

Draft Chilmark Board of Selectmen April 3, 2012 Meeting Minutes

Present: Chairman Fenner, Warren Doty, Jonathan Mayhew, Tim Carroll, Jonathan Revere, Chuck Hodgkinson, Matthew Bradley, Rodney Bunker, Isaiah Scheffer,

Presentation of Colors:

Matthew Bradley is here to present the Town of Chilmark The American Flag on his return home. Chairman Fenner read the accompanying plaque;
“United States Marine Corps this certifies that the accompanying American Flag was flown over the Headquarters of Weapons Company, 1st Battalion 25th Marines (Forward) on Camp Leatherneck in the Helmand Province of Afghanistan during Operation Enduring Freedom 11.2 On December 7, 2011 on the 70th Anniversary of the Attack on Pearl Harbor HM2 Matthew Bradley, United States Navy dedicated this flag to the Town of Chilmark.”

Minutes:

Draft minutes from the March 27, 2012 meeting were reviewed amendments made. Mr. Doty moved to approve minutes as amended, Mr. Mayhew seconded the motion.

SO VOTED: 3 Ayes

Tea Lane Farm Update:

Mr. Hodgkinson presented the Selectmen the 4th draft of the Ground Lease for Tea Lane Farm. Chairman Fenner said when he reviewed the draft two questions about section 7.7 and 9.4 came up. Chairman Fenner recommended strengthening the Towns protection. Discussion took place; Selectmen would like Mr. Carroll to place a call to the Towns insurance company and have MIIA weigh in on the section 9.4 of draft ground lease.

7:12 John Molinari, Renee Molinari, arrive.

Mr. Doty moved to approve the Tea Lane Farm ground lease with clarifications of section 9.4. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Mr. Doty said that the Tea Lane Farm Committee decided that the final farmer selection should be delayed to May 3, 2012 rather than the proposed April date that would have included Chairman Fenner in the final part of the selection process. Chairman Fenner would like the Committee to have enough time to complete the process.

7:16 Dennis Jason arrives.

Middle Line Road Up Date:

Mr. Hodgkinson said he has spoken to Scott Seaver of Seaver Construction the company who was hired to build the three MLR Rental Units about some issues with faulty cabinets and moisture issue in the basement of one of the units. Chairman Fenner said to notify the Bonding Company if the issues are not fixed soon.

The Town has taken samples of the water in the rental units to see if water systems need to be installed. The results of tests have not come back yet. Mr. Hodgkinson will follow up with this when the information is available.

Middle Line Road Continued...

Mr. Carroll said that the Selectmen have authorized up to \$5,000.00 to aid in the water issues at the rental duplexes.

Tree screen plantings portion of the Middle Line Road rental duplexes needs to be completed. Mr. Doty moved to proceed with the screening project and to use up to \$7,600.00 from the MLR Maintenance Fund with Dukes County Regional Housing Authority. Mr. Fenner seconded the motion. **SO VOTED: 2 Ayes, 1 Abstain** *Mr. Mayhew abstains*

Mr. Hodgkinson said it's a State Law that the rental units must have screen doors, he is seeking quotes. Mr. Hodgkinson thinks that they should come in around \$7,000.00. Chairman Fenner asked to have this information prepared for the April 17, 2012 Selectmen's Meeting.

7: 28 pm. Chairman Fenner opened public hearing.

Public Hearing for Bettelburg Coffee House:

Mr. and Mrs. Molinari are present for their Common Victualler hearing. Mr. Molinari said that he and his wife are closing the Tisbury food establishment and moving to 24 Basin Road formally the Menemsha Café site. The adjoining retail business is theirs and they plans on removing plywood dividing wall to open up and connect both businesses into one.

The Molinari's will serve breakfast and lunch foods from 7:00 am to 8:00 pm. they plan on opening in May 2012 till October 2012.

7:30 pm public hearing closed.

