

## **Draft Chilmark Board of Selectmen    October 17, 2017    Meeting Minutes**

**Present:** Chairman Bill Rossi, Jim Malkin, Warren Doty. Tim Carroll, Chuck Hodgkinson, Police Chief Jonathan Klarèn, Jane Greene, Max McCreery, Fire Chief David Norton, Tri Town Ambulance Chief Ben Retmier, Rob Hannemann, Joan Malkin, Linda Coutinho, Robert Coutinho Rich Saltzberg and Lynn Christoffers. *Sergeant Sean Slavin arrived at 5:55 PM*

At 5:00 PM Chairman Rossi called meeting to order in the Selectmen's meeting room and immediately opened the public hearing for the FY18 tax classification hearing for allocation of taxes to classes. Tim Carroll said it was necessary to continue this hearing to the Selectmen's November 7, 2017 meeting. Mr. Malkin moved to continue the public hearing to 5:00 PM November 7, 2017. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

### Minutes:

Draft minutes from Selectmen's September 12, 2017 meeting were reviewed. Mr. Malkin moved to approve minutes as written. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Draft minutes from Selectmen's September 26, 2017 meeting were reviewed. Mr. Malkin moved to approve minutes as written. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

Draft minutes from Selectmen's October 3, 2017 meeting were reviewed, corrections were made. Mr. Malkin moved to approve minutes as corrected. Mr. Doty seconded the motion. **SO VOTED: 3 Ayes**

### Squibnocket Update:

Chuck Hodgkinson gave an update of the town's project for Squibnocket Beach and parking lot. Mr. Hodgkinson said he has a pre-bid meeting with contractors this Thursday at 11:00 PM for specifications and a site visit for removal of old (existing) parking lot and location, removal of revetment and construction of new lot and access.

Mr. Hodgkinson said we have secured 35 hundred cubic yards of spoils from the dredging project in Menemsha pond to relocate to Squibnocket Beach when we are ready. At this time the sand has been trucked to Peaked Hill till we are ready for beach nourishment. Chairman Rossi said a lot of people are unaware of the dune restoration part of this project and we will be fortifying the dunes with beach grass and Rosa Rugosa.

### Human Resources Board (HRB):

Chairman Rossi said we have before us the recommended compensation plan and draft financial implications with making these changes. Jane Greene (chairman of HRB) and Max McCreery were both present representing the HRB. Ms. Greene said after 3 ½ years working on this the HRB has a recommendation for the town. Mr. Greene said personally she had hoped that we would not be spending so much money. The figure in this draft did not consider the contract cost for Executive Secretary and also the Tri Town Ambulance (TTA) overtime figure was not in this figure we have today.

Mr. Doty (BOS liaison on TTA Committee) said that we will be keeping the TTA figure separate from Chilmark.

Mr. Doty said there are reserve funds at the TTA budget and we (tri town committee Selectmen) will decide how to deal with the funding of the pay changes (increases) within the Tri Town Budget and that would reduce the figure that we have here. This budget would come to the Selectmen for approval.

Mr. Malkin thanked Ms. Greene and Mr., McCreery for the work they have done over the past 3 ½ years getting this compensation plan together Mr. Malkin said the HRB compared the town full time-year-round positions to the other island towns and addressed any that were 5% or more below the mean be brought to mean. The HRB is proposing that back wages be paid to these positions to the start of FY18 (July 1, 2017). Mr. Malkin said that the HRB re-graded some positions to get them to the mean of the other island towns and they did that with the Assistant Library Director / Youth Services but questioned included retro pay as that position is not 5% or more below the mean. Ms. Greene said this position did not have a comparable to other island towns and we believed like the Police Sergeant that would be discriminating if we did not consider that position. Ms. Greene said this job requires masters in Library Science and they teach the school children.

Ms. Greene said that this decision is up to the Selectmen but the Library Trustees may want to weigh in on this. Mr. Malkin said his concern is the process; regrading was to be applied to positions that were 5% or more below the mean. One job was regraded and it was not 5% or more below the mean his question is whether that position should be included in the retroactive pay plan. Ms. Greene said this is one of the positions that the HRB decided would be re-looked at during the process.

Chairman Rossi said we are working to get the Special Town Meeting (STM)Warrant set with the correct figures and recommendations. Mr. Carroll said it is two separate warrants one is the compensation wage scale and another is a figure to cover the rate increases. Mr. Doty said we don't have the exact number but a figure to use as a place holder could be \$146,000.00 that the HRB recommended but it will be lower than that because we will be removing the Tri Town Ambulance figures. Mr. Malkin said he was not comfortable recommending retroactive pay for the position that was not 5% below the mean. Chairman Rossi said that makes perfect sense.

