

**Chilmark Board of Selectmen  
June 2, 2009  
Meeting Minutes**

Present: Warren Doty, Riggs Parker, Frank Fenner, Tim Carroll, Jonathan Revere, Jack Shea, Sam Bungey, Dennis Jason, Maxwell McCreery, Marina Lent, Thomas Bena, Lindsey Scott.

Mr. Parker called the meeting to order at 7:30 p.m. in the Selectmen's Meeting Room.

Mr. Parker called for any changes or corrections to the May 19, 2009 Board of Selectmen meeting minutes. Mr. Doty moved and Mr. Fenner seconded the motion to adopt the minutes as amended. SO VOTED: Three Ayes.

Marina Lent: Completion of Probationary Period for Personnel Board Administrative Assistant

Mr. McCreery, on behalf of the Personnel Board, said that the Board wholeheartedly supports Ms. Lent being appointed to permanent employee. The Selectmen complimented Ms. Lent for the work she has done as Administrative Assistant to the Personnel Board during her probationary period. Mr. Fenner moved and Mr. Doty seconded to make Ms. Lent permanent part-time employee for the Town of Chilmark Administrative Assistant to the Personnel Board. SO VOTED: Three Ayes.

Marina Lent: Completion of Probationary Period for Board of Health Inspector

The Selectmen complimented Ms. Lent for the work she has done as Board of Health Inspector during her probationary period. Mr. Fenner read a letter from the Board of Health recommending Ms. Lent be appointed permanent part-time employee for the Town of Chilmark. Mr. Fenner moved and Mr. Doty seconded to appoint Ms. Lent permanent, part-time employee for the Town of Chilmark as Board of Health Inspector. SO VOTED: Three Ayes.

Board of Health Appointment of Burial Agents: Marina Lent & Alternate Jessica Bradlee

Ms. Lent explained that Burial Agents issue burial permits upon receipt of a completed death certificate from the Town Hall. A burial permit allows a deceased body to be moved, buried, cremated, entombed, etc., and a deceased body cannot be moved until such a permit is issued. After a medical examiner or physician signs a death certificate the Burial Agents, on behalf of the Board of Health, can then issue a burial permit. Mr. Parker moved and Mr. Fenner seconded to appoint Ms. Lent Burial Agent for the Town of Chilmark and Jessica Bradlee as Alternate Burial Agent. SO VOTED: Three Ayes.

Chilmark Police Patrolman Vacancy Posting & Advertisement

Chief Tim Rich addressed the Selectmen on behalf of the Chilmark Police Department to ask for permission to post a position vacancy notice for a Chilmark Police Patrolman to replace Officer Brian Cioffi when he is appointed Chief on July 1, 2009. Chief Rich said he would be willing to offer counsel in the hiring and interviewing process, but ultimately Officer Cioffi and Sergeant Jonathan Klaren would run the process. Mr. McCreery said that he reviewed with Officer Cioffi the position vacancy notice and advertisement and emailed it to the Personnel Board with approval. Mr. Parker moved and Mr. Fenner seconded to approve the posting and advertising of the Chilmark Police Patrolmen position. SO VOTED: Three Ayes.

Mr. Parker went onto discuss the hiring process for the new Patrolman. Mr. Doty noted the importance of conducting a diligent interview process in light of the proposed four (4) week timeline for hiring a new Patrolman, and stressed that the timeline should be extended if needed. Mr. Parker requested a proposal for the hiring process from the Police Department as of the next Selectmen's meeting on June 16, 2009. Mr. Carroll suggested that the proposal be prepared and reviewed for the Personnel Board at their next meeting on June 4, 2009. Mr. Doty said that if a diverse number of applicants are not

achieved by the June 19, 2009 application deadline, that the deadline should be extended in order to capture a diverse pool of applicants.

#### Chilmark Cemetery Superintendent Vacancy Posting & Advertisement

Mr. Parker, making note that the position vacancy notice had already been posted by the Cemetery Commission, moved and Mr. Fenner approved the position vacancy posting and advertisement of the Cemetery Superintendent. SO VOTED: Three Ayes.

#### Middle Line Road (MLR) Construction Advisory Committee (to Chief Procurement Office)

Mr. Carroll asked the Selectmen if they would want to appoint a building committee or a construction advisory committee for Middle Line Road. He went on to explain that appointing a traditional building committee would make the committee subject to open meeting laws and other restrictions, whereas a construction advisory committee could deal with issues on a day to day basis and bring pertinent issues to open meetings. Mr. Carroll as Chief Procurement Officer for the Town would authorize and approve decisions based on recommendations from the committee. Town Counsel advised Mr. Carroll to send the architectural services contract from David Hanlon to Walter McCabe for his review. Mr. Doty said that once the contract is signed and the two (2) outstanding wells are complete, the Construction Advisory Committee can commence. Mr. Fenner asked if the anticipated road specs could be done in a two tier process such a set of specs for the new road in addition to the property at Middle Line Road

#### MVFF Tent Request for Chilmark Community Center Summer Movie Night

Thomas Bena, of the Martha's Vineyard Film Festival, was present to address his letter of request to erect a twenty-five (25) foot round tent next to the art shack at the Chilmark Community Center for the annual summer film series for children. The tent would be erected on each Wednesday and taken down on Thursday, unless the Town Affairs Council would like to use it for the summer program, at no charge, during July and August. The Town Affairs Council had expressed concerned about the tent being next to the art shack due to the children's safety and suggested the tent be erected to the right of the parking lot closest to the Library.

