

Present: Riggs Parker, Frank Fenner, Warren Doty, Tim Carroll, Jonathan Revere, Sam Bungy, Ben Rotast, Allison Burger, Brad Westcott, Jeff Day, Chief Rich, visiting couple.

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

Minutes of August 19th and September 2nd 2008 approved with the correction of Sam Bungy's name.

Martha's Vineyard Film Festival

Brad Westcott requested the Community Center for their annual Film Festival March 12th – 16th 2009. This would entail canceling the dance class Thursday night, but the exercise class would be able to meet on Monday morning. Mr. Doty moved and Mr. Parker seconded a motion to approve these dates on the same terms and conditions as last year. SO VOTED: Three Ayes.

Police

Chief Rich presented 2007 & 2008 traffic speed statistics for a stretch of Middle Road near Will Parry's home. The statistics showed that the heaviest traffic occurred twice a day. During the morning commute to work and the afternoon commute home from work and school. It showed that most traffic was exceeding the posted limit by 5 miles per hour and that only a tiny percentage was exceeding 40 MPH. The police will continue to analyze the collected data.

Chief Rich reported that when he assigned an officer to run radar in the school zone from 7:30 – 9 AM it was the parents going to both schools or local residents going to work that were speeding. After reviewing the collected data from the speed monitoring device the board agreed with Chief Rich that this is not a large problem at this time.

Chief Rich again asked for the public or the Selectmen to pick a speed number at and above which the police will aggressively write speeding tickets. There was no number offered from the public or the board.

Mr. Parker asked Chief Rich to continue the collection of speed statistics on the other town roads besides Middle Road. Officer Jeff Day made a verbal report on focused or "targeted" enforcement in problem areas. He said that the police could stop speeders and give them a verbal warning of it was their first offence. Mr. Fenner asked Chief Rich to meet with Keith Emin and look at moving the 25 MPH speed limit sign near the town line on Middle Road.

Police Officer Sarah Briggs

Chief Rich requested a letter from the Board of Selectmen commending the actions of Officer Briggs that on August 13th 2008 while on a private detail at the opening of Chilmark Pond to the Atlantic Ocean she swam out to rescue a 13 year old swimmer in distress. Mr. Fenner read from the police report describing the incident. Mr. Fenner moved and Mr. Parker seconded a motion to commend Police Officer Sarah Briggs for her prompt actions in the water rescue of the 13 year old swimmer on August 13th 2008. SO VOTED: Three Ayes.

There was general discussion about why a police officer was appropriate at that location when people were being allowed to swim at their own risk. It was said that originally an officer was present to keep the public away from the machinery while the opening was being dug and then out of the dangerous cut where the water was surging into the ocean. This practice was

begun in response to the death of a popular high school teacher who had been swept out to sea and drowned when swimming in similar cut.

Mr. Doty asked why it was necessary for an officer at this type of detail to be carrying a gun. Chief Rich said that police officers are never required to be in uniform without a gun. Mr. Doty disagreed and asked to discuss this at future time.

Chilmark Road Race

Chief Rich reported that the maximum number of runners allowed was exceeded by the Race committee this year. He said that 8 people were transported to the hospital and a dozen more were treated in the medical tent at the finish. He reminded the Selectmen that Tri Town Ambulance only had two ambulances in service this summer and that mutual aid from the other island towns was required on a busy August Saturday.

He also said that 2 was not enough porta-potties at the starting line. Chief recounted some of the complaints received about runners relieving themselves on private property before the race. The Board of Health sent the Selectmen a memo expressing concerns over how the Road Race went this year. They also said that more porta-potties were needed next year. Chief Rich said he deferred to the Board of Health on the number needed, but recommended that they be put near the end of Hewing Field Road.

Ambulance Alpha 90

Chief Rich reported that the old Alpha 90 that was a second hand vehicle donated by the tribe a few years ago had been taken out of service. Alpha 90 had failed to pass a stringent examination by the state for use as an ambulance and the costs were estimated at more than \$10,000 to make it pass. As the vehicle is still sound otherwise, it was donated to the West Tisbury Fire Department to be used as their Dive Rescue vehicle. The TriTown Ambulance Committee recommended that to the three towns that this would be a good use of the vehicle as it would be in support of Tri Town operations.