Discussion turned to when the employee would begin their new position pay. Ms. Greene said right after Special Town Meeting is the recommendation. Chairman Rossi said the Selectmen's policy is when a position is regraded that the pay increase happens at the next fiscal year so that the increases can be budgeted in; there was further discussion. Mr. Carroll said there are 2 different things happening. There is the retro pay to the positions that were 5% or greater below the mean pay. And there is a position that was regraded during this recommended time of year for regrading. the position that was just regraded would be funded July 1, 2018 and be retro paid to January 1, 2018 as we have done with positions that were regraded during our process and development of policy over the last few years of this process.

Mr. Doty said we are going to hold off approving this fiscal recommendation till our next regular meeting so we will have correct figures for the STM warrant article. And this issue Mr. Malkin brought up we will look into further and have a decision at that time. Chairman Rossi thanked Ms. Greene and Mr. McCreery for their hard work on this project.

Cape & Vineyard Electric Co-op (CVEC):

Chilmark's representative on the CVEC board Rob Hannemann spoke about this request from CVEC. Mr. Hannemann said last year CVEC asked for a half cent increase (add) on their phase 1 project. The impact on Chilmark was relatively small. CVEC is asking for the ½ cent again this year. So far only 4 towns have approved the half cent out of 40 so far. Mr. Hannemann said it's believed that Edgartown and Barnstable will not agree to the ½ cent add again.

Mr. Hannemann gave a brief outline of what has been happening at CVEC. Selectmen asked Mr. Hannemann what his recommendation would be concerning the ½ cent add. Mr. Hannemann recommended to pay the ½ cent add for the upcoming fiscal year, with proviso that CVEC establish an approved strategic plan delivered within the 6 month window. Mr. Malkin moved to modify letter approving the ½ cent add with provision that CVEC establish an approved strategic plan delivered within the 6 month window. Mr. Doty seconded the motion.

**SO VOTED: 3 Ayes**

Chairman Rossi thanked Mr. Hannemann for his participation on behalf of Chilmark, and for coming to the Selectmen with clear information and recommendations to help us with our actions.

Harbor Advisory Committee (HAC) - Update:

Mr. Malkin (Selectman liaison to HAC) said the HAC has taken a very active look with the Harbormaster at things that need to be done in Menemsha Harbor. The HAC and Harbormaster will work towards a comprehensive plan and prioritize items for STM warrant funding. In example: pilings, wiring, plumbing, dredging, commercial dock, pumpouts...

There is a third meeting of the HAC scheduled for Friday (October 20, 2017) at 8:00 AM. Mr. Malkin said on the agenda for Friday is the electrical wiring in and around Menemsha harbor. We are waiting for Cole Powers to get figures to us for the electrical wiring proposal he sent us. We have asked 2 other electricians to give us estimates.

The complete agenda for the HAC meeting on Friday is as follows:

Electrical System, Road to West Dock – Report from Selectmen, Bait & Dock Clutter, Harbormaster & Gas Station Personnel recommendations, New Floating Dock (free public access point), Slips in West Side Commercial Area, Staffing.

Mr. Malkin said by the end of these meetings with HAC and Harbormaster we should have a project management plan and a budget for the Harbor Department for FY19.

Robert Coutinho asked if fire suppression was in the harbor plan. Mr. Malkin said that has already been discussed and they are looking at having 2 portable gas powered water pumps or more fire extinguishers.

Mr. Malkin said he expected 2 items for Special Town Meeting warrant for funding; pilings and electrical work which are the top priority issues.

Public Safety Building -Update:

Mr. Doty said we have been in touch with Dennis Ross for design planning for Public Safety Building (s). Mr. Doty asked how we should proceed in getting Mr. Ross to move forward in laying out these options.

Mr. Malkin recommended engaging Mr. Ross and negotiating an hourly rate to give us preliminary plans we can discuss with the Fire Chief & town community. Mr. Carroll said he has already sent Mr. Ross electronic plans for this site and said he already has the adjoining property plans. Mr. Carroll said he has asked for Mr. Ross to give us a quote and an estimate for services to facilitate the town's evaluation of these two options including a simple site plan. Mr. Carroll said he hasn't heard back yet. Chairman Rossi discussed the plans clearly for the participants in the audience to understand;

Plan out a Public Safety Building on the existing footprint (CFD Menemsha Cross Road site) with a new building that has entrances (for fire trucks) on both sides of the building; involving reworking our existing town hall parking lot.

Mr. Carroll said Mr. Ross had a definitive comment about the existing footprint that it won't work. Mr. Malkin moved to authorize Mr. Carroll to hire Mr. Ross to work for the town in this capacity, and said if there is need to return to the Selectmen for additional input that he will do so. Mr. Doty seconded the motion **SO VOTED: 3 Ayes**

Chairman Rossi advised Mr. Carroll to check with Accountant Ellen Biskis to get the dollar amount we have in the warrant to pay for these plans.

