

DRAFT Chilmark Board of Selectmen March 5, 2019 Meeting Minutes

Present: Chairman Malkin, Warren Doty, Bill Rossi, Tim Carroll, Don Leopold, Clark Goff, Tim Rich, Jeff Maida, Margaret Maida, Arlen Wise, Lydia Chidsey, Deb Packer, Howard Grimm, Linda Coutinho, Police Chief Jonathan Klarèn, Fire Chief David Norton, Jeremy Bradshaw, Gary Robinson, Alan Porter, Everett Poole, Martina Mastromonaco, Jonah Maidoff, News reporters from Vineyard Gazette and MV Times, Videographer from MVTV.

At 5:00 PM Chairman Malkin called the meeting to order in the Selectmen's meeting room.

Minutes:

Draft minutes from Selectmen's February 26, 2019 meeting were reviewed. Mr. Doty moved to approve as presented. Chairman Malkin seconded the motion. **SO VOTED: 2 Ayes, 1 Abstain** *Bill Rossi recused himself from discussion at 2/26/19 meeting due to relative applying for a town position.*

Chairman Malkin delayed discussion about Fire Department issues till Chief Norton arrived.

Harbor Master - discussion of finalists & possible conditional offer of employment:

Mr. Rossi recused himself and sat in the audience as an applicant is his nephew.

Mr. Doty said as most people know our Harbor Master is retiring at the end of this fiscal year.

Mr. Doty said we have been going through a process to hire a new Harbor Master. Mr. Doty said we advertised and received six applications from very qualified applicants.

Mr. Doty said we had a subcommittee who was chaired by Jeffrey Maida with other members of the committee being Chairman Jim Malkin, Everett Poole and Jenny Greene the representative from the Human Resource Board. Mr. Doty said the Subcommittee (preliminary screening committee) reviewed the applications and picked 4 semifinalists. Mr. Doty said the subcommittee interviewed the 4 semifinalist and recommended to the Board of Selectmen 2 finalists. Mr. Doty said a week ago (2/26/19 Selectmen's Meeting) we interviewed Robert Decker and Ryan Rossi. Mr. Doty said at the end of that interview we said that we would take it under consideration and review references.

Mr. Doty said we are ready tonight to make a recommendation. Mr. Doty moved to appoint Ryan Rossi as our new Harbor Master and negotiate with Ryan for salary and terms of employment. Chairman Malkin seconded the motion and commented he was delighted at the quality of the applicants that we had; all six of them. Chairman Malkin seconded the motion.

SO VOTED: 2 Ayes, 1 Abstain *Bill Rossi recused himself*

Chairman Malkin said he would email both candidates of our decision tonight. Mr. Doty said we need to have a process to review terms of employment. Chairman Malkin said we will do that over the next 2 weeks so at our next meeting we can have Ryan Rossi here to be sworn in as Harbor Master. Chairman Malkin said one of our most important jobs as Selectmen is to hire the best people we can for positions and department heads in town and we have done so. This is a great decision for our town.

Fire Department:

Chairman Malkin welcomed the Fire Chief David Norton and asked if Mr. Leopold would start discussion about Chief Norton's recommended signage. Mr. Leopold gave some background to the information they have gathered on the impact the signage has in our town. Mr. Leopold said he and Chief Norton met with Police Chief Klarèn who was very helpful and also with Tri Town Ambulance Chief Retmier. Mr. Leopold said we also interviewed a few FedEx drivers as well. We talked to an insurance executive on the island and informally picked the brains of a couple of attorneys. Mr. Leopold said there were 4 things that we concluded.

