

Present: Warren Doty, Riggs Parker, Frank Fenner, Tim Carroll, Jonathan Revere, Jane Slater, Isaiah Scheffer, Jack Shea, Tom Wilson, Brian Cioffi, Frank LoRusso.

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

Mr. Fenner called for any changes or corrections from the March 3<sup>rd</sup> March 17<sup>th</sup> and April 7<sup>th</sup> 2009 Board of Selectmen meeting minutes. The minutes of March 3<sup>rd</sup> & 17<sup>th</sup> were adopted as corrected. April 7<sup>th</sup> was postponed to the next meeting.

#### Bulkhead Lot 8A Shellfish Propagation

Mr. Doty, on behalf of the Shellfish Department, suggested that half of Lot 8A be assigned to the Shellfish Department in order to store equipment onsite in Menemsha. The other half of Lot 8A is currently assigned to the Harbormaster. The Executive Secretary has made written requests to the Parks and Recreation Committee, the Shellfish Advisory Committee and the Board of Selectmen for the Shellfish Department. Mr. Fenner suggested that this discussion be continued until after all the Selectmen have a site visit. There was some discussion and the Board of Selectmen decided to visit Lot 8A on Saturday April 25<sup>th</sup>.

#### Parking in Menemsha on Songwind Trust Property

The attorney for Songwind Trust has proposed an agreement with the Town, which Town Counsel was unable to review prior to the Selectmen's meeting, so the document was taken under advisement and not for a vote.

No current rights would be extinguished at this time; in exchange for that "holding," Songwind Trust (Rattner) would grant the Town permission through a lease/license to continue parking along his lot at the end of the North Road.

Mr. Fenner discussed where the fence should be located and expressed that he does not want the fence to become a maintenance issue for the Town or Songwind Trust. Mr. Fenner also made note that the current lease