Chilmark Community Center -Free Public Music & Potluck Events:

Mr. Doty said he is sponsoring 5 events with Mr. Karalekas for free to our community Music & Potluck events at the Chilmark Community Center. Mr. Doty said we have done this for the past 6 years and he would like to do this again and moved waiving the rental fee. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Linda Coutinho asked that this group (the Dockside Band) could possibly play music waiving their fee for the Fireman's backyard bash the first Wednesday evening in August. Mr. Doty said he will talk with Alex Karalekas about this request. Ms. Coutinho said it doesn't have to be the Dockside Band but one of the many bands that play at the free events at the CCC. Mr. Doty thanked Ms. Coutinho for this very good suggestion.

Filming Request by a German television production company:

The Selectmen's office received a request from a German television production company to film in Chilmark. During the islands "wild local food challenge" the filming team and actors (4) will be filming the gathering of wild ingredients at different Martha's Vineyard locations from October 18, 2017 (tomorrow) to October 22, 2017. Chairman Rossi said this is a good time of year to be able to approve these requests. Mr. Doty approved validating this filming request. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Resignation of Steve Flanders from Human Resources Board:

Chairman Rossi said its happy / sad news happy that Mr. Flanders is engaged and moving to West Tisbury to start a new chapter but sad we will no longer have his contributions on our Human Resources Committee.

Mr. Malkin said we should solicit someone from our community who is thoughtful and looks at the issues brought to the Human Recourse Board and takes commitment seriously to fill this vacated seat. Mr. Malkin asked that we send a letter to Steve thanking him for his service. Mr. Carroll said he will draft this for Selectmen approval.

Menemsha Pond Dredging - Update:

Mr. Doty said this dredging project is going very well and we are very happy with the sand removal cooperation. Mr. Carroll said the operation manager reported that they have 3 whole days left of dredging and they will be finished.

Mr. Carroll was asked to draft and send a letter to the dredging company thanking them for their co-operation with our beach sand project.

Mr. Malkin said he was asked to bring up the subject of Crab Corner. Should the Selectmen consider opening Crab Corner for wading purposes? Mr. Malkin said that electricity has been turned off. Mr. Doty asked how far back electricity has been shut off. Mr. Malkin said to Dutcher Dock. Chairman Rossi said he would be in favor of removing the sign and fencing at Crab Corner. Chairman Rossi said we don't have staffing this time of year for monitoring that area. Mr. Doty asked to confirm that electricity is shut off from the fuel dock on out towards the transient dock. Mr. Malkin said yes. Mr. Malkin said we need to leave the signs up but we could take the fencing down for now. Chairman Rossi said we can re-visit Crab Corner in the spring of 2018.

Mr. Carroll said we can move the signage to the dock so that it is still posted in our harbor.

Fire- Thank you letters for Mutual aid from Aquinnah & West Tisbury:

Mr. Carroll said that West Tisbury and Aquinnah Fire departments came to Chilmark fires with mutual aid. Selectmen asked Mr. Carroll to draft thank you letters on behalf of the Chilmark Selectmen.

Rat Control- Menemsha Harbor Area:

Mr. Carroll asked Selectmen if this is something we should pay for and continue. Mr. Doty said absolutely continue. Mr. Malkin asked if this was a question of what department is responsible for paying the invoice. Mr. Carroll said yes. Mr. Malkin said the Harbor Department is responsible for this invoice and should continue to.

Community Center - wind break contract awarded to Tom Burke:

Mr. Carroll said we received a single bid for the Community Center wind break project. Mr. Burke submitted a quote of \$ 48,770.00. Mr. Burke and Chairman Bill Rossi met with Mr. Carroll and discussed moving forward with the project. This bid is more money that we had appropriated for the project, but it was decided to use the joint maintenance fund to make up the difference. Mr. Carroll also said it's still under the \$50,000.00 threshold for quote verses bid.

Mr. Doty moved to approve a contract with Mr. Burke to do this windbreak at the Chilmark Community Center. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Special Town Meeting (STM) - Date Update:

Mr. Carroll said we have November 27, 2017 tentatively as our date for STM. Selectmen Doty said that is the firm date.

Mr. Carroll said then the STM warrants are to be approved at Selectmen's November 7, 2017 meeting and STM date approved and advertised November 9<sup>th</sup> and the articles will go to town counsel. Mr. Malkin asked if Town Counsel and the Town Moderator are ok with November 27, 2017 date. Mr. Carroll said he hasn't heard back from either of them yet.