1. Impact of the poor road and house signage varies; it is far and away the greatest for Tri Town Ambulance. It is secondarily to the Fire department and is less so for the Police Department.
2. There are some improvements in sight; Chief Klarèn took me over to the 911 command center and we could see as the calls come in some of the things they have in mind. Having an Ambulance barn at Beetle Bung Corner will also help.
3. It's possible that there are some liability issues to both the town and the home owners. The building codes seem to identify a need for signage and if we have not executed against it there may be some liability if there becomes some injury.
4. We think there are 3 options on how to move forward with this.
 - Simply inform the residence of this risk

Mr. Leopold said let me back up and say that the Ambulance Chief has explained there is a golden hour having to do with strokes, heart attacks or accidents; the criticality of getting victim to hospital within an hour

- Require that road and house signage meet certain standards
- A hybrid of inform and require

Final comments about this is there are still some more things that Mr. Leopold and Chief Norton want to explore to do with up island building codes and ask other up island towns what they have done about road and house signage. West Tisbury has moved aggressively on signage where Aquinnah has not.

Chief Norton said several years ago when Walter Delaney was Fire Chief in Aquinnah he took it upon himself to ensure a good percentage of the roads were labeled or marked with signage. Chief Norton said Aquinnah has signs but not the green standard signage that other towns have implemented to mark the roads. Chief Norton said West Tisbury has signs and map and lot location tags as well. Chief Norton said he found using the map and lot to find a residence in an emergency was not effective. The map and lots often spread throughout 3 pages of information with subdivisions and recommend just proper road names and house numbers for addresses.

Chief Norton said his Administrative Assistant reminded him that when we do inspections (on smoke detectors, Carbon Monoxide detectors, gas tanks etc.) we tell owners to number their house and make sure their road has a sign. Chief Norton said his assistant won't inspect their house until they have a number on their house.

Fire Department Continued...

Mr. Leopold said in 2017 Tri Town Ambulance had 113 calls in Chilmark. The Chief of Tri Town Ambulance roughly estimated 20% to 30% have extra response time of 15 minutes. Mr. Leopold said GPS in the up island area is not always accurate.

Mr. Rossi asked if there was a good example of signage in town that we can emulate. Chief Norton said Abel's Hill has good signage. Mr. Leopold said South Ridge off of Meeting House Road has good signage. Chief Norton also said Spring Point has good signage as well.

Chairman Malkin said some people will say doing this will ruin the rural character of Chilmark but his comment would be if you are having a stroke or heart attack you would not be worried about character. Chairman Malkin asked if there was a minimum that the Chief would like the size or placement of the signs to be. Chief Norton said they need to be clearly in the view of a person in a vehicle. Chief Norton said for the house numbering they should be at least 4"x4" and placed in a visible location.

Chairman Malkin asked Chief Norton how he recommends we get folks to do this. Chief Norton said whenever people call to say their smoke detector is going off without smoke present he recommends them getting new ones but also at that time tell them they should make sure they have their home numbered and road signage up.

Mr. Rossi asked if we could connect the signage and house numbering to inspection approvals.

Mr. Doty said including notice in the tax bills would be a way to get they notice out to home owners and residence.

Mr. Leopold said there are specific regulations mentioned in the residential building codes that outline required signage and numbers on residential homes. The regulations do not specify color or font but do outline the size and locations. Mr. Leopold said Chief Retmire from Tri Town Ambulance said similarly as Chief Norton if it can be seen from the average vehicle windshield that is what they need. Mr. Doty asked to have a single sheet of paper that has what we need that can be distributed. Mr. Leopold said we can absolutely do that.

Martina Mastromonaco (Admin. Asst to Fire Chief) said we have been making these decisions and recommendations for the past 20 years as she recollects. Ms. Mastromonaco said it has improved over the past 10 years but recommended making it a sterner mandatory thing. Mr. Carroll said it is in our bylaws but with no penalty clause. Ms. Mastromonaco recommended that being enforced not only by fire department inspections but by the building inspector.

Martina Mastromonaco (also the Superintendent of Beaches) said possibly requiring proof of house number prior to issuing beach passes.

Martina Mastromonaco said if there is a fire alarm call to a home that doesn't have proper numbering they could be issued a bylaw fine. Martina Mastromonaco said also when the police department responds to a call at a residence and they don't have a number visible they can issue a fine then too.

