

**DRAFT Chilmark & Aquinnah Joint Board of Selectmen  
December 08, 2015 Meeting Minutes**

**Present:** Chilmark Selectmen; Chairman Jonathan Mayhew, Bill Rossi and Warren Doty  
Aquinnah Selectmen: Jim Newman, Juli Vanderhoop (*Selectmen Chairman Spencer Booker of Aquinnah not in attendance*). **Others:** Tim Carroll, Adam Wilson, Dennis Jason, Isaiah Scheffer, Brian Vanderhoop, Brett Stearns, Beckie Finn, Jim Malkin, Glenn DeBlase, Richard Steves, Jessica Roddy, Hollis Smith, Buddy Vanderhoop, Rick Karney, Alex Elvin, Barry Stringfellow and Joanie Ames.

At 5:35 PM Chairman Mayhew called the meeting to order in the Chilmark Selectmen's Meeting Room.

Tribe representative Bret Stearns and Beckie Finn drafted a word document with the Aquinnah and Chilmark Waterways Rules and Regulations side by side for comparison for tonight's discussion. Mr. Carroll said that the Chilmark Regulations were taken directly from the Town's Harbor Department web page.

Chilmark Harbormaster Dennis Jason said the big issue for this meeting is the enforcement of no overnight anchorage. Chairman Mayhew stated both Aquinnah & Chilmark's Waterways Rules & Regulations specifically state no overnight anchorage. Mr. Doty said after review with Town Counsel it's clear that these regulations (Chilmark & Aquinnah) are dully authorized. They have been properly approved by town process, government process; approved by the Attorney General's Office. Mr. Doty said our local bylaw will be enforced.

Ms. Vanderhoop brought up "the harbor of refuge" in case of a bad storm for discussion. It was understood that that is what our harbor is, no one would be turned away seeking refuge from a storm. Harbormaster Jason stated Menemsha Pond is not our harbor of refuge but our harbor is.

Brett Stearns discussed the process to initiate directing boats to a designation area in an emergency situation. Extensive discussion ensued.

Discussion returned to the dredging area designated by the USACE. Mr. Jason stated he was not in favor of adding moorings in this area and recommended no additional mooring in the Chilmark side of Menemsha Pond. Buddy Vanderhoop (Aquinnah's Shellfish Constable & Harbormaster) said that the designated area where moorings are in Aquinnah is also the shellfish bed so no anchoring is allowed there. Herring Creek and head of the pond are the only areas in Aquinnah that anyone is allowed to anchor.

Mr. Vanderhoop said there are no mooring limits set yet; in 2015 there are 46 off of Red Beach and another 25 at Herring Creek. Mr. Vanderhoop said he will work out a limit proposal for the Selectmen to review and start a waitlist for moorings in the future. Mr. Jason said Chilmark has 200 private moorings in the ponds and will not add more. Mr. Vanderhoop said Aquinnah has no intention of adding transient moorings in the Pond.

Mr. Doty said Chilmark has 8 (transient) moorings in the Menemsha Bite and 2 in the harbor. Chilmark will not add transient moorings in the Pond but will designate an anchorage area for a day or afternoon but not overnight.

Mr. Jason discussed (using chart) where the day time anchorage area should be. Discussion turned to the type of markers to use and to make the delineation the same color in both towns to avoid confusion.

Mr. Vanderhoop said he would take information from this meeting under advisement and come back with recommendations. Mr. Stearns recommended that all parties use a uniform map (chart) when working out their plans separately so that they can clearly be overlaid on a single map.

Mr. Carroll stressed using the same federal identification buoy system for all our needs. Mr. Carroll also asked that we put funds aside to purchase the yellow buoys for the shellfish Oyster Grant areas. The anchorage area will also be buoyed.

Mr. Sterns said that the Tribe could draft a document for distribution to help inform the transient boaters of our combined Waterways Rules & Regulations. Mr. Sterns said it seems as if the Towns are anticipating increased boat traffic this coming season due to the dredging and asked if Chilmark is considering changing to a reservation policy. Mr. Jason said no reservation is what we are going with for the coming season. Chairman Mayhew asked how many boats could anchor in the designated area. Mr. Jason estimated 10 to 11 boats.

Enforcement of regulations: Chilmark's enforcement fines are \$50.00 first offence, \$100.00 seconded offence and \$200.00 for third offence. There was discussion of increasing the fine schedule.

Chilmark Shellfish Constable Scheffer requested that the anchorage not disturb the eel grass area.

Mr. Doty spoke about the Oyster Grant Program; and working to equaling what Edgartown is producing (in their town) here in Menemsha Pond between Chilmark & Aquinnah.

Mr. Vanderhoop said he has been in contact with the State to revamp the Aquinnah Oyster Program.

Mr. Sterns asked to return to the discussion of enforcement of our regulations but wanted to mention on the topic of our shell fishing industry the importance of the Quahog and the wampum production importance to the Tribe.

Mr. Mayhew asked if Mr. Karney's (Martha's Vineyard Shellfish Group) stock has a strong wampum production. Mr. Karney said the brood stock is producing a strong purple color.

Mr. Carroll said that the enforcement officers are listed as; Harbormaster, any assistant Harbormaster, any Chilmark police officers or any other persons or agent appointed by the Board of Selectmen.

Mr. Carroll asked if the town would appoint the Shellfish Constable to also be an enforcement officer.

Mr. Sterns discussed his unique position of being a Tribe and Aquinnah enforcement officer as well as a Chilmark Police Officer; so he has enforcement possibilities across both towns on our Menemsha Pond.

Do the towns want to have a cross/ joint waterways agreement concerning the no overnighting in our pond; to cross designate employees? Both Towns agree a joint enforcement (assisting with mutual aid) is appropriate.

Mr. Malkin asked to consider the need for staffing and fines, buoying and marking of anchorage area. Mr. Malkin recommended the possibility of a common anchorage. Discussion ensued.

Mr. Carroll reminded the folks of the 1976 statistics of over 35 boats seeking to overnight. Mr. Sterns recommended moving forward in gathering data with joint reciprocity and creating a MOU. Mr. Sterns recommended logging how many people are on the pond. Mr. Wilson, Mr. Carroll and Mr. Sterns will work on a MOU. Mr. Vanderhoop and Mr. Jason will work on anchorage areas and a uniform buoying system for marking.

Chairman Mayhew reiterated the no overnighting in Menemsha Pond and Mr. Vanderhoop reiterated need for clear marking of the shellfish beds. Mr. Sterns will work on a tri logo informational document to put on all of our web pages and handouts that have our contacts and regulations. Ms. Finn will help work on creating this document.

Rafting was brought up for discussion; the mooring tackle was also discussed. Mr. Scheffer clarified the Oyster grant locations.

Mr. Sterns will work on a punch list to have completed prior to the coming season.

Enforcement agreement was discussed. The MOU will be drafted and all parties will return to approve and sign in the near future. The joint meeting was adjourned (Aquinnah & Tribe left) Chilmark Selectmen continued with discussion of hiring a consultant for the 399 Middle Road Fire station project.

Mr. Rossi moved to approve seeking a consultant and spending up to \$7,000.00 for the fire station project. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

At 6:50 PM Mr. Rossi moved to adjourn. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Draft minutes respectfully submitted by Diana DeBlase.