Mr. Doty moved to approve application for Common Victualler license for Bettelburg Coffee House. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

7:31 pm Chairman Fenner opened public hearing for amendments to

Water Ways Rules & Regulations:

Chairman Fenner read aloud the following proposed amendment to the regulations; “* If the applicant cannot be reached by phone and directly spoken to by January 7th a certified return receipt letter will be sent to the address on file reminding the applicant of the January 15th deadline and the necessity to contact the Harbormaster immediately. Failure to reach such applicant shall not relieve the applicant of meeting the deadline. The Harbormaster will give the Board of Selectmen a complete report of the year's renewal at the first available Selectmen's meeting following the January 15th deadline, including his recommendations for assignments for the coming year prior to taking further action.”

Mr. Jason spoke with the Selectmen about this change. Mrs. Goff suggested the use of email as an efficient communication tool when trying to locate tardy applicants.

7:40 pm Chairman Fenner closed public hearing.

Mr. Doty moved to approve amendment to Water Ways Rules and Regulations as presented tonight. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Brian Cioffi, Pam and Clark Goff arrive.

Harbor Rates:

Harbor Master Dennis Jason is present to propose final figures for harbor rate increases for this 2012 season. Mr. Jason said that the rate per foot for the Transient Dock will increase from \$2.50 per foot to \$2.75 per foot. The Channel Dock at \$1,500.00 will be unchanged as well as the \$3,000.00 will remain unchanged. Commercial Dock will go from \$500.00 to \$550.00. Floating Dock will go from \$300.00 to \$350.00 the Charter Dock will go from \$500.00 to \$550.00 Slips will go up from \$250.00 to \$275.00.

Mr. Doty moved to approve the new rates on the Menemsha dockage as proposed by Mr. Jason. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Chairman Fenner said anyone who has not paid for the 2012 season yet will be charged these new rates.

Electricity Fees for Harbor:

Chairman Fenner said he met with Art Nelson and reviewed the program in the Harbor computer and it showed that the amount collected for electricity was \$3,145.00. The Towns Accountant Emily Day's figures show that Chilmark has paid to NSTAR \$11,880.08. for the harbor area. Mr. Fenner also said that there are fees collected from USCG that would not show up on the report from Mr. Nelson as well as some others. Chairman Fenner would like Mr. Jason to look into the differences and be sure that we are charging enough.

Boat for Harbor:

Harbor Master Jason has recently looked into a boat located in Edgartown that is 26 foot as a possible candidate for the harbor. There is also a boat in Nantucket that is the design of the boat that had been approved and is 20 foot. Mr. Mayhew expressed concern with a boat that is too large. Mr. Jason will pursue the Nantucket boat and locate a boat to purchase soon for the coming season.

Floating Dock Water & Utilities:

Plumbing is to be completed by Mr. Robinson for a quote of \$1,802.11 and the carpentry to connect the waterline will be completed by Mr. Karlinsky for a quote of \$1,160.00. Mr. Doty moved to approve the plumbing and carpentry to be completed by Mr. Robinson and Mr. Karlinsky. Mr. Mayhew seconded the motion.

The two projects are being paid for from the Harbor Maintenance budget line.

SO VOTED: 3 Ayes

Electric for Docks:

Mr. Carroll proposed to postpone this discussion till the April 17th Selectmen Meeting as there are some changes to the plans.

Mr. Doty addressed the Goffs and Mr. Cioffi and said that this meeting started earlier and the Tea Lane Farm has already been discussed. Mr. Doty and Chairman Fenner reviewed the previous updates for these interested parties.

Chilmark Community Center:

Town Custodian Rodney Bunker is present to review the updates that are proposed for the Community Center.

Mr. Bunker has revised some of the update plans and the plan now is to start May 14th with repairs to the roof and shingle some side wall. The repairs article of \$2,500.00 will be used for this as will \$6,500.00 from the Joint Maintenance account. Mr. Doty moved to approve these proposed updates and repairs for \$6,500.00 and to use up the old articles. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Mr. Bunker said he wants to be sure there are enough chairs for the Annual Town Meeting. Mr. Bunker said he thinks at least 60 chairs are needed.