Fire Department Continued...

Tim Rich said he is aware there is no penalty in the bylaw for not doing it but voluntary compliance isn't working and putting out more information about doing it the people who don't want to do it are not going to do it. Mr. Rich recommended having a bylaw that specifies the parameters of the minimal requirements. Let the people pick the materials and mount the numbers and the punitive side of the bylaw would be if they do not do it the town will come in at the towns cost and install them. And the Town would install a municipal number (without character).

Chairman Malkin said he will move forward in getting the signage implemented in Chilmark. Mr. Leopold said we will return with the explanation sheet and brain storm as to implementation. Chairman Malkin said he wants to see the teeth and where they will come from. Mr. Rossi said the short term rental bylaw might assist us in this as inspections are to be tied to the new law.

Fire Department - Long-range plans:

Chairman Malkin said we will discuss tonight:

Fire Department Long Range Plan

Fire Chief Position duties and future expectations - time line for discussion and changes before hiring new staff

Fire Chief Hiring process - time line 3 months back from start date

Chairman Malkin said the last time we had this many members of our fire department present at a Selectmen's meeting it was the beginning of the process to assess the compensation for the Fire Chief and in that process we change his job from a stipend position to a contract job. Chairman Malkin said in the process we discovered that at the end of July 2019 Chief Norton will retire as Fire Chief. We will need to have a new chief. Chairman Malkin said Chief Norton has said on a number of occasions that in the past the fire department members have put forward and selected their chief. Chairman Malkin said he respects that was the way things happened. Chairman Malkin said in these meetings we have said we would be very happy to accept recommendations from the department but now that this is a different type of position as it is contracted. Ultimately the appointing authority is the Board of Selectmen.

Chairman Malkin said his suggestion is that we have a selection process as we did with the Harbor Master and Police Chief. Chairman Malkin said one of the members of the selection committee should be from the fire department, who would not be a candidate for the position. Chairman Malkin said he looked forward to hearing from Chief Norton who should be recommended to be on the committee.

Chairman Malkin said Mr. Carroll has brought up a number of things that are:

Fire Department long range plan. Fire Chief Position duties and future expectations - time line for discussion and changes before hiring new staff. Fire Chief hiring process - time line 3 months back from start date.

Mr. Carroll said there was discussion about this back in June 2018 weather the job will change.

Fire Department - Long-range plans continued...

Mr. Carroll said at a Finance Committee meeting there was discussion that perhaps the salary line may need to increase. Mr. Carroll said an increase to salary indicates a change to the job. Mr. Carroll said there has been no change to the job description yet. Mr. Carroll said there has not been a long range plan worked out since first discussed back in June 2018. Mr. Carroll said these two items should be addressed prior to putting the position of fire Chief out for advertising. Mr. Carroll said we need to decide what we want our fire department to be. The last time we discussed it here in this room someone had suggested a regional department, there was not a consensus from up island towns. Mr. Carroll said it would not be a good idea to hire someone without knowing what kind of department they are expected to run.

Chairman Malkin said our existing Fire Chief must retire at the end of July 2019 and asked what Mr. Carroll recommends we do. Mr. Carroll said you can continue with David Norton up to 2 years working not as a firefighter but the Administrator of the department up to 920 hours a year till we have worked out what the department will be. Mr. Carroll said he hoped we can get through the process much sooner than 2 years but it is a very important step to accomplish. Chairman Malkin made a correction and said it is 1 year from July 2019 (not 2 as Mr. Carroll said).

Mr. Carroll said it would be important to move forward with a master plan. We need to know the expectation of the community, department members and the Selectmen for the future. Mr. Carroll said once you have a shared goal we can either adjust the job description or not and adjust the pay packet or not then advertise for the position and go forward.

Mr. Doty asked what the process was for getting a master plan. Mr. Carroll said you can hire a consultant to do it, you can do it in-house yourself. Master plan could be done with a combination of in house and consultant. Mr. Carroll said you could ask the MV Commission and the State has grant money for this but the time line doesn't work well for us because we need it done right away.

