

Mr. Fenner called the meeting to order at 7:30 PM in the Selectmen's Meeting Room.

#### Oliver Subordination of Mortgage

Mr. Fenner stated that the Selectmen had a copy of the mortgage subordination agreement from the Oliver's to shorten the term and reduce the interest rate of the mortgage at a new bank. Mr. Doty moved and Mr. Parker seconded the motion to approve the subordination request. SO VOTED: Three Ayes. The selectmen signed the subordination agreement.

#### Creek Lot Leases

Louis Samuel Larsen's lease for Lot Fourteen (14) was amended to include Jeremey Scheffer. In addition, Stanley L. Larsen was removed from the lease in accordance with Section Ten (10), which states that no more than one lot shall be leased to an individual, because he currently has a Bulkhead lease. Mr. Fenner motioned to approve Louis S. Larsen, Stephen W. Larsen and Jeremey Scheffer as lessees of Creek Lot Fourteen (14), Mr. Parker seconded the motion. SO VOTED: Three Ayes. The amended lease will be signed at the next Selectmen's meeting on April 21, 2009.

The Selectmen signed the Creek Lot leases for Carl E. Flanders, Dennis Jason, Chris W. Murphy, Walter A. Jenkinson III, John Larsen, and Jonathan & Greg Mayhew.

#### Master Plan Survey

Ms. Janet Weidner, Chairman of the Planning Board referenced the copy the Selectmen had previously been given of the Master Plan summary of the survey results. Ms. Weidner asked the Selectmen if the summary could be handed out at the Annual Town Meeting on April 27, and if she could address any questions they may have regarding the summary.

Mr. Doty complimented the quality of the summary and said he would endorse it being distributed at the Annual Town Meeting, but permission would have to be officially granted by the Moderator.

Ms. Weidner said that as a result of survey there was a lot that the Planning Board would like to do next. There is a lot of concern from Town residents about large houses being constructed and what can we do to rein that in. An idea that has received positive public response is that a 200 amp service would be the highest power service that any new home constructed in Chilmark can have, unless some other alternative energy resource/renewable energy can be used.

The survey had a twenty (20) percent response rate. Predominate consensus is to not develop Peaked Hill and leave it as open space. All results of the survey will be posted on the website as well as mailed out to the residents. Mr. Doty suggested the Planning Board research what other towns have proven is successful on restricting the size of residences.

Mr. Fenner read an excerpt from the survey/Master Plan regarding the Menemsha Basin. He suggested that it may be an appropriate time to reissue a complete updated Master Plan. As an alternative to reprinting the Master Plan for all town residents, it was discussed that the new

version could be available on the Town website and as a PDF document saved onto a CD. A paper copy would still be available at the Town Hall and library.

Mr. Doty suggested that Ms. Weidner speak with the Annual Town Meeting Moderator and request to be put on the agenda to discuss the Master Plan survey results.

#### Nick Van Ness - MV Sailing Plan

Mr. Van Ness spoke about his thirty (30) year history promoting public sailing through running short sailboat rides in and around New York City harbor. Mr. Van Ness expressed his desire to bring a similar public sailing program to Martha's Vineyard by chartering one-way sailing trips from one Island town to another, such as sailing from Edgartown to Chilmark.

His specific request to the Selectmen was to receive permission to moor his boat off the beach in Menemsha and use a dingy to come into the beach and pick people up to board his boat for a chartered sail. Mr. Van Ness stated that the boat is possibly too large to enter into a busy summer harbor to pick up the passengers and picking them up on the beach would be a unique concept.

Mr. Parker asked Mr. Van Ness various questions about the insurance, safety and crew manning of the vessel. Mr. Fenner discussed his concerns with having a dingy come into Menemsha bathing beach because of how crowded it is with families and other beachgoers in the summer. He also noted that a large capacity of people unloading from a dingy after a sail would not be feasible at Menemsha beach either.

Mr. Fenner said he would like to discuss Mr. Van Ness' proposal with the Harbor Master to see if he could propose an alternative location for landing. The Selectmen agreed to discuss the proposal with the Harbormaster and continue the discussion to a future meeting.