Shellfish:

Shellfish Constable Isaiah Scheffer is present to present the Selectmen the Annual Shellfish Report and to discuss a Shellfish Reef Grant. Chairman Fenner read a draft letter of support for this project for the Selectmen to sign. There is an amendment made to the draft. Mr. Carroll asked if the Selectmen are in support of the amended draft. Mr. Doty moved to approve the amended letter of support. Mr. Mayhew seconded the motion **SO VOTED: 3 Ayes**

Mr. Doty spoke of the proposed Nature Conservatory Oyster Reef Project along with Mr. Scheffer. The project if the grant is received will be in place for next spring in the West Tisbury Great Pond from Spaulding to Big Sandy. The area is a half acre site that would involve 806 cubic yards of oyster shell. This grant is a 50% matching "in Kind." The cost is estimated for Chilmark is \$15,000.00.

Mr. Scheffer said this area would be closed for an estimate of five years for the project to have successful results.

Migratory Bird Depredation Permit:

Mr. Scheffer reported he is processing the paperwork for the permit at this time.

Oyster Season:

Mr. Scheffer said the oyster season will close April 4, 2012 with the Selectmen's approval. Mr. Doty moved to close Oyster season for the Town of Chilmark April 4, 2012. Mr. Mathew seconded the motion. **SO VOTED: 3 Ayes**

Materials on Menemsha Bulk Head:

Mr. Carroll reported that Tim Walsh has hauled debris to the dump and the area is organized. Mr. Walsh told Mr. Carroll that the Harbor Master allowed him to store the remaining materials. Mr. Fenner said it looks much better.

Surplus Fire Engine Bids:

Mr. Carroll said the Selectmen's Office received three bids ranging from \$100.00 to \$251.00. The \$251.00 dollar bid was received from Jeff Lynch. Mr. Doty moved to accept bid from Mr. Lynch for the \$251.00. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Beach Committee:

Mr. Carroll said that the Beach Committee asked that the Selectmen appoint Jen Jamgogian a new member to the Beach Committee, she had agreed to join earlier today. Mr. Doty moved to appoint Jen Jamgogian to the Beach Committee. Mr. Mayhew seconded the motion.

SO VOTED: 3 Ayes

Martha's Vineyard Cultural Council:

Mr. Fenner said that Nan Doty's position on the MV Cultural Council is up for reappointment. Mr. Fenner moved to appoint Nan Doty to the position on the MVCC. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Martha's Vineyard Commission:

Mr. Carroll said that the Selectmen's Office received notice from Mr. Bennett with his resignation as Chilmark Selectmen's Representative on the MVC. Mr. Mayhew recommended seeking a possible replacement from a member of a Chilmark Board.

Landfill:

Possible Solar Array and Parking area was clarified by Mr. Carroll from the engineering documents of the Chilmark landfill.

Mr. Carroll said that the area will be cleared up when the DAS hub site is complete. There are large logs to be chipped or disposed of and the area mowed to clear parking lot area. Post Closer Use Permit will need to be available and a State Permitting prior to RFP for the solar array project.

Winter Flounder Restoration Project:

Mr. Doty said that the Flounder Restoration Project is seeking a grant to further the project and asked if the Selectmen would write a letter of support. Chairman Fenner moved to write a letter of support for this project. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

USCG Denial of Claim:

Mr. Doty said that in the letter the Selectmen received from the USCG it listed two routes for an official appeal on the decision. Mr. Doty would like to confer with Selectmen as to the procedure to take. Chairman Fenner said that he is drafting a letter addressing the report concerning his testimony. Mr. Doty recommended seeking advice from our town council and appealing the denial of our claim.

USCG Boat House Update:

Mr. Carroll said he has had contact from Mr. Britta of the USCG stating they are moving forward with the plans and sending out RFP and expect to have them back in May.

Mr. Mayhew would like the Selectmen's office to pursue support from the Mass. Historical Society.

Advertisements:

Mr. Carroll said he has received notification from the Harbor department to advertise for a job posting for Assistant Wharfingers for the coming season. Mr. Carroll also will advertise for public hearing of the 2 ½ Overrides for the Annual Town Meeting at the Selectmen's April 17 2012 meeting. Notices will be mailed to Chilmark residents informing them of the articles.

Mr. Doty moved to adjourn. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**
Meeting adjourned at 9:00 pm

Draft minutes respectfully submitted by Diana DeBlase.