

Chilmark Board of Selectmen April 16, 2019 Meeting Minutes

Present: Chairman James Malkin, Warren Doty, Bill Rossi, Tim Carroll, Ryan Rossi, Katie Carroll, Police Chief Jonathan Klarèn, Ambulance Chief Ben Retmier, Matt Montanile, Melanie Becker, Constance Mesmer, Howard Grimm, Frank Dunkl, Heidi Dunkl, Peter Dunkl, Dan Leventritt, Clark Goff, news reporter Landry Harlan and MVTV videographer Lynn Christoffers.

At 5:00 PM Chairman Malkin called meeting to order in the Selectmen's meeting room. Chairman Malkin then opened the public hearing on the Proposition 2 ½ override questions on the Annual Town Election 4/24/19

Question 1. Shall the Town of Chilmark be allowed to assess an additional \$49,335.00 in real estate and personal property taxes for the purposes of funding the Feasibility Study & Schematic Design at the MV Regional High School for the fiscal year beginning July 1, 2019

Mr. Dunkl asked what this was about. Mr. Doty explained the article.

Question 2. Shall the Town of Chilmark be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to pay costs of purchasing the Carroll property, so-called, located at 399 Middle Road, consisting of 1.400 acres, more or less, as shown on the Chilmark Assessors' records as parcel 026-94-0, and for the payment of any and all other costs incidental and related thereto

Mr. Dunkl asked for explanation about this article. Mr. Doty explained that this is a recommended article supported by the Selectmen and Fire and Ambulance departments. Mr. Dunkl asked if there was a purchase price. Mr. Rossi said \$900,000.00.

Question 3. Shall the Town of Chilmark be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to pay costs of architectural services to design the Fire Station at 3 Menemsha Cross Road and the EMS building at 399 Middle Road, and for the payment of any and all other costs incidental and related thereto

Chairman Malkin said this is to design appropriate facilities for the EMS and Fire Stations.

Mr. Dunkl asked if there was a figure for this design. Mr. Rossi said \$200,000.00

Question 4. Shall the Town of Chilmark be allowed to assess an additional \$27,243.55 in real estate and personal property taxes for the purposes of funding the Dukes County Regional Emergency Communication Center radio system upgrade maintenance for the fiscal year beginning July 1, 2019

Mr. Dunkl said communication on the island is bad and any updates he supports. Chairman Malkin said the Sheriff's department has always requested reimbursements from the State to cover costs of running the Communications Center and this is the first time we are putting it to the town to vote.

At 5:11 PM with no further items for the public hearing Mr. Doty moved to close the public hearing. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Menemsha Bulkhead Leases - Park & Recreation Committee for signatures:

Mr. Doty said we have a recommendation from the Parks & Recreation Committee to approve the Bulkhead Leases as presented. Mr. Carroll said the folder is in his office if the Selectmen would like to move to approve them and sign. Mr. Doty moved to approve leases and sign them. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

NOAA Mussel report:

Mr. Doty spoke to this and said it was a project that we supported but that this has not been productive and recommended discontinuing this project. Mr. Doty will follow up after discussing this with the Shellfish Constable.

TTA - Acceptance of Group 4 retirement for all uniformed EMT's over 20 Hours weekly:

Mr. Doty said we thought we were approving the Group 4 for the Paramedics but the Retirement Board contacted us and said we must allow for all employees that are EMT's that work over 20 hours a week. Chairman Malkin asked what the financial implication this will have. Chief Retmier said none this year. Mr. Rossi said this Group 4 has a mandatory retirement at 65 years of age. Mr. Carroll said it means accelerated benefits, so at 55 they can retire with benefits.

Mr. Doty moved to approve adopting;

G.L. c. 32, § 3(2)(g), creating a local option that will allow municipalities to elect to place uniformed employees of a municipal or public emergency medical service who are certified at any level by the department of public health as an emergency medical technician in Group 4.

Mr. Rossi seconded the motion. Chairman Malkin said he hesitates approving this without knowing what the fiscal impact will be. Mr. Carroll said the \$40,000.00 a year in addition to what was previously approved. Discussion ensued. **SO VOTED: 3 Ayes**

Menemsha Electrical project update -Change order -Contractor payment request:

Chairman Malkin said with Harbor Master Rossi here tonight we will talk about all of the Menemsha Harbor related items together. Harbor Master Rossi said he is not concerned with any of the electrical work at the harbor. Mr. Rossi said the project is moving forward and with the small hiccup with having to dig something up that is the only difficulty they have run into. Mr. Carroll said they were not working yesterday because of the rain. Mr. Doty said he has read over Change Order #1 and it seems a very reasonable charge. Mr. Doty moved to approve Change Order #1 and the payment request. Mr. Rossi seconded the motion. **SO VOTED: 3 Ayes**