Mr. Doty said so a Master Plan development meeting could happen 2 or 3 evenings and brain storm. Mr. Carroll recommended starting with the fire department ask what they do? What is it you are expecting to do? What are your challenges? What are your successes? Then a general meeting with administration would be next. Then a public meeting or two and comeback to see if it all fits together, with a minimum of 3-4 meetings total. Mr. Carroll said there are three user groups to be considered; the fire fighters and department, the public, and Selectmen with a consultant. Mr. Carroll said we should be able to get a good handle on it in a month.

Chief Norton said from his search for information from other towns and the State: when it is time they advertise for the fire chief position and a lot of them have said there was a strong inside candidate that would be able to do the position but they would advertise and go through the procedure. Chief Norton said this procedure doesn't need to be dragged out as discussed.

Fire Department - Long-range plans continued...

Mr. Rossi said we need to have a process and the candidate would need to be adaptable to what master plan developed. Mr. Rossi said he did not think the hiring process has to be tied to the master plan.

Mr. Carroll said the bylaw requires for us to evaluate the department before you hire a new department head. Mr. Carroll said if there is no change to the job and no change to the pay package or operations then you don't have to have a plan going ahead. Mr. Leopold said maybe part of the process is to sit down and callout the kinds of issues that are going to need to be addressed over the likely term of David's successor. Then part of the selection criteria can become ones interests and abilities of addressing the issues.

There was discussion on the timeline for the process of appointing a new Fire Chief. Mr. Doty spoke about the process used to hire a new Harbor Master and a New Police Chief and recommended a similar process. Mr. Doty then asked for input from some of the Chilmark fire department.

Gary Robinson asked if the fire department could put together a strategic plan in the next 3 weeks that the Selectmen could review as a starting point. Mr. Doty said that would be great. Mr. Rossi agreed and supported that plan. Mr. Leopold said he would be happy to help with that.

Mr. Doty said we will wait to receive the fire department strategic plan in three weeks and begin to work on this in April.

Mr. Doty said on the April 22, 2019 Annual Town Meeting we are going to have a warrant article to suggest the purchasing of land behind Town Hall and to institute some variation of this master plan (Mr. Doty referenced architectural renderings for public safety buildings) for the fire station / town hall property and the property behind (399 Middle Road). Mr. Doty said this is for the new fire station and ambulance facility. Mr. Doty said there will also be a warrant article requesting \$200,000.00 to be put towards the design of these two buildings (public safety facilities).

Mr. Doty said if we think it is a good idea we need to campaign for it. We want the town to be with us and believe in this idea. Mr. Carroll said come to town meeting and bring your friends too. Chairman Malkin summarized the lengthy process of securing this plan for the central public safety facilities.

US Census - BAS update:

Chairman Malkin asked Mr. Carroll what action was needed for this Boundary and Annexation Survey by the Selectmen. Mr. Carroll said the Selectmen can direct him to take the action steps needed. Chairman Malkin asked Mr. Carroll to do that and move forward.

MVP - Yearly progress report:

Mr. Carroll said as part of our designation by the State under MVP (Municipal Vulnerability Preparedness) we need to send an annual report.

MVP - Yearly progress report continued...

Mr. Carroll said it is straight forward and simple, he just wanted to bring it to the Selectmen's attention. Mr. Carroll said he spoke with our consultant about doing something in Menemsha about the sea-level rise. Mr. Carroll said the consultant was going to give us a rough proposal. Mr. Carroll said this would involve the culverts, the bridge and the roadsides and docks. Mr. Doty said he would like us to apply for an MVP action grant. Mr. Carroll said the consultant should have something to us soon.

