

Present: J.B. Riggs Parker, Warren Doty, Frank Fenner, Tim Carroll, Brian Cioffi, Ellen Bunch, Jennifer Christy, Karen Corriveau, Mr. & Mrs. James Gollin, Marina Lent, Jonathan Revere, Jack Shea, Meghan Dooley, Brad Westcott.

Mr. Parker called the meeting to order at 6:00 p.m. in the Selectmen's Meeting Room.

Town Clerk Interviews

The Selectmen interviewed finalist Jennifer Christy and Ellen Bunch for the Town Clerk position.

Approval of Selectmen Minutes

Mr. Parker called for any changes or corrections to the September 1, 2009 Board of Selectmen meeting minutes. Mr. Fenner moved and Mr. Doty seconded to adopt the minutes. SO VOTED: Three Ayes.

Martha's Vineyard Film Festival

Brad Westcott, Managing Director of the Martha's Vineyard Film Festival (MVFF), requested to use the Chilmark Community Center (CCC) March 11-15, 2010 for the 10th Annual MVFF. Mr. Doty asked if there were any holidays or previously booked events at the CCC that conflicted with the proposed MVFF, to which Mr. Westcott said there were not. The Selectmen granted Mr. Westcott's request to use the CCC for the 10th Annual MVFF subject to their compliance with the CCC rules. Mr. Westcott also asked for the Selectmen for permission to use a larger tent for the MVFF and the Selectmen said that size and location of the tent would need to be approved by Mr. Carroll in order to not conflict with the septic location.

Board of Health Update on Flu Season

Marina Lent, Chilmark Board of Health Administrator/Inspector, reported on the anticipated harsh flu season due to the preexisting Seasonal Flu on top of an early onset of a new highly contagious flu pandemic known as H1N1 or Swine Flu. Ms. Lent explained that a flu pandemic is when a new strain of the flu develops and humans are highly susceptible to it because our immune systems have not encountered it before. Ms. Lent explained that the Swine Flu is a stable, benign flu strain, which is a good indicator that this flu virus will not mutate with other strands and become more aggressive.

The mortality rate for Swine Flu is similar to that of the Seasonal Flu, which causes 36,000 deaths a year. Swine Flu research shows that the virus will cause more of an impact with the number of people infected rather than rapidly high mortality rates; however, mortality rates are expected to be higher among children and young adults rather than adults. Unlike the Seasonal Flu, children and young adults are more at risk for getting the Swine Flu, with fifty percent of cases being in the five to twenty-four year old age group. Individuals of all ages with pre-existing health conditions are more at risk of contracting the Swine Flu as well. Ms. Lent explained that people with healthy immune systems are also highly susceptible to getting Swine Flu because their immune system will not recognize the flu.

Ms. Lent reported that clinical trials for the H1N1 vaccine have shown that administering one dose of the vaccine will generate immunity, with the immune system typically responding the vaccination in ten days to three weeks. The Federal Government has deferred releasing the vaccine until proper testing has been completed. Vaccination will begin with the following priority groups: pregnant women, household caregivers/contacts of children under six months, children six months to twenty-

four years, healthcare workers and EMS personnel. Individuals twenty-five to sixty-four years that have medical conditions such as diseases that involve the respiratory system, lung disease, asthma, cardiovascular diseases, kidney or liver diseases, diabetes, Sickle Cell disease, and multiple sclerosis are also within the priority group.

No one will be forced to be vaccinated. The common side effect of Swine Flu and Season Flu vaccination is a sore arm and slight illness.

The Selectmen took a five minutes recess

Public Hearing: NSTAR 12 Peaked Hill Road, Underground Utility Conduit to Town Easement

Mr. Parker opened the public hearing at 7:36 p.m. for the NSTAR underground utility conduit to town easement at 12 Peaked Hill Road. Karen Corriveau, Right-of-way Coordinator, was present as a representative from NSTAR to address any questions. The request on behalf of Mr. & Mrs. James Gollin, owner's of 12 Peaked Hill Road, is to abandon the overhead utility line and connect underground to the transformer through burying conduit twenty feet under the road. Mr. Doty said that the resurfacing of Peaked Hill Road should be completed this fall instead of the spring to improve the condition of the road. Mr. Doty asked if this project would affect the resurfacing of the road in any way, to which Ms. Corriveau said no.

The Selectmen asked Mr. Carroll to work with the Coast Guard in order to get the road resurfaced before the spring. The Selectmen asked if there were any comments from the public. Mr. Gollin said he was looking forward to upgrading from the fifty-year-old utility poles that are currently in place. With no further comments from the public, Mr. Parker closed the public hearing. Mr. Doty moved and Mr. Fenner seconded to approve the request from NSTAR to install underground utility conduit to town easement at 12 Peaked Hill Road. SO VOTED: Three Ayes. The Selectmen signed the request.