The Selectmen expressed various concerns over the safety of the children as well as what negative visual effects the tent would have if it was at the Center all summer. Mr. Fenner moved and Mr. Doty seconded that he (Doty) would go to the Center on Friday to survey the potential location and possibly for the tent to be erected. SO VOTED: Three (3) Ayes.

#### Marina Operator's Insurance Policy

Mr. Carroll said that he intends to renew the Marina insurance policy through Cabot Risk Strategies LLC and provided the Selectmen with a cover letter from the Cabot outlining the renewal costs.

#### Installation of eDrawer Software

Installation of the eDrawer Software was delayed due to the Aquinnah installation. Mr. Carroll gave a brief overview of the software.

#### NETtime Web Based Time & Labor Management

Mr. Carroll gave an overview of the NETtime software that is currently being used to track employee hours electronically for the employees of the Harbor and Police Departments. Mr. Carroll said that the Finance Committee would be meeting this summer to discuss using NETtime for all Town employees.

#### Tax Collector Position Vacancy Notice

Mr. Carroll informed the Selectmen that the Town will have to buyback benefit time when Tax Collector Polly McDowell retires August 1, 2009. The benefit buyback money for Ms. McDowell will be deducted from the FY2010 salary budget, which was budgeted for a Step 8 salary level and will be able to cover the buyback expense.

### New Chilmark Head of School Susan Stevens

Mr. Parker began by thanking retiring Chilmark Head of School, Diane Gandy, for her marvelous work as Head of School during her tenure. Mr. Parker then welcomed the new Head of School, Susan Stevens. The Selectmen all agreed that Ms. Stevens is going to bring a tremendous amount of energy, enthusiasm and a remarkable ability to connect with the students.

### Annual Appointments

The Selectmen reviewed the list of annual appointments for Town boards and committees as well as Town Staff appointment which was provided to them by Mr. Carroll prior to the meeting. The Selectmen agreed to postpone the appointment of the administrative assistant for Tri-Town Ambulance until their next meeting. Mr. Doty made a request to appoint Nan Doty to fill the vacant slot on Community Center Advisory Committee. Mr. Fenner moved and Mr. Doty seconded to approve the list of annual appointments with the addition of Nan Doty, the postponement of the Tri-Town Ambulance administrative assistant appointment, and with note to a vacancy on the Board of Appeals and the Cable TV Advisory Committee. SO VOTED: Three Ayes.

Mr. Fenner moved and Mr. Doty seconded to reappoint all Staff members on the appointment list with the exception of probationary employees and the Assistant to the Fire Department, and the addition of Tim Rich as Assistant Constable. SO VOTED: Three Ayes.

### General Discussion

Mr. Parker asked permission from the Selectmen to consult with Town Counsel for legal opinion with regard to the current impact of the Federal Communications Act on the ability of towns to control distributed antenna systems and cell phone towers. Mr. Parker stated that it is important for the Town to know what we will be exposed to if we turn down the proposed distributed antenna system and if we accept the proposal what leverage do we have to control cellular carrier access, etc.

Mr. Doty spoke about concern that local boards and the Martha's Vineyard Commission have over new language in a State bill for sighting review of wind turbine energy systems (proposed Wind Energy Sighting Reform Act) 2 megawatts and larger. The new language may give the State wind turbine sighting board the authority to overrule local control of wind turbine locations. The MMA has issued a memo with concern about the new language passed regulations. Mr. Fenner stated that the Selectmen should register a letter stating that any . . . Mr. Doty asked Mr. Carroll to research what comments the Massachusetts Municipal Association has already made with regard to the bill. Mr. Fenner moved and Mr. Doty seconded a motion to register a letter with the State Senator, State Representative and MV Commission from the Selectmen.

Mr. Fenner asked Chief Rich if there was anything the Selectmen could do to assist with his transition to retirement. Chief Rich said that things have been going smoothly thus far, with more specific training with Officer Cioffi to begin on June 15, 2009. Chief Rich thanked the Selectmen and told them he would certainly reach out to them if need be.

Mr. Doty moved and Mr. Fenner seconded a motion to go into Executive Session. SO VOTED: Three Ayes.

Meeting adjourned.

APPROVED: July 7<sup>th</sup> 2009