

Draft Chilmark Board of Selectmen February 4, 2014 Meeting Minutes

Present: Chairman Warren Doty, Jonathan Mayhew, Bill Rossi, Tim Carroll, Isaiah Scheffer, Everett Poole, Dennis Jason, Ron Rappaport, Rebecca Sesny, Remy Tumin and Pete Spray Regen.

At 7:00 PM Chairman Doty called meeting to order in the Selectmen's Meeting Room.

Minutes:

Draft minutes from January 23, 2014 were reviewed. Corrections were made to the draft minutes. Mr. Rossi moved to approve the minutes as corrected. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Town Counsel:

Town counsel Ron Rappaport recounted the outcome of the Hillman case. On January 23, 2014 judgment was for the Town of Chilmark. This case is referring to the 2008 Agreement with the Town of Chilmark MV Land Bank and the Hillman's to form 4 resident home sites in the location known as Nab's Corner.

The other item Mr. Rappaport discussed was the Parker estate versus Chilmark Zoning Board of Appeals. This case is the request from Parker estate to the ZBA to use pesticides in the location of Squibnocket Pond district. Chilmark Zoning officer Lenny Jason upheld the Chilmark Bylaws and denied use of pesticides. Parkers filed suit against Chilmark ZBA. Judgment was for the Parker estate. Chilmark Selectmen requested Mr. Rappaport to appeal to the State Appeals Court on behalf of the Chilmark ZBA.

Shellfish Department:

Shellfish Constable Isaiah Scheffer presented the Selectmen the Shellfish Committee proposed Amendments to Oyster Rules & Regulations:

Temperature Rule - Fishing in Tisbury Great Pond will only be allowed if the air temperature is above 28 degrees Fahrenheit (F) by 10:00 A.M. If temperature does not reach 28 degrees F by 10:00 A.M. make-up days will be as follows (Thursday, Friday and Saturday). Make-up days will start on the first available day (Thursday, Friday and then Saturday) that can be fished. Make-up days will be under the same conditions as normal fishing days (Cold Temperature Rule Conditional). The temperature gauge is located at the Sepiessa landing

The Commercial Oyster Season in Tisbury Great Pond will close on March 5, 2014. The recreational oyster season will remain opened until otherwise posted.

Mr. Rossi moved to approve the amendments to the oyster rules and regulations and the date for closing as presented by Constable Scheffer. Mr. Mayhew seconded the motion.

SO VOTED: 3 Ayes

Bret Sterns and his son arrive

Menemsha Dredging:

Brett Sterns said has been working with representatives of U.S. Army Corp of Engineers to extend the confirmation from the towns to February 14, 2014. Mr. Sterns said he hoped this was enough time for the Chilmark Selectmen to come to a decision.

Mr. Scheffer said he and the Shellfish Committee recommend not dredging the channel. This no dredge decision is to protect the shellfishing crop in Menemsha.

Mr. Poole said he was not in favor of the dredging plan the USACE proposed because of the possibility of the Menemsha Pond becoming a mooring field.

Mr. Jason said he is in favor of supporting shellfish and he is not in favor of this dredging plan at this time. Discussion continued.

Mr. Mayhew moved to oppose dredging the Chilmark waters in the current location proposed by the USACE plan. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Harbor Department:

Mr. Carroll said that the Assistant Harbormaster Mr. Andresen sent notification he would not be available to return for the 2014 July& August season. Harbormaster Dennis Jason proposed changing this position back to a wharfinger position, saving the town money. Mr. Rossi said the Selectmen worked extensively on the harbor positions and recommended advertising to fill the Assistant Harbormaster position they created last year.

Mr. Doty recommended sending a letter to Mr. Andresen thanking him for the notice. Mr. Doty recommended advertising for the position. Mr. Rossi and Mr. Doty recommended thinking about Mr. Jason's proposal and readdressing the topic at their February 18, 2014 Selectmen's meeting.

