

Present: J.B. Riggs Parker, Warren Doty, Frank Fenner, Tim Carroll, Brian Cioffi, Todd Christy, Jeff Day, Meghan Dooley, Andy Goldman, Roland Kluver, Lynn & Susan Murphy, Shelia Muldaur, Isaiah Scheffer, Dardy Slavin.

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

Public Hearing Community Development Strategy Plan

Mr. Doty presented the Community Development Strategy Plan, which was created for the Town in order to qualify for community Block Grants from the state. Mr. Doty declared that the Community Rehab Housing has proven successful on the Island in Oak Bluffs and Vineyard Haven, and Chilmark would join with Aquinnah, West Tisbury and Edgartown to participate. In order for Chilmark residents to qualify for the program, Mr. Doty explained that a Community Development Strategy for the town needed to be adopted by the Selectmen. Working with Christine Flynn of the Martha's Vineyard Commission, the Town drafted a strategy outlining efforts of improvement in the following four categories as defined by the state: Open Space and Recreation, Housing, Economic Development and Transportation. By adopting the Community Development Strategy, the Town qualifies for the Housing Rehab Program for residents of moderate means to apply for a no interest, fifteen-year loan of up to \$30,000 to make critical repairs to their home; such as a new roof, insulation, replacing windows, etc.

Residents can earn no more than 80% of Dukes County Regional Housing Authority median income to qualify, but there is no limit on assets or the assessed value of their house. One fifteenth of the loan is forgiven each year and entirely forgivable after fifteen years if the home is not sold. Ms. Flynn confirmed that an inheritor would continue to qualify for the forgivable loan after fifteen years if they reside in the house, but if the house is sold the remaining loan needs to be paid off at the sale. Ms. Flynn explained that Alice Boyd of Bailey Boyd Associates is the grant writer for the Housing Rehab Program, which sends agents to the applicants' home to determine the improvement needs. Mr. Fenner asked if there would be any implications for using census data from 2000 and Ms. Flynn indicated that the grant writers take that factor into account. With no further comments, Mr. Parker closed the public hearing at 7:45 p.m. Mr. Doty moved and Mr. Fenner seconded to adopt the Community Development Strategy Plan for the Town of Chilmark. SO VOTED: Three Ayes.

The Selectmen thanked Christine Flynn and Todd Christy for their work on the Community Development Strategy Plan.

Middle Line Road Community Housing – Rate of Development of Resident Homesites

Representing the Housing Committee, Chairman Andy Goldman reported that six applications, with a possible seventh, from persons entitled to a Chilmark preference would be eligible to enter the lottery for the Middle Line Road homesite lots. Mr. Goldman said there was a present need to award all six lots now as portrayed by the applicants; therefore, it is the Housing Committee's recommendation to award the six homesite lots at the lottery in January. Mr. Parker questioned whether the rate of development for the six resident homesites should be phased in overtime due to being the only town land currently available, or if the decision should it be brought to town meeting for a vote. Mr. Parker read Article One Section Five of the 2006 Town Meeting Warrant that was voted and approved that the Housing Committee would make the recommendation on awarding the lots and then the Selectmen would vote to approve the recommendation. Mr. Parker asked the Selectmen if they agreed with the Housing Committee. Mr. Doty believed that awarding the lots all at once would

be the right thing to do in order to build the community surrounding the Middle Line Road rental duplexes. Mr. Fenner agreed with the Housing Committee recommendation but was concerned about the construction traffic.

Mr. Fenner moved and Mr. Doty seconded to work towards awarding all six lots in the January lottery. SO VOTED: Three Ayes.

Middle Line Road Rental Housing Duplexes

Mr. Doty reminded all present of Warrant Article number Two for the Special Town Meeting on December 7 to appropriate the money necessary to construct the three rental duplexes at Middle Line Road. The Selectmen agreed that it was a favorable time to borrow the money because of historically low interest rates and encouraged those in favor to vote in favor of it at the Special Town Meeting.

