

DRAFT Chilmark Board of Selectmen March 3, 2015 Meeting Minutes

Present: Chairman Bill Rossi, Warren Doty, Jonathan Mayhew, Tim Carroll, Melanie Becker, Sibel Suman, Joel Sheveck, Rosalie Hornblower, Jim Malkin, Andy Goldman, Dennis Jason, Lynn Christoffers, Angie Grant, Alex Elvin and Edie Prescott.

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

Minutes:

Draft minutes from Selectmen's 1/13/15 meeting were reviewed. Corrections were made. Mr. Mayhew moved to approve minutes as corrected. Mr. Doty seconded the motion.

SO VOTED: 3 Ayes

Draft minutes from Selectmen's 2/2/15 meeting were reviewed. Corrections were made. Mr. Mayhew moved to approve minutes as corrected. Mr. Doty seconded the motion.

SO VOTED: 3 Ayes

Draft minutes from Selectmen's 2/3/15 meeting were reviewed. Corrections were made. Mr. Mayhew moved to approve minutes as corrected. Mr. Doty seconded the motion.

SO VOTED: 3 Ayes

7:07 PM Chairman Rossi opened the public hearing for a petition from NSTAR for utilities at 5 Hickory Lane. NSTAR / Eversource petition is to install 55 feet of conduit under Tea Lane. There was no public comment. At 7:08 PM Chairman Rossi closed the public hearing. Mr. Doty moved to approve the NSTAR utilities application for 5 Hickory Lane with the condition of directional drilling requested by Highway Superintendent Mr. Emin. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Housing Committee:

Housing Committee member Andy Goldman was present to ask the Selectmen to appoint Sibel Suman their Administrative Assistant. Ms. Suman was also present. Mr. Doty moved to appoint Ms. Suman as the Administrative Assistant for the Housing Committee. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Bond Rating:

Town Treasurer Melanie Becker presented the Selectmen the bond rating information. Ms. Becker confirmed that S&P has set our rate at AAA (remained same as last year). Ms. Becker requested the Selectmen vote on the bonding documents. Clerk of the Selectmen Warren Doty stated the following motion:

I, the Clerk of the Board of Selectmen of the Town of Chilmark, Massachusetts (the "Town"), certify that at a meeting of the board held March 3, 2015, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Bond Rating Continued:

Voted: that in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A, of the General Laws, or pursuant to any other enabling authority, to refund all of the Town’s \$3,083,000 General Obligation Municipal Purpose Loan of 2004 Bonds dated December 15, 2004 maturing on and after December 15, 2015 (collectively, the “Refunded Bonds”) and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium, if any, and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$1,685,000 General Obligation Municipal Purpose Loan of 2015 Bonds of the Town dated March 10, 2015 (the “Bonds”), to SunTrust Robinson Humphrey at the price of \$1,732,575.85 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on December 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2015	\$220,000	2.00%	2019	\$210,000	2.00%
2016	220,000	2.00	2020	205,000	2.00
2017	215,000	2.00	2021	205,000	2.00
2018	210,000	2.00	2022	200,000	2.00

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated February 12, 2015, and a final Official Statement dated February 24, 2015 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Bond Rating Continued:

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**
The Selectmen signed 8 bonds.

Beach Bus:

Director of Martha's Vineyard Transit Authority (MVTA) Angie Grant was present for discussion and plans for the coming 2015 bus season for Chilmark. Mr. Carroll said the Beach Department has an informal agreement with the Inns that they will have the same system as last year and next year would implement prohibiting Inns driving into the beaches.

Ms. Grant said she received an email from Beach Chairman Kristin Maloney requesting the MVTA consider running the bus to Lucy Vincent and Squibnocket from the Inns. Ms. Grant said this would be a waste of resources and said they are not running the beach bus for the Inns this year.

Ms. Grant discussed the proposed schedule for 2015 July & August Parking lot service. Route 4 buses will begin Tabor House parking lot service at 8:01 AM to allow employees who work in Menemsha a place to park and get to work by 8:15AM. Route 4 & 5 bus will work as a connector from 10:25 am -10:01 PM to the Tabor Lot. Sun Set bus route will be running from 6:00 PM (first run from Tabor lot) – 8:50 PM (last bus from Menemsha to lot) Ms. Grant will send a copy of the schedule to the Selectmen's Office.

Mr. Carroll summarized that we have killed the beach bus (serving the Inns) and created the park and ride to Menemsha from the Tabor House Road landfill parking lot for this summer next year we hope to be back to a beach bus.

Mr. Doty moved to approve the transportation plans as presented by Ms. Grant. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Mr. Doty discussed the improvement plans for the parking lot at the landfill. Ms. Grant said that she has a bench for the lot next to the schedule. Mr. Doty directed that this should go inside the lot up on the landfill cap where the parking is located. Chilmark will get better lighting at the parking lot and on the beach area. Ms. Grant recommended sandwich boards for advertising the Menemsha Beach Bus and landfill parking.