Menemsha Pilings -Map:

Chairman Malkin said this map represents this year's project in the harbor for pilings. For a picture of the map follow link:

http://www.chilmarkma.gov/Pages/ChilmarkMA_SelectAgenda/2019/04162019/Menemsha%20pilings%20floating%20dock%202019a.pdf

Chairman Malkin said this has been a group effort by (Harbor Masters) Dennis Jason and Ryan Rossi. Mr. Carroll said this project has been advertised but we have yet to receive any bids for the project yet. Ryan Rossi will push the advertisement out to the companies that the Harbor Department has done business with. Mr. Doty asked and was confirmed that this project is within the budget for this 2019 Fiscal Year. Chairman Malkin said we have a harbor maintenance plan for 2019 prepared by Ryan Rossi and if Selectmen would review and add any items you would like addressed, please add them to the last page titled additional items. Chairman Malkin asked that any additions be sent to Ryan and himself. Chairman Malkin (as the Harbor Department liaison) said we will be doing the items in a safety priority order. Ryan Rossi said some of the big price items will need to be done after the start of the next fiscal year when we have the money in the budget to take care of it. Ryan said there are also items on this list that will likely need to be on Special Town Meeting warrant article.

Harbor Continued...

Mr. Carroll asked when the Selectmen wanted to schedule the Menemsha Walk around. Discussion turned to the electrical project and the scope of the work onto the transient dock pedestals. Chairman Malkin said an important part is to have an electrical inspection done on the harbor service every year in the spring before the beginning of our busy season. Mr. Carroll said with this being first year with a new harbor master that we have a check of electrical supply in Menemsha Harbor after the busy season. Mr. Doty recommended the Menemsha walk around inspection be May 20, 2019 at 9:00 AM the day before the Selectmen's meeting.

Dockwa - Ryan Rossi:

Chairman Malkin asked Harbor Master Ryan Rossi to present to Selectmen his plans pertaining to Dockwa. Ryan Rossi said he has been working with Dockwa representative Matt Minty with the new harbor software hopefully for this season. This is a web based program that can be implemented seamlessly to use with our transient boaters as well as our contract customers (slip and mooring lessees). Ryan spoke of shifting from snail mail to email to have notification sent to all of our slip lessees and mooring lessees. We can add weekly notification alerting of the deadline of January 15 at close of business for submitting applications for renewal.

The renewals will be able to be done and paid electronically through the Dockwa program. Ryan Rossi said payments will also be permitted by cash or check to the Towns of Chilmark as well. Ryan said that the application will still be done through Dockwa when paying cash or check to town hall but the report from Dockwa will say payment pending. Ryan said he believed this will ease the log of workload in the off season. Harbor Master Rossi asked if the Selectmen or attendees had questions about the Dockwa program. Mr. Doty said from what he has heard it seems like a good program. Ryan Rossi said there are a few issues to take care of:

- Work with Town Treasurer and representative of Dockwa to bridge the gap between Dockwa and Zobrio cash management system.
- Work with the Town Accountant to apply the credit card process of 3.5% that is the Dockwa fee. Either this gets put into the budget or we could raise our rates. Ryan Rossi said if we were to raise our rates it would be about 10 cents. The rate now is \$3.00 per foot.

Chairman Malkin said with this change things will be run orderly and by the rules. Chairman Malkin said over the past 3 years he has heard that there are different playing fields and this will change it to one playing field in Menemsha Harbor. Ryan Rossi asked if the Selectmen wanted to discuss reservations with the new program. Chairman Malkin said not at this time. Mr. Carroll asked, isn't one of the big components of Dockwa advanced reservations? Chairman Malkin said it can also be used without the advanced reservations.

Chairman Malkin said it is his opinion that reservations would be beneficial and level the playing field. Mr. Doty asked if there would be consideration with the 16 slips using the reservation system for 10 of them and the remaining 6 on a first come basis. Harbor Master Rossi said he believed if we have all 16 slips on the reservation program we would not be full 24/7 for July and August there would be gaps that could accommodate boaters without a reservation. Mr. Rossi asked about cancellation policy. Ryan Rossi talked about the cancellation policy that is built into the Dockwa program. Bill Rossi supported the program proposed by Ryan Rossi.

MVP - Letter of support for grant application Menemsha Sea Level Rise:

Mr. Doty said MVP stands for Municipal Vulnerabilities Program. Mr. Doty said Chuck Hodgkinson wrote a grant application and would be a manager for this grant. The grant will be to study the effects of Sea Level rise in Menemsha. The grant is for \$160,000.00 and the town is required to make a 25% match (\$ from State would be \$120,000.00 we would contribute the rest). Mr. Doty said our concerns for the study are:

- What do we do with our commercial dock?
- What do we do with our fuel dock?
- What do we do with the fish markets?
- What do we do with the gas tanks?