Chief Rich said that the Tribe had located another used ambulance with approximately 35,000 miles on it that would be transferred to Tri Town Ambulance via the Tribe. It was hoped that this would happen very soon.

Film Request

Ben Rotast came before the Selectmen representing the film "The Taken" and New Artist Alliance to request use of the Police Station and Community Center on October 1st 2008 for filming scenes from their movie.

Chief Rich said that he was originally disposed to allowing the request, but has had second thoughts when he considered the effort that was going to be needed to "sanitize" the building of confidential information. Mr. Rotast offered to just film the outside of the police station for an hour or two. Mr. Fenner said that he thought it was not an appropriate place to film a movie. Mr. Doty asked how the Chief and Board felt about filming outside. Chief Rich said he was concerned that this activity could shy people away from coming to the police station in an emergency.

The Selectmen agreed to allow the use of the Community Center starting at 11 AM. They told Mr. Rotast to pay the \$400 deposit.

Mr. Rotast asked the Selectmen for permission to use the transient dock for filming on Thursday September 25th from 5 to 11 PM. Mr. Fenner said he was concerned about people

trying to rent space at the dock. He said it was not impossible but problematic. Mr. Doty moved and Mr. Parker seconded a motion to delegate authority to Mr. Fenner to work out the filming with the Harbor Master if possible. SO VOTED: Three Ayes.

EcoMV

Was not present.

Hillman Conservation Restriction

The Selectmen reviewed the conservation restriction on the “Engley” house lot that was part of the Nabs Corner Affordable Housing deal with Mr. Hillman. Mr. Doty moved and Mr. Parker seconded a motion to approve the Conservation Restriction. SO VOTED: Three Ayes.

The board said that it was good to see this project moving forward expeditiously.

Chilmark School

The board reviewed a letter from the Superintendent of Schools regarding the “Carbon Neutral” initiative at the Chilmark Elementary School. The board discussed how they thought that the original donor was going to help fund the proposals. The board said that they did not think this was going to happen without the donor funding at this time.

The board asked Mr. Doty to meet with Dr. Weiss on this issue. Mr. Doty asked if the board was willing to spend tax dollars to fund these proposals. It was agreed that \$50,000 might be possible, but that the \$400,000 was not likely unless it had a significant payback.

Kathy Hamm

The Selectmen took notice of a possible conflict of interest in that Kathy Hamm of Reynolds, Rappaport & Kaplan was reviewing easement documents for the Middle Line Road while also representing the MV Land Bank. Mr. Parker moved and Mr. Doty seconded a motion to approve Kathy Hamm’s actions in this matter. SO VOTED: Three Ayes.

Homeport Acquisition

Mr. Parker read a statement taking to task the inaccuracy of the reporting done by the Vineyard Gazette on this issue.

Allison Burger asked the Selectmen if there was a study that supports the nighttime traffic comments in the report of the prior Homeport purchase committee, where or not the police could comment on the nighttime traffic, and had the number of people that come to Menemsha on a summer night for sunsets or Homeport dinners been recorded.

Chief Rich said that the sunsets are the chief draw in Menemsha, but that the police can not say where any particular car was going. Ms. Burger asked for the hard data to be available. Mr. Parker suggested that she speak to the members of the prior committee.

Federal Anchorage

The Selectmen discussed the status of the change in federal anchorage area. It is not expected to be completed by this session of congress.

Moorings

The board discussed the status of their request for clarification by the DEP. Mr. Fenner will call Mr. Ben Lynch of the DEP. It was agreed to schedule a Menemsha meeting in October.

Aquaculture Mussel Zone

Mr. Doty inquired as to the letter sent to the Division of Marine Fisheries. He asked to have the minutes included in with the letter if it had not been sent yet.

Executive Session

Mr. Parker requested an executive session to discuss land acquisition and to not return to regular session. Mr. Doty – Aye Mr. Fenner – Aye Mr. Parker – Aye.
8:56 PM

Meeting adjourned 10:12 PM