Harbor Shack Update:

Mr. Carroll said he has received a list of materials needed to build the wooden structure from the MVRHS. Mr. Carroll has sent out requests for 3 quotes from lumber companies. Mr. Carroll confirmed that the plan is to build atop sonotubes and it will have a 12 x 16 footprint.

Pilings:

Harbormaster Jason reassessed the number of pilings to be replaced at this time with a total of 20 and discussed where they would be placed. Mr. Jason estimated the cost to be \$33,800. Mr. Doty requested Mr. Jason put this proposal out for bid this month.

Caplog Repair:

Mr. Jason said that the commercial dock will have will have a 6 x 8 caplog he has a plan that Kent Healy approved and materials he is just waiting for a break in the weather to get started.

West Dock:

Mr. Mayhew said that there are folks cleaning their boats during the incoming tide and they need to be told only at an outgoing tide. Mr. Poole recommended the same plan enforced in Quitsa Pond. Mr. Jason said he would contact the boat owners and tell them.

CDBG Grants:

The Town of Edgartown will be submitting an FY14 Community Development Block Grant applying for funding to continue the successful housing rehabilitation and childcare subsidies programs. The Edgartown Board has voted to once again invite the town of Chilmark to participate. This is a highly competitive grant application and there is no guarantee of funding. In recent years the program has assisted many Chilmark families to maintain their homes and taken care of critical code violations. The childcare subsidy program provides assistance to Chilmark families each year, paying up to \$5,000 to childcare.

Mr. Mayhew moved to participate with Edgartown on applying for the proposed grants. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Parking for Menemsha:

Chairman Doty proposed his plan to create parking at Tabor House Road landfill. This plan would include a VTA bus from 5:00PM to 9:00 PM running between Menemsha and proposed landfill parking lot. Mr. Doty recommended banning parking on North Road entirely. Mr. Carroll said he had been in contact with Angie Grant the director at VTA and believed her estimate was \$15,000.00. Mr. Doty asked that more estimates be gathered in bringing the landfill up to parking capabilities. This plan would be brought to the residents of Chilmark as special warrant article for the April 2014 Town Meeting.

Solar:

Chairman Doty said the NSTAR will only approve to have a 100KW solar installation for the landfill. This changes the plan from a 175KW (done in two phases). Mr Doty said this limitation of 100 KW will not generate the amount of energy planned. Mr. Doty recommended this to be on the Selectmen agenda for the February 18, 2014 meeting.

CCC Request:

The Selectmen's office received a request from a summer resident to use the playing field at the Chilmark Community Center for a wedding softball game. The groom's party playing the brides party on May 24, 2014. Mr. Rossi moved to approve this request with no fee charged, as long as the applicant has the insurance liability coverage. Mr. Mayhew seconded the motion.

SO VOTED: 3 Ayes

D.A.S Update:

Mr. Carroll said that American Tower has requested that they be allowed to build a 600 foot shed at the landfill for a Verizon hub. Mr. Doty said no shed. AT & T has a slab and that Verizon should have the same. Mr. Carroll said there will be 12 additional DAS nodes distributed in Chilmark to increase the connectivity.

Concrete Posts:

Mr. Carroll said that the Highway Superintendent Keith Emin has located a source for the concrete roadside posts. These will replace the broken damaged ones throughout the town roadsides. Selectmen approved installing the concrete post instead of the previously approved wooden posts.

Loss Prevention Program:

Mr. Carroll said part of the insurance credits he spoke of at the January 23, 2014 Selectmen meeting is a Public Body Checklist for Posting a Meeting Notice. Mr. Carroll asked the Selectmen to review and adopt at the February 18, 2014 meeting. Mr. Doty said he believes we are already doing all the things listed. Mr. Carroll will collaborate with the Town Clerk to work out posting a check list electronically.

Mr. Rossi moved to approve this checklist concept and to approve a final proposal at the next Selectmen meeting. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

At 8:45PM Mr. Rossi moved to adjourn, Mr. Mayhew seconded the motion.
SO VOTED: 3 Aye

Draft minutes respectfully submitted by Diana DeBlase.