MV Commission DRI Affordable Housing -Policy update:

Chairman Malkin said this informal public session will be March 20 at 5:30 PM at the MVC (33 New York Ave Oak Bluffs). The MVC is looking to change the affordable housing policy for DRI review. *The draft can be viewed is at the following link on the Chilmark web site*
http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2019/03052019/Draft%20DRI%20Affordable%20Housing%20Policy%202019-02-13.pdf

North Ridge lot - Update on auction & marketing:

Mr. Rossi said we are still waiting on the soil testing. Mr. Rossi said he and Mr. Carroll discussed early June for the date to sell the property. Mr. Rossi said they have done a good job brush cutting the property boundary and adding a path to the building site area would be a good addition. There was discussion on how the town would sell the property. the process for the sale will be a sealed bid process.

MV Commission Referral re: public safety:

Chairman Malkin said you are aware that we wrote a letter to the MVC with our concerns of the impact that the casino will have on public safety in our town. Chairman Malkin said he believes the MVC is in discussions with the Tribe and thinks there is a meeting next week. We are waiting to see what happens in terms of that. Our concern is to make sure we have enough money in the budget to cover whatever additional public safety personnel we may need. Chairman Malkin said he was pleased to see in a note from the Tribe that they are willing to share costs with towns as appropriate; for public safety issues.

Mr. Doty (member of the Tri Town Ambulance Committee) said he had a comment on this from the Tri Town Ambulance point of view. What we really need to know about the facility is hours of operation, especially the evening hours. Mr. Doty also said we are interested to get a projection or anticipation of how much medical attention a facility would need. Does the facility need an EMT present, or not.

Chairman Malkin said everything that we need to plan for our budget we need by April and this sort of information should be available from their (Tribe casino) business plan and should be readily available and not hard to provide to us.

Women's Symposium - fee waiver request:

Arlan Wise presented the request on behalf of the Woman's Symposium organizers. Mr. Rossi said you have been holding this event for 20 years and don't charge a fee. . Mr. Rossi said it's a

Women's Symposium - fee waiver request continued... fair request to waive the rental fee. Mr. Doty moved to approve waiving the rental fee. Mr. Rossi seconded the motion.

SO VOTED: 3 Ayes

Warrant review and vote to call Annual Town Meeting (ATM):

Mr. Carroll reported that he sent the draft of the ATM warrant 2 weeks ago to Selectmen and others to review, and requested they send back comments and corrections if needed. Mr. Carroll said he has heard back from Town Counsel and the Town Clerk and has not gotten comments back from anyone else.

Mr. Carroll went page by page with the small changes that were recommended. Mr. Carroll said the substantial changes were made to the Questions in the front of the document.

Mr. Carroll said one of the Questions had we are raising \$227,000.00 vs the figure of \$27,000.00 for the Sheriff, the corrected figure is \$27,243.55.

Mr. Carroll noted another warrant Question was of a technical nature for the school for \$169,000.00 subject to an override as a contingent article.

Mr. Rossi said Mr. Hannemann had recommended wording for the short-term rental fees going to the Molly Flender Housing Trust. Mr. Rossi said rather than having 50% remove the percentage amount of 50% and just have a percentage of fees will go to the Molly Fender Housing Trust with no specified amount. Chairman Malkin said he agreed, Mr. Doty asked for clarification about the petitions about the housing bank.

Mr. Carroll said we have 4 Housing Bank petitions on the warrant. Chairman Malkin said 1 of these is illegal but since it was submitted by petition we cannot remove it from the warrant. Mr. Carroll said there are 4 articles; one is recommended by the town, the second two are by the Housing Bank and the fourth is a Housing Bank that has been declared illegal. Mr. Carroll said when we get to the illegal one we will motion to postpone indefinitely.

Chairman Malkin said the first one is from our Finance Committee who has submitted wording stating we support affordable workforce housing in Chilmark. The issue with the Housing Bank as proposed is it is long on emotion and short on facts. Chairman Malkin said we are in support of doing something but until governance is established, more facts are established as to how this money comes, what is the towns responsibilities inspections or not inspections ... we can't commit to the Housing Bank as proposed in their petitioned warrant articles.