#### Middle Line Road: Clerk of the Works - Wells

Michael Renahan has volunteered to serve as the Clerk of the Works for the wells installed at Middle Line Road. Mr. Parker moved and Mr. Doty seconded a motion to appoint Michael Renahan to serve as Clerk of the Wells for Middle Line Road. SO VOTED: Three Ayes.

#### Primo Lombardi to use the Chilmark Community Center

Mr. Fenner made note of the letter the Selectmen received from Primo Lombardi regarding hosting a four (4) week Yoga for Beginners class at the Chilmark Community Center. Mr. Fenner said that if all the proposed dates were not previously booked at the Center then the Selectmen would see no issue. Mr. Parker motioned to approve, Mr. Doty seconded. SO VOTED: Three Ayes.

#### Request from Dana Hanlon to use the Chilmark Community Center

The Selectmen received a written request from Dana Hanlon to use the Chilmark Community Center in the mornings, daily for the month of June to run a yoga boot camp. In addition to needing a Chilmark resident to sponsor her use of the Center, the Selectmen also noted that the last two (2) weeks of June would conflict with the Summer Program. The Selectmen asked Mr.

Carroll to contact Ms. Hanlon to see if she had any flexibility with her proposed dates for the yoga boot camp. The Selectmen did not approve the request.

#### Irene Tewksbury Completion of Probationary Period

Mr. Fenner referred to letter from Personnel Board Chairman, Max McCreery, stating that Ms. Tewksbury had successfully completed her six-month probationary period and should be promoted to permanent employee status, in accordance with the Personnel By-Laws. Mr. Parker “enthusiastically” moved and Mr. Doty seconded a motion to promote Ms. Tewksbury to permanent employee status. SO VOTED: Three Ayes.

#### Appointment of James Neville as Special Police Officer

Mr. Fenner read a letter from Police Chief Timothy R. Rich requesting that James Neville, fulltime Aquinnah Police Officer, be appointed special police officer. As it has been done in the past, the three up-island towns cross appoint the fulltime police officers for the purpose of mutual aid assistance. Mr. Doty motioned and Mr. Parker seconded the motion to appoint James Neville as special police officer. SO VOTED: Three Ayes.

#### Treasurer Melanie Becker: Incentive to move employees off Master Medical

Ms. Becker referred to the discussions that took place during the budget hearings about offering employees an incentive to move off of the Mater Medical health plan. Mr. Parker said that the incentive would not only benefit the town but also not cost the town anything to offer it. Mr. Fenner noted the benefits that the PPO has over the Master Medical plan and thought it was a great idea. A person can only take advantage of the incentive when open enrollment occurs in May or when they have a “qualifying life event” such as a birth, marriage, divorce etc. Mr. Parker moved and Mr. Doty seconded the motion to approve the incentive. SO VOTED: Three Ayes.

#### Review of Trench Permit Form

The Selectmen reviewed the proposed Trench Permit form and Mr. Fenner asked who would be responsible for monitoring the inspection of trenches. Mr. Carroll stated that the town has no obligation or liability to inspect trenches unless a complaint is received. However, having the trench permit form on file at the Town would keep a record of who’s responsible for the trench and the liability insurance. There was an error on the form so the Selectmen could not vote to approve the form at this time.

#### Cemetery Superintendent Job Description

The Selectmen reviewed the new job description for the Cemetery Superintendent. Mr. Doty moved and Mr. Parker seconded a motion to approve the job description. SO VOTED: Three Ayes.

#### Shellfish Fees

Mr. Carroll reported the proposed new Shellfish Permit fees. He provided a spreadsheet that he had reviewed with the Shellfish Advisory Committee that compared fees from neighboring towns. There was some discussion regarding the fee structure. Mr. Parker moved and Mr. Doty seconded a motion to change the Shellfish Fees to \$125 for a residential commercial permit, \$50 for commercial Quahogs & Mussels, \$75 for commercial Scallops, \$50 for commercial Clams,

\$75 for commercial Oysters, \$15 for commercial Eel and \$25 non-resident one (1) week permit. SO VOTED: Three Ayes.

