish – Oyster Relay

The board discussed a proposed relay of oysters from Squibnocket pond to Menemsha pond. Mr. Scheffer said that the low salinity and overcrowding in Squibnocket pond was preventing the animals from being desirable. It was discussed that the oysters would be for both family and commercial harvesting. The oysters must first be tested for diseases before the Division of Marine Fisheries will approve the move. It was noted that a Shellfish Constable needs to supervise an oyster relay.

### Shellfish - Quahog Relay

The Selectmen discussed the purchasing of disease-free adult quahogs from the Fall River area in “polluted” waters, to be replanted here in Menemsha pond. This has been done a number of times in the past in Menemsha pond. Mr. Scheffer said it would cost \$17/bushel for approximately 40% littlenecks. The area chosen for the relay would have to be closed to fishing for 3 to 4 months. This allows the animals to be pollution free. Mr. Schiffer said they were hoping to get a permit from the Division of Marine

Fisheries to do this April 15<sup>th</sup>. It was noted that a Shellfish Constable needs to supervise an oyster relay.

#### Shellfish – Assistant Constable

The Selectmen received the request of the Shellfish Advisory Committee that the Propagation Agent be appointed an Assistant Shellfish Constable to be able to supervise the two shellfish relays. Mr. Fenner moved and Mr. Parker seconded a motion to appoint Mr. Isaiah Scheffer an Assistant Shellfish Constable. SO VOTED: Three Ayes.

#### Shellfish – Predator Control

Mr. Doty reported on a proposal from the Menemsha Fishery Fund to pay for a person to fish 200 crab pots in Menemsha pond under the supervision of the Shellfish Propagation Agent. Mr. Doty said that the Fund had received an application from Jeffrey Lynch to provide the service.

It was discussed that this was a good idea. The town has 130 crab pots in working condition and that another 70 would need to be purchased or have the 130 hauled more often. The cost per trap was approximately \$41 with warp and buoy. The Selectmen agreed this could be a good situation and asked to have a written agreement on how the Shellfish Propagation Agent would supervise the person hired by the Fund. It was scheduled for the April 1<sup>st</sup> Selectmen's meeting.

#### Shellfish - Oyster

The Shellfish Advisory Committee recommended to keep the commercial oyster season open through the end of March. They will meet in March to make a recommendation for April.

#### National Shellfish Association – Fish Expo

Mr. Doty reported that a delegation from Menemsha would be attending the meetings in Providence April 7 & 8. Mr. Scheffer and Mr. Doty would be part of the group.

#### Emergency Management – Director

The Selectmen, Chief Rich and Mr. Carroll discussed the request of Daniel Bryant to step down as Director of Emergency Management and become the # 3 person. The Selectmen discussed the need for shelter staffing at the Community Center. Mr. Fenner moved and Mr. Parker seconded a motion to appoint Tim Carroll Interim Director of Emergency Management. SO VOTED: Three Ayes.

#### Middle Line Road – Archeological Survey Phase II

The Selectmen discussed the proposal. Mr. Carroll reminded the board that the work started Monday and was underway. Mr. Fenner opposed the \$20,000 expense. The board did not approve the work to continue. The board agreed to continue this discussion on Thursday at 5:00 PM.

Minutes of March 4<sup>th</sup> 2008 Approved as amended.

### Legal Counsel Services

Mr. Doty expressed concern about paying \$500+ an hour for special counsel. The board agreed to discuss case management at their next meeting. The board asked to have an update on various pending cases from legal counsel for the April 1<sup>st</sup> 2008 meeting.

### Community Center

The Selectmen agreed to waive the fee for one flea market. This was in recognition of the expenses incurred and effort expended by the organizers to cancel their prior event when the center was needed for the funeral of Robert N. Flanders.

### Carl Flanders

The board received a letter requesting permission to rebuild the fishing shack on lot 12 to be 14' x 20' with the gable toward the water. This would look like the shack on lot 14. The existing shack is 11' x 16' and is in terrible condition. The Selectmen agreed they needed to see the plan before construction began. Mr. Doty moved and Mr. Fenner seconded a motion to approve the request up to a 14' x 20' building and to direct Mr. Flanders to the Building Inspector for the permitting process. SO VOTED: Three Ayes.

### Nabs Corner Affordable Housing

The Selectmen agreed to ask Russell Smith where the special legislation was at this time.

### Dog – Andresen

A letter from the Dog Officer to Sarah Andresen regarding her two dogs killing chickens at the Elliston home was received. If further problems occur, the Dog Officer will ask the Selectmen to convene a dog hearing.

### Susan Larsen – Middle Line Road

A letter from Susan Larsen was received and taken under advisement.

### Zoning Board of Appeals – Rodney Bunker

The Selectmen received the resignation of Rodney Bunker from the Zoning Board of Appeals. His letter thanked the Selectmen for allowing him to serve. Mr. Parker said that this was unfortunate. Mr. Fenner said he appreciated Mr. Bunker's participation.

Mr. Parker moved and Mr. Fenner seconded a motion to send a letter of appreciation to Rodney Bunker for his service on the Zoning Board of Appeals. SO VOTED: Three Ayes.

MEETING RECESSED UNTIL THURSDAY MARCH 20<sup>TH</sup> 2008 AT 5:00 PM.

5:00 PM March 20<sup>th</sup> 2008 Meeting called to order in the Selectmen's Meeting Room with Mr. Fenner, Mr. Parker, Mr. Doty, Mr. Carroll, Chuck Hodgkinson and Felix Doty.

### Middle Line Road Archeological Survey Phase II

Chuck Hodgkinson reported on the work that took place this week at the site off Tabor House Road. He said he expected a draft report of Phase II by April 1<sup>st</sup>. Mr. Hodgkinson summarized the work to date and the request of Massachusetts Natural Heritage Program to expand the scope of Phase II.

Mr. Fenner asked if the town had executed a contract for \$19,000 to do this work. Mr. Parker said no. Mr. Doty said that the work had been allowed to continue. Mr. Hodgkinson gave a timeline of the events. Mr. Fenner was opposed to going on a hunt with taxpayers' money. Mr. Doty agreed with him.

Mr. Parker moved and Mr. Doty seconded a motion to reluctantly approve the Phase II contract with UMASS. SO VOTED: Three Ayes.

Motion to adjourn. 5:25 PM.

APPROVED: April 1<sup>st</sup> 2008

RP/FF 3 Ayes