Mr. Doty asked Mr. Carroll to read aloud the town's the warrant article with amendment (pertaining to the Housing Bank):

Mr. Carroll read aloud...

Warrant review and vote to call Annual Town Meeting Continued...

To see if the town will vote to authorize the Board of Selectmen and Housing Committee to engage in discussions and negotiations with the Dukes County Regional Housing Authority and the other Island towns to develop a proposed Home Rule Petition in support of the formation of a Martha's Vineyard Housing Bank and submit same to the state legislature with the resulting enabling legislation to be voted on by the Towns once complete, public hearings should be held in each town prior to the submittal of the petition to the legislature, and to apportion a percentage of any short-term rental tax receipts in fiscal year 2020 to the Molly Flender Affordable Housing Trust, with the intention that such monies be used in support of the town's participation in the Martha's Vineyard Housing Bank upon its joining the Housing Bank.

Mr. Doty said he would like to finalize and approve the ATM Warrant and then come back to this item for more discussion tonight.

Mr. Rossi motioned to accept this warrant article as amended. Mr. Doty seconded the motion.

SO VOTED: 3 Ayes

The order (what article comes first and so forth) of articles for the ATM was discussed.

Mr. Doty moved to approve the Annual Town Meeting warrant as presented, and to post the Annual Town Meeting for April 22, 2019 at 7:00 PM Mr. Rossi seconded the motion.

SO VOTED: 3 Ayes

Chairman Malkin recommended setting a time for Selectmen to get together with the Town Moderator, Town Counsel, and Chairman of the FinCom. To go over the ATM warrant before we go to town meeting.

Mr. Doty brought discussion back to the Housing Bank. Mr. Doty said he has attended several meetings. Mr. Doty said the latest was with State Representative Dylan Fernandes who has submitted a bill which will allow any town in Massachusetts to create its own Housing Bank. This applies to any home sales over \$1 million dollars then the amount of .5% of the sale price will go to the Housing Bank. Mr. Doty said if legislature passes this bill that is there now then the town of Chilmark, Edgartown and the town of Aquinnah could choose to opt into this State law. Mr. Doty said it's more likely that this bill would pass rather than submitting a petition. Mr. Doty said maybe the island should be campaigning for that bill that has already been filed.

Mr. Doty asked for a better handle on the figures that were estimated by the MVC for revenues for the short term rental tax. Mr. Rossi said it's a guessing game now because we have to wait for actual figures to come in. There will be folks who are not compliant for the first year or two. Chairman Malkin said this is a topic that is long on emotion and short on fact.

Mr. Doty spoke about a Safe Water Trust. Mr. Doty said on Cape Cod they were sued by the Conservation Law Foundation because they had not done a good enough job accounting for waste water and they are polluting the ponds. They signed an agreement that they would establish a Safe Water Trust (SWT) and all of the 15 towns on Cape Cod are in the trust.

Discussion continued...

The SWT will be funded by a 2.7% increase in the rooms' tax. Mr. Doty said every town on Martha's Vineyard has the option to join the SWT. Mr. Doty said if we did we would be eligible to the funds in the SWT for projects to protect our waters in Chilmark Ponds. Mr. Doty said it's something we should think about. Chairman Malkin recommended having Doug West look into this for Chilmark.

Menemsha Electrical System Update:

Chairman Malkin said he met with Cole Powers (the electrical contractor) and Keith Fenner (excavation contractor) in Menemsha. They marked where they would be excavating and have a call into dig safe. The leaning pole will be moved by Eversource. We seem to be proceeding on the project time line. Mr. Carroll said there is a possibility when Eversource moved the pole they may have snapped the fiber optic cable off the harbor master shack. Mr. Carroll reported he will have someone look into that.