Mr. Doty gave a brief report from Isaiah Scheffer. Mr. Doty suggested that half of Lot 8 be assigned to the Shellfish Department so that the Shellfish Constable does not have to continue to bring equipment back and forth from Peaked Hill. The other half of Lot 8 is currently assigned to the Harbormaster. Mr. Carroll said that he would write to the Parks and Recreation Committee about having joint operations on the parcel and will also ask the Harbormaster for his input.

#### DAS Status and NStar Discussion

Mr. Parker credited Mr. Carroll and Chuck Hodgkinson for the successful coordination of the DAS public hearing with the American Tower Corporation. He suggested that the Town approach NStar to negotiate attaching DAS equipment to existing utility poles owned by NStar by writing them a letter. In addition, it was suggested that Verizon also receive the same letter for use of some of their utility poles as well as possibly leasing space in the Verizon building on State Road for the Hub Station. Mr. Parker also noted that there would be Chilmark residents willing to campaign for this use. Mr. Parker moved and Mr. Doty seconded the motion to write to NStar and Verizon regarding DAS using their utility poles. SO VOTED: Three Ayes.

Comments encouraged to be addressed to of Mr. Hodgkinson on behalf the DAS Committee.

Mr. Carroll addressed another alternative location for the Hub Station would be to lease space on private land. The Selectmen all agreed that leasing private land should be an option to consider.

#### Request for Sign on Eddy Farmer Corner on South Road

Mr. Parker moved and Mr. Doty seconded a motion to have Mr. Carroll contact Mass Highway to place a hidden driveway sign on South Road at Eddy Farm corner. SO VOTED: Three Ayes.

Mr. Fenner proposed the idea of placing an “Entering Pedestrian Area” sign near the Keith Farm as you approach Beetlebung Corner from North Road as well as on State Road coming from Aquinnah coming into the Town center (near Chilmark Chocolates). Mr. Carroll said he would inquire with the Mass Highway Department about the signs.

#### Other Business

Mr. Doty moved and Mr. Parker seconded a motion to approve electric fees from the Cape Light Contract. SO VOTED: Three Ayes.

#### COLA Amendment to Fiscal Year 2010 Town Budget

Mr. Fenner said that he was misquoted in the Martha’s Vineyard Times regarding his recommendation for a 3% COLA percentage. He said that he supported a 2% increase while Mr. Doty favored a 2.5% increase and Mr. Parker thought that there should be no COLA increases this year.

The 2010 fiscal year budget that will be presented at the Annual Town Meeting has the 3% COLA already factored in to the budget so an amendment might have to be made to the COLA.

Mr. Fenner requested that the Town Accountant provide a sample at the next Selectmen's meeting on April 21 of a savings/cost analysis for a proposed 2.5% COLA increase versus a 2% increase.

#### Signing of Slavin Deed Rider

Mr. Doty clarified that the "at will" language refers only to at the death of the home owner. Mr. Doty moved and Mr. Fenner seconded a motion to accept the language as presented. Mr. Parker said he chose to abstain, but would agree to sign the Deed Rider. SO VOTED: Two Ayes One Abstention.

#### Menemsha Comfort Station

Mr. Carroll reported that he met with Kent Healy regarding the Menemsha Comfort Station septic system. He stated that they are on target with their quote and want have the expansion to the infiltrator bed completed before May 22.

#### Chief of Police Search

Mr. Parker noted that deadline for accepting applications for the Chilmark Chief of Police ends on April 17, 2009 at 4:30 p.m.

#### Chilmark School Principal

Mr. Doty reported that eight (8) applications have been received, thus far, for the Chilmark School Principal position. The Superintendent will start conducting interviews on April 15 and 16, 2009.

Mr. Fenner moved and Mr. Doty seconded a motion to end the Selectmen's meeting. SO VOTED: Three Ayes.

Meeting adjourned.

APPROVED: May 5<sup>th</sup> 2009