Chilmark Community Center (CCC):

Mr. Carroll presented the proposed changes The Martha's Vineyard Film Festival (TMVFF) would like to make to the CCC projection area. Mr. Carroll said that the CCC Winter Committee has met with TMVFF representatives at the site of proposed changes and approved the changes. Chairman Rossi conditioned approval with all liability and costs to be the TMVFF responsibility. Mr. Mayhew moved to approve the proposed changes with condition. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Discussion turned to the fee schedule for this 2015 March Film Festival. Mr. Carroll said that Mr. Bena proposed to pay \$400.00 per day (like a wedding fee with set up clean up days included) so a total of \$1,600.00. Mr. Doty said we need to ask the school if they feel accommodated with the plans TMVFF has put forth.

Mr. Malkin spoke to the fee proposed by TMVFF, not only as a Chilmark resident but the Chairman of the former Utilization of Town Owned Facilities Committee. Mr. Malkin said the committee worked to codify the fee schedule to charge appropriately for the uses of the CCC. Mr. Malkin said TMVFF is clearly not a wedding event and should be charged appropriately. Mr. Rossi said he feels remiss for not moving forward with the suggestions that the UTOFC presented in their report and plans on making some changes to the CCC fee schedule utilizing some of the suggestions in the future. Mr. Goldman (who was also a committee member of the UTOFC) reiterated Mr. Malkin's remarks.

Mr. Doty said we need to categorize fees for nonprofits. Discussion ensued. Mr. Mayhew recommended this be on the Selectmen's agenda for March 17th. Mr. Doty moved to approve the fee to TMVFF of \$1,600.00 for this event March 2015, but with a review to follow. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Alison Berger of the Vineyard Independence Partnership has written to the Selectmen's Office requesting the Selectmen waive the rental fee for their potluck dance. Mr. Doty moved to approve this request stipulation a cleaning deposit is required. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Selectmen reviewed Ellen Biskis's request of \$250.00 for a 10 week after school dance program for Chilmark children instruction by the Yard staff. Mr. Doty moved to pay the \$250.00 for the program from the Selectmen's Other Purchased Services (budget 196-5399). Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

MV Community Services (MVCS) White Ribbon Day:

Chairman Rossi announced the request from MVCS to endorse and support "End Violence" White Ribbon Day, March 5, 2015. Mr. Doty moved this request, Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Mr. Carroll said he requests that at the end of this meeting to move into Executive Session to discuss land acquisition. Chairman Rossi said yes at the end of the regular agenda they would hold an Executive Session.

Harbor:

Walking Path:

Mr. Carroll presented a map of the proposed walking path for pedestrians along the down island side of the parking lot between Menemsha Beach and the Comfort Station (bathroom & showers). This path is approximately 195 feet long 8 foot wide (3 foot buffer with 5 foot wide walking surface). Mr. Carroll said there is a Public Hearing scheduled for this with the Chilmark Conservation Commission March 18, 2015 at 12:30 PM. Mr. Carroll said there is a warrant article of \$10,000.00 to fund this project on the Annual Town Meeting Warrant for April 27, 2015. Discussion ensued.

Floating Dock:

Mr. Carroll discussed the \$100,000.00 of funding that the Common Wealth of Ma. and The Seaport Advisory Council has designated for an additional transient “temporary tie-up” floating dock along the channel in Menemsha. Mr. Carroll gave specifications of the floating dock; 40 foot gangway access to a 80 foot floating dock (9 feet wide) to a section that is 2.5 feet by 40 feet dedicated for upwellers (2/20 foot upwellers) for shellfish propagation. Mr. Doty said he confirmed with our accountant Ms. Biskis that the balance of this fund is \$106,000.00.

Mr. Carroll reported that the concrete floating dock manufacturer strongly suggested the use of steel pilings instead of greenheart. Mr. Carroll requested we reserve the option to use greenheart. Mr. Carroll said that there will be a conduit built into the floating dock but they don’t have the funds to connect electricity or water to them yet. Mr. Carroll said low voltage lighting is recommended on the deck of dock for safety.

The Harbormaster Dennis Jason discussed the heavy current and need for the additional units to be well secured. Discussion ensued.

No Parking / Signage:

Mr. Carroll said Police Chief Cioffi had expressed the need for appropriate no parking signage along North road down to Menemsha Basin Road. Mr. Carroll presented some options for Selectmen to discuss and install. Discussion ensued. The following was recommended.

- 1.) Not orange (green background with white lettering) white or red.
- 2.) 12” x 6” size
- 3.) Mounted on a wooden 4x4 post
- 4.) Wording: No parking

Estimate cost is \$40.00 (includes sign) per sign to install. Chairman Rossi requested some samples prior to installation.