Larkosh & Rockefeller Letter regarding Squibnocket Road

Attorney Daniel Larkosh, representing Lawrence Rockefeller of Squibnocket Farm Road, wrote a letter to the Selectmen to express concern about the safety of Squibnocket Road due to brush that causes visibility hazards to drivers, walkers and bicyclists at the first "S turn" in the road heading in from State Road. Mr. Rockefeller expressed in his letter that he did not believe the Town's Highway Department was doing its due diligence to brush cut along the road enough. Mr. Carroll and Highway Superintendant Keith Emin met with Mr. Larkosh and Mr. Rockefeller onsite to discuss options to cutting back the brush on the road. It was decided that a Flail Mower will be used to cut the roadside brush in the spring.

Shellfish Advisory Committee

In response to John Larsen's letter of resignation from the Shellfish Advisory Committee, Mr. Doty said that the Selectmen would like to formally thank Mr. Larsen for his many years of service on the committee. Mr. Parker read a letter thanking Mr. Larsen for his history of service on the Shellfish Advisory Committee. Mr. Doty asked that all the members of the Shellfish Advisory Committee receive a copy of the letter. Mr. Doty recommended, on behalf of the Shellfish Advisory Committee, that all areas open for family Bay Scallop shell fishing on October 1 at half a bushel a week. The opening date for commercial season is yet to be determined. There are no restrictions for scallop fishing this year but that is subject to change each year as determined by the Shellfish Advisory Committee.

Mr. Doty said that the scallop stock is anticipated to be very successful this season because the summer scallop seed was very plentiful. Mr. Doty explained that the purpose of Chilmark's shellfish propagation is to not have a situation in which all the farm seed planted is harvested for the adults the seed produces each year, but to create a fishery where planting seed encourages natural production. Shellfish Constable/Propagation Agent, Isaiah Scheffer regularly stocks the pond with juveniles that have come from our own brood stock and this year farm seed has not been needed.

Mr. Fenner moved and Mr. Doty seconded to open all areas for family Bay Scallop shell fishing on October 1 at half a bushel a week. SO VOTED: Three Ayes.

The Shellfish Advisory Committee would like create a reduced commercial shellfish license fee for students twenty-one years of age and younger and recommended the fee to be fifty dollars. Mr. Doty moved and Mr. Fenner seconded to approve reducing the student commercial shell fishing license fee to fifty dollars. SO VOTED: Three Ayes.

Mr. Doty also reported that the Shellfish Advisory Committee would like to codify the residency requirements in the Shellfish Regulations for commercial shellfish permit to determine proof of residency by a utility bill, a current lease, or a letter from a landlord. After some discussion, the Selectmen deferred the discussion until a later date.

Replacement Windows at Chilmark School

A number of Pella windows at the Chilmark School, which are still under warranty, have rotted out and need to be replaced. Mr. Fenner explained that Pella is disputing replacing two windows that had a strip of wood nailed onto the sill and one door with a crack in the glass panel because they believe those alterations held water and caused the rot. Mr. Fenner did not think it was appropriate for Pella to not replace the cracked door and windows due to the fact the other windows and doors were also rotting out. Regardless, Mr. Fenner stressed that the contractor that is hired to physically replace the windows should pay special attention to the painting of the bottom and top of the replacement door to preventing wicking.

Department of Environmental Protection Inspection of Chilmark Landfill

Mr. Fenner reported that the Department of Environmental Protection would be inspecting the Chilmark Landfill on Friday, September 18. The Selectmen asked Mr. Carroll to coordinate the removal of firewood and cleaning of the Landfill in anticipation of the inspection.

Volunteers Needed for Town Board

Mr. Parker spoke to the need for Chilmark residents to fill a vacancy on the Personnel Board as well as on the Shellfish Advisory Committee. Mr. Parker expressed that the Town values and appreciates its volunteers immensely and encouraged interested residents to come into the town hall and learn about volunteer opportunities.

Squibnocket Beach Stairs

Mr. Doty brought to the Board's attention a request he received from a senior citizen to keep the stairs in place at Squibnocket Beach during the fall. Without the stairs in place there is no access down to the beach without climbing down the jetty. However, the beach stairs are typically removed at the end of the beach season to prevent damaged from storms. Chief Cioffi said that the Beach Committee at their last meeting discussed keeping the stairs in place as well. The Selectmen asked

Mr. Carroll to communicate to the Beach Committee their request to have the stairs remain in place until November if possible.

The third finalist for the Town Clerk position was supposed to have a telephone interview with the Selectmen this evening but was unavailable. The Selectmen asked Mr. Carroll to reschedule the telephone interview with the candidate for Thursday, September 17 at 5:30 p.m. The Selectmen will also discuss and decide who their final choice is for Town Clerk at the Thursday meeting.

Mr. Doty moved and Mr. Fenner seconded a motion to recess until Thursday, September 17 at 5:30 p.m. SO VOTED: Three Ayes.

Meeting adjourned.

Approved October 6, 2009