Ambulance / Fire Facility Update:

Mr. Doty said we just received these latest documents (referring to items on the wall display) today. Mr. Doty recommended we consider these plans and give a response to the consultant with any suggestions to refine them so we have a plan we like to present at Town Meeting. Mr. Carroll said he spoke to members of the Public Safety Building Site Committee (PSBSC). Liz Gude came in today with her feedback. Tim Rich reported to Selectmen about his parking concerns. Mr. Carroll has spoken to the architect and suggested shifting the EMS building farther back and to put the parking in front to become the campus parking we have talked about.

Mr. Carroll said we have not gone over these plans with Ambulance Chief Ben Retmire or Fire Chief David Norton yet, but that he noticed the layout of some of the spaces won't work. But that the square footage is there so we can take this to the 2 Chief and have them look at the details. Mr. Carroll recommended having the PSBSC meet with both the chiefs and we will work together the recommendations and bring this back to the next Selectmen's meeting. Chairman Malkin said the fire station depiction looks large to him. Mr. Carroll said the base footprint for the proposed fire station is 6,800 square feet and a loft over that for an additional 700 sq. ft. Mr. Carroll said the ambulance barn is 3,200 sq. ft. footprint and the attic mezzanine was not included in this plan. Mr. Carroll said the idea is that we will move some of the mechanicals to the attic space. Discussion ensued. Mr. Carroll said looks like we will be on target for having something (visual layout) for Annual Town Meeting 2019.

Letters from Oak Bluffs & Edgartown to Rep. Fernandes - Short Term Rental:

Selectmen acknowledged receiving a copy of the letter by email.

Chapter 90 bond money:

Mr. Carroll said the State sent notice today stating we are receiving another \$64,000.00 (local chapter 90 bond monies) for FY2020 to be added to our 10 year contract for paving.

Vanderhoop - DEP approval for license 1 Boathouse Road:

Mr. Carroll said today we received from the DEP Waterways office a notice of preliminary approval for Mr. Vanderhoop's application for a license at 1 Boathouse Rd.

Mr. Carroll read from the last page Special condition 3) *If at any time in the future it is determined that the existing piles the free standing piles within Chilmark are considered a substantial threat to the environment, the resources, navigation or public rights, the Department reserves the right to require complete or partial removal of said piles and shall be done on written notice of the Department.*

Chairman Malkin said the dock at 1 Boathouse rd. is to be open to the public and there will be signs to state that public is allowed. Mr. Carroll said all permits require that now. Mr. Carroll said the town needs to post this sign on our drive on dock and transient dock to be compliant.

Chairman Malkin said in terms of the pilings in Chilmark waters the permit did not authorize for the pilings to be removed. Mr. Carroll said it can be required by the DEP. Mr. Carroll said it doesn't state how the DEP will determine if the piles *are considered a substantial threat to the environment, the resources, navigation or public rights*. Mr. Carroll suggested that we send notice to the DEP that the 3 piles in Chilmark waters are a hazard to navigation, and that they (DEP) can accept that. Mr. Carroll said this is a time sensitive issue as there is a window of 21 days to appeal this notice before the license is granted.

Selectmen will review the documents and direct Mr. Carroll on what they suggest the action, if any should be.

At 6:39 PM with no further agenda items to discuss Mr. Doty moved to adjourn.

Draft minutes respectfully submitted by Diana DeBlase.

Document list:

- Draft minutes from 2/26/2019.
- US Census Boundary & Annexation Survey notice requesting action.
- Notice from Ma. Energy & Environmental Affairs about our MVP status to be eligible for grants.
- MV Commission notice of listening session 3/20/19 re Affordable Housing Policy.
- MVC policy for DRI reviews Affordable Housing Policy draft changes.
- Chilmark Selectmen letter to MV Commission for discretionary referral.
- Request from Woman's Symposium organizers to waive fee for CCC use.
- Letter from Cape Cod Commission - Short-term rental fund for water protection
- Tribe response letter to MV Commission about DRI and their casino
- Cape Light Compact Energy Efficiency Report
- Notice from FEMA of Map Revision for flood insurance maps
- Notice from ComCast of TV channel updates
- Town Clerk voter statistics