Chain System:

Tim Carroll pointed out the engineering for the chain system in the Selectmen’s agenda packets. Mr. Doty said he intended to get together with Steve Broderick to discuss the chain system for the resident & commercial floating dock anchor system, but that Steve is in Florida at this time. Mr. Carroll said prior to the hurricane season the town intends to have the nine anchors attached to the floating dock. Mr. Carroll said Mr. Kent Healy had engineered this project 2 years ago.

Chain System Continued...

The following is the project: to have 9 anchor points against the Drive on Dock attached to a ring on the whaler. Discussion ensued. Mr. Doty said he will pursue this.

Landfill Lighting:

Mr. Carroll said when we gave permission for the Solar Array to be installed at the Landfill cap we requested them to reserve us a 50 amp outlet. Mr. Carroll said he hopes at the very least to be able to plug in a heavy-duty extension cord to power a set of LED lights. Mr. Doty asked if the bench for the VTA would be lighted with this. Mr. Carroll recommended a solar light there. Discussion ensued.

MIA Insurance Renewal:

Mr. Carroll said we have had the same insurer for 26 years (MIA) and this year they are offering a 2 year contract FY16 with 0% increase with a guarantee of not more than 2.5% increase for FY17 if we sign a contract with them now. Mr. Doty moved to sign the contract with MIA insurance. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Beach Lot:

Mr. Carroll said Mr. Hotchkiss had contacted the Selectmen's office on behalf of Mr. King to donate this lot to the town. The Selectmen's office directed Mr. Hotchkiss to advertise the lot for sale to allow the town to collect taxes on this lot. Mr. Hotchkiss received no offers and has returned to the town with this offer. Discussion ensued.

Mr. Carroll said he requested of the Land Bank that they participate and support the town of Chilmark in acquiring passive recreation and commercial fishing access for Chilmark Pond in exchange for us passing this on to them. Mr. Carroll said MVLB said they would do that in a separate correspondence. Mr. Mayhew moved to recommend this to the Land Bank (TAB) with the understanding that Mr. Carroll discussed. Mr. Doty seconded the motion.

SO VOTED: 3 Ayes

CAI Technologies Contract:

Mr. Carroll explained that the CAI Technologies Contract is for managing the GIS Assessing software. Mr. Doty moved to approve and sign the CAI contract. Mr. Mayhew seconded the motion. **SO VOTED: 3 Ayes**

Fees for Review:

Mr. Carroll said that during the budget hearings the Selectmen and FinCom members received a list of all of the fees the town charges for permits etc. Mr. Carroll said he will contact each department head requesting their fee recommendations. Mr. Carroll did say there is a recommendation that the Zoning Board of Appeals have a bylaw change allowing them to charge the cost of advertising to the applicants. Mr. Doty recommended each department supply a recommendation of fees and the Selectmen will have a recommendation and vote at future Selectmen's Meeting.

Fees for Review Continued...Mr. Doty move to make whatever changes need to be made to have the ZBA applicants responsible for the advertising fees. Mr. Mayhew seconded the motion. Mr. Doty stipulated this would not be applied to affordable housing applications.

SO VOTED: 3 Ayes

Air B&B (Bed & Breakfasts)

Selectmen's office received notice from the Department of Public Health which has determined that lodging provided through Airbnb or similar online services is subject to local licensure or permitting as a lodging house or bed and breakfast in the same manner as traditional lodging houses and bed and breakfast establishments are licensed or permitted. Airbnb states that: "In many cities, you must register, a permit, or obtain license before you list your property or accept guests." It further states that: "By accepting our Terms of Service and activating a listing, you certify that you will follow your local laws and regulations."

Mr. Doty recommended Selectmen to take no action. No action was taken.

Squibnocket Project Update:

Mr. Carroll said Mr. Hodgkinson had no updates on the project at this time. Mr. Carroll said he has heard from town counsel saying that the parties are interested in selling the lots (for the proposed parking area) but no deadline has been set. Mr. Carroll also said he will be putting onto town warrant the taking of the properties by eminent domain in case the agreements fail.

Chairman Rossi believes there will be a final agreement by March 17, 2015 so we would not need to proceed with taking the properties. Discussion ensued.

Correspondence:

Mr. Carroll said that there is a letter in the Selectmen's packet from the Library Director saying that Rodney Bunker our Maintenance Supervisor of Town Building has been doing an incredible job keeping up with all of the snow. Mr. Mayhew said the Selectmen also appreciate all of the extra effort Mr. Bunker has been doing.

Mr. Carroll said that he has drafted a letter from the Selectmen's office thanking all of the snow removal folks but since we just got more he will hold off and have it ready for the Selectmen to sign at a later meeting.

At 8:43 PM Mr. Doty made a motion to move into Executive Session to discuss land acquisition and not to return to regular session. Mr. Mayhew seconded the motion. Doty: Aye, Rossi: Aye Mayhew: Aye. *Mr. Carroll was also present.*

Draft minutes respectfully submitted by Diana DeBlase.