Mr. Doty said he signed a letter of support from the Chilmark Board of Selectmen to meet the deadline that was last week. Mr. Rossi and Chairman Malkin supported the action and thanked Mr. Doty for doing so.

Summer employment - Selectmen Doty updates:

Mr. Doty said we have seasonal EMT workers who man the Chilmark station from Memorial Day Weekend to Labor Day. Mr. Doty said the exact dates might be different. Mr. Doty went on to say we certainly have our seasonal jobs in Menemsha harbor and at the Beaches. Mr. Doty asked for updates on our hiring process. Chairman Malkin said for the harbor we have 4 applications and 4 open positions. Chairman Malkin said we are re-advertising for the Assistant Harbor Master position to hopefully get more applicants. Chairman Malkin said we are putting up a private Face Book page for the notice that we are seeking additional applications for seasonal positions in Menemsha Harbor.

Mr. Doty asked if we were all set with EMTs. Chief Ben Retmier said applications are slowly trickling in but looks like we will be okay now. Mr. Carroll said right now the seasonal exemption has been kicked back denying the certification for the Summer EMT positions. Mr. Carroll said this is something to work with legislation on because they often deny portions of our application to later approve. Mr. Carroll said we have a hearing concerning the EMT positions. Mr. Doty asked how the Police Department is set for seasonal employees. Chief Klarèn said we have some interviews coming up for traffic officer positions and we might see some new faces this summer.

Annual & Special Town Meeting Articles – impacted by other town votes:

Mr. Carroll said this pertains to the MV High School article for the facility article that the town of Oak Bluffs turned down. Mr. Carroll said he has been in touch with the School Superintendent office and they have requested that we keep the article on our ATM warrant even though it states must be supported by all six towns. There was discussion about the funding formula for the MV Regional High School. Mr. Carroll said the Superintendent's Office will be asking for the Selectmen to appoint a Chilmark voter to the MVRHS regional agreement subcommittee to review the funding formula.

Mr. Doty said the article to spend E&D funds for a study to be done about the MVRHS facility is a reasonable expense. There was discussion about how and why this article came to us in this manner. Selectmen agreed to bring this article to a vote at the Town Meeting.

Town Meeting Articles – impacted by other town votes continued...

Mr. Carroll said the Housing Bank article has been defeated at 3 towns ATMs and approved at one so it is on us now because they need 3 towns to approve. Aquinnah has their ATM after Chilmark.

Discussion turned to the order of the Housing Bank Articles. Mr. Doty said we are having our Housing Bank Article first which has a percentage of the rooms tax to be allocated to the Molly Flender Housing Trust and down the road when a Housing Bank is formed we can put into the Housing Bank in the future. Chairman Malkin said the article we drafted with our Finance Committee states we support the Housing Bank but until such time that there is proper governance, proper legal structure, proper language and a percentage also goes to the Molly Flender Housing Trust we are not going anywhere. Mr. Rossi said he did not think that the funds should be earmarked for the Housing Bank if it happens, rather it should go to the Molly Flender Housing Trust (MFHT) and if the Housing Bank gets formulated the MFHT can vote to transfer funds to that entity. Chairman Malkin read aloud Article 32. Selectmen recommended Article 32 and will recommend to indefinitely postpone the next Housing Bank articles that follow on the ATM warrant.

Mr. Doty said other island towns have chosen to not approve the E&D funds to be spent on the athletic field project. Mr. Doty said Tisbury has chosen not to put this on the warrant and in doing so are essentially saying yes to the study project. The six island towns have 45 days from receiving the notice from the Superintendent's office of the intent to spend MVRHS E&D funds on the athletic field projects to post a Special Town Meeting to bring the decision to the voters. Discussion ensued about this project and how it is being funded. Mr. Doty asked that we get accurate information prior to our STM about what the other towns have voted on this issue. Mr. Carroll said there is a Finance Committee Meeting Scheduled for Thursday for them to address the Special Town Meeting Article about the MVRHS E&D funds for a study on the athletic / track field. Mr. Carroll said Mr. Lionette (our representative on the MVRHS Committee) will be at the meeting and should have information about the project costs.

Mr. Carroll said he will be drafting an explanation for each of the warrant articles and asked that the Selectmen choose the articles they would like to speak about at ATM. Mr. Doty said he would address the purchase of 399 Middle Road as he is passionate about the town moving forward in our building an EMS and Fire Department facilities. Chairman Malkin said he would speak to the STM article. Mr. Carroll said we have 40 articles and some of them already have members of our FinCom that will speak to. Mr. Rossi said he is a member of the Molly Flender Housing Trust and would speak to the Housing Bank articles.