Amicus Brief in Support of the Cape Cod Commission

Mr. Parker explained that Chilmark has been given a proposal to join island towns in filing an amicus brief in support of the Cape Cod Commission's jurisdiction over Cape Wind. The Cape Cod Commission denied Cape Wind permitting for a wind farm, which resulted in Cape Wind filing an appeal to the State Energy Siting Board to override the Cape Cod Commission's decision. As a result, the Cape Cod Commission is appealing to the Supreme Judicial Court and the amicus brief will support that appeal. The amicus brief would be drafted and filed by Town Counsel. Mr. Fenner moved and Mr. Doty seconded to join in the amicus brief in support of the Cape Commission. SO VOTED: Three Ayes

Distributed Antenna System (DAS) Update

Mr. Parker reported that at the DAS hearing the prior evening the Chilmark Plan Review Committee voted ten to three to approve the permit for ATC to establish a Distributed Antenna System in Chilmark. Mr. Parker stated that a contract needs to be agreed upon and executed by the end of December in order to meet the ATC objective to have service in Chilmark by May or June.

Shellfish Propagation Agent Request to Move Shellfish Seed

Shellfish Propagation Agent, Isaiah Scheffer, stated that the \$5,000 allocated to purchase seed in the Shellfish Department budget did not need to be used to purchase seed this year due to a very plentiful natural seed set in Quitsa Pond. Mr. Scheffer declared that the \$5,000 could be used to pay local fishermen \$25.00 an hour to transport the natural set of seed out of Quitsa pond. The transporting of the seed would occur on Thursdays and Fridays at 7:00 a.m. under the strict supervision of the Shellfish Propagation Agent. Mr. Scheffer explained that the fishermen would provide their own boats and drags and he would determine the distribution of the seed within the pond. Mr. Fenner said the Shellfish Propagation Agent should have total control over moving and distributing the seed and no work should be allowed if the temperature is below freezing. Mr. Doty asked for a report to be given to the Selectmen indicating the amount of seed moved, number of fishermen employed and the total cost of the project. Mr. Doty moved and Mr. Fenner seconded to allow the \$5,000 budgeted to purchase seed be used to pay local fishermen \$25.00 an hour to transport the natural set of shellfish seed out of Quitsa pond. SO VOTED: Three Ayes.

Opening of the 2009-2010 Oyster Season

The Shellfish Propagation Agent requested and the Shellfish Advisory Committee recommended to the Selectmen to open the 2009-2010 Oyster season on Tisbury Great Pond on December 2, 2009 with a limit of one bushel on Monday, Tuesday and Wednesday. The Shellfish Advisory Committee regulations for the oyster season declares that all catch must be displayed in legal limit boxes and

oysters can only be harvested if they measure between three and four and a half inches; anything over four and a half inches must be returned to the water. According to the attached map of Tisbury Great Pond provided by the Shellfish Department, the two areas shaded in yellow would be closed for propagation purposes and marked with white buoys. The area of North of Big Sandy is prohibited for shell fishing due to water quality. Mr. Doty moved and Mr. Fenner seconded to open the 2009-2010 Oyster season on Tisbury Great Pond on December 2, 2009 with a limit of one bushel a day on Monday, Tuesday and Wednesday, according to the Shellfish Advisory Committee regulations. SO VOTED: Three Ayes.

Update on Dog Hearing

Maisey, the Morgan family's dog, who attacked Chipper, the Zeltzer's family dog, has been moved to New York and will not return to Martha's Vineyard. No further action was taken by the Selectmen.

Authorize Posting of Town Accountant Vacancy

Mr. Carroll requested permission from the Selectmen to post the position vacancy notice for the Town Accountant position. The Selectmen briefly discussed reducing the hours for the Town Accountant position from thirty-seven and a half hours a week to thirty-two hours a week. The Selectmen agreed to advertise the position with a range of thirty-two to thirty-seven and a half hours a week. Mr. Parker referred to a transition plan from the resigning Town Accountant for temporary coverage and the Selectmen decided the discussion would be continued to the Selectmen's meeting on December 4 at 5:30 p.m. Mr. Doty moved and Mr. Fenner seconded to post and advertise the Town Accountant vacancy notice. SO VOTED: Three Ayes.

Mr. Carroll described the new budget process and schedule using reports generated by Vadar.

Mr. Doty moved and Mr. Fenner seconded a motion to proceed into Executive Session to discuss contract negotiations and not return to regular session. SO VOTED: Three Ayes.

Meeting adjourned.

Approved January 5, 2010.