Mr. Doty moved to approve the timeline for our Special town Meeting the date of November 27, 2017. Mr. Malkin seconded the motion. **SO VOTED: 3 Ayes**

Squibnocket STM Article Discussion:

"To see if the Town will vote to authorize the acceptance of perpetual rights to both the existing Leasehold Area known as Squibnocket Beach, being an area of land shown on Chilmark Assessor's Map 35 as Parcels 21, 22 and 23, and the additional land which was conveyed by the Vineyard Open Land Foundation ("VOLF") to Squibnocket Farm, Inc. ("Squibnocket Farm") by deed dated September 26, 2017 and recorded in Dukes County Registry of Deeds in Book 1448, Page 1004 in place of the existing ninety-nine (99) year lease of same; and to grant to Squibnocket Farm, VOLF, and any other third parties who own or have a possessory interest in property to the south of the premises, a permanent appurtenant, non-exclusive easement in the land described in the lease from Anthony G. Orphanos and Wendy Jeffers, Trustees of Blacksmith Ridge Valley Trust to the Town of Chilmark dated April 13, 2015 and registered in the Land Court as Document No. 80649 and in a deed from Harold L. Pratt and Thomas E. Bator, Trustees of The Osprey Ridge Realty Trust, to the Town of Chilmark dated May 13, 2015 and registered in the Land Court as Document No. 80651, upon such terms and conditions as the Selectmen may determine."

Mr. Malkin spoke saying this article if approved will change from a 99 year lease to the Town owning this area in perpetuity. So the question to Chilmark voters is do you want to lease or own. Selectmen are looking forward to a yes vote on this article.

MIIA - webinar de-escalation training:

Mr. Carroll said October 19, 2017 our insurance company is offering a webinar for de-escalation conflict and code of conduct training. Mr. Carroll said departments have signed up for this.

Police Department:

Chief Klarèn told the Selectmen of a recent and notable investigation that Sergeant Slavin participated in as our Chilmark detective. *Sergeant Sean Slavin arrived at 5:55 PM*  
In November 2013, Sgt. Slavin became aware of a Chilmark resident that appeared to have been taken advantage of financially by a woman claiming to provide "psychic" and "cleansing" services. Sgt. Slavin, believing that the woman was criminally being taken advantage of, tried to pursue the case at the district court level. When the case did not appear applicable in the district court, Sgt. Slavin passed his investigation along to the FBI. The U.S. Attorney's Office took over his case and announced last week that Sgt. Slavin's suspect pleaded guilty in Boston federal court for tax evasion and has agreed to repay the Chilmark resident \$3,567,300. While the FBI was the lead on this case and the resulting conviction is a result of their thorough investigation, Chief Klarèn said he believes Sgt. Slavin's relentless and meticulous initial investigative steps, were a vital part of the FBI's successful prosecution of this case.

Chairman Rossi said he was very glad that Sergeant Slavin got ahead of this predatory behavior and help our citizen. Mr. Malkin said he feels the same, and that he has a 90 year old mother who is always getting calls to “help fix her computer” by people misrepresenting themselves as Verizon or ComCast or the like and they aren’t. Mr. Malkin said what you were able to accomplish is wonderful and I thank you.

Sergeant Slavin said hopefully this article will be read by our senior community and they don’t give out personal information over the phone to these predators and if they do get a call to call the police department.

Each Selectman thanked Sergeant Slavin for his hard work and dedication to our community.

At 6:11 PM Mr. Doty motioned to move into Executive Session not to return to regular session to discuss a contract for the Executive Secretary position salary. Mr. Malkin seconded the motion. Roll Call: Chairman Bill Rossi: Aye, Warren Doty: Aye, Jim Malkin: Aye.

Meeting adjourned at 6:25 PM.

Draft minutes respectfully submitted by Diana DeBlase

Document list:

- Draft Minutes from Selectmen’s 09/12/17, 09/26/17 and 10/03/17 meetings.
- Vineyard Gazette legal notice of Public hearing for taxpayers to present their views on the issue of allocating the local property tax levy among the 5 property classes for FY18
- Notice sent to all Chilmark tax payers by the Board of Assessors so taxpayers can review their property assessment on line on web page or at Town Hall or Library for printed materials
- Assessors Notice of Public Disclosure posted 10/13/17 5:00 PM
- Cape & Islands Electric Cooperative request for extension of the round 1 adder for FY19
- Community Preservation Committee draft warrant article to fund Squibnocket project.
- Wording from Town Counsel for STM warrant article about Squibnocket lease or ownership
- Application for Music Potluck events to be held at Chilmark Community Center
- Request from a German television production company to film in Chilmark
- Resignation of S. Flanders from the HRB 10/9/17
- Quote from Tom Burke to complete the windbreak project at Community Center
- Draft minutes from HRB meeting 10/12/17 regarding recommendation from compensation study
- Draft financial explanation for compensation changes
- Memo from Police Chief of Sergeant Slavin’s job well done 10/13/17
- Statistics provided by Town Clerk on Chilmark voting statistics
- Demand for payment letter from Highway Superintendent for damage caused by driver to Middle road.
- ZBA decisions for September and agendas for October