Fire & EMS Site Plans for ATM display, extension of Pacheco Ross service contract:

Mr. Carroll referred to the documents on the wall of the Selectmen's meeting room prepared by Pacheco Ross architects to illustrate the footprint of the Safety Buildings sites and to help voters see why the town would purchase 399 Middle Road. Mr. Carroll said after the town votes it they are in favor of moving forward we will be hiring an OPM and then forming a building plan

selection committee. Selectmen said these plans are exactly what we wanted for the Annual Town Meeting to illustrate that the facilities can fit here.

Extension of Pacheco Ross service contract continued...

Mr. Carroll said he wanted on the record (minutes) that he will extend the contract to Pacheco Ross for \$3,500.00 Selectmen supported that action.

Pedestrian Path Update:

Mr. Carroll said he has been working with legal counsel on items on the project but is concerned he has not gotten any response from contractors on the advertisement or emails he had sent out for the project. Chairman Malkin asked if Mr. Carroll thought this project would be done before the coming summer season. Mr. Carroll said we are working at moving it forward and if not this spring it will be completed this coming fall.

Stop Signs Project Update:

Mr. Carroll said he received an email today that we will receive a report from the Martha's Vineyard Commission about this project by the end of the week. Chairman Malkin said this project is for 3 stop signs at the Basin Road / North Road intersection.

Paving Updates:

Mr. Carroll said Keith Emin (Chilmark Highway Superintendent) let him know we did not have enough funds to do paving project. Mr. Carroll recommended the Selectmen reach out to the Highway Superintendent to clarify what paving project we intend to do, before we miss our paving window.

Menemsha Parking lot Painting - Chairman Malkin:

Chairman Malkin said he spoke with Mr. Emin about the Menemsha Parking lot. The contact who does road surfacing that Mr. Emin spoke to said that painting over existing lines is not very successful. The contractor who does road surfacing and painting recommended the old lines be scraped off and if needed fill pavement then paint new parking lines. *This is all part of the alternate bus turnaround project.* Mr. Carroll said that as of this morning Mr. Emin had not received a quote yet for the scraping filling and painting. Chairman Malkin said as for the painting of parking lines on the lot he will get together with Janet Weidner, Keith Emin and Bill Austin once the lines are scraped off and they will finalize the layout prior to painting.

Chairman Malkin asked if there were any other projects to get updated on at this time. Mr. Carroll said the surplus harbor boat that we did not get any bids for will be re-advertised. Mr. Doty asked if we could get an estimate of the value and sell the boat rather than requesting more bids. Discussion ensued.

Mr. Doty said we did receive a bid for the 40 horse power 2008 Yamaha motor for \$250.00 and recommended accepting the bid and moved to do so. Mr. Rossi seconded the motion.

SO VOTED 3 Ayes

Fire Department - 5 year strategic plan:

Chairman Malkin said he reviewed the plan presented by the Chilmark Fire department and was very impressed. Chairman Malkin said he looks forward to sitting down with the department and

Fire Department - 5 year strategic plan continued...

discussing it further. Mr. Doty supported the Selectmen sending the Chilmark Fire department a letter expressing our gratitude for the effort they made in this strategic plan report.

Mr. Rossi said he really appreciates the open line of communication with the department and the clear concise information that they have received with this plan.

At 6:15 PM with no further items for discussion for the regular session Mr. Doty moved to move into Executive Session to discuss bargaining unit of discussions that are underway and to not return to regular session. Mr. Rossi seconded the motion. Roll Call: Chairman James Malkin: Aye, Mr. Warren Doty: Aye, Mr. Bill Rossi: Aye.

Draft minutes respectfully submitted by Diana DeBlase.

Document list:

- Notice to be sent to all voters in Chilmark about the 2 ½ override for the ATM
- NOAA notice about Mussel report
- Notice from retirement board concerning Tri Town Ambulance Employees and group 4 status
- Chapter 467 of the Acts of 2008 concerning the topic of employees considered for group 4
- Menemsha harbor wiring project Change Order #1
- Powers Electric request for payment on Menemsha harbor electrical wiring project
- Selectmen letter of support sent to MVP grant on behalf of Chilmark application
- Chilmark Fire Department 5 year strategic plan
- Map of 2019 pilings project layout
- Thank you from Children who submitted the plastic bottle ban and received Selectmen support.
- DEF Sustainable Materials Recovery Program municipal grant program notice
- ComCast notice of fee increase for TV services
- Town Clerk voter status report
- ZBA determination report and coming agenda
- Notice of tick lecture for members of the Cape Cod Municipal Health Group(CCMHG) 5/3/19
- CCMHG health benefits fair
- Notice about drinking water - Menemsha Water Company failure to submit report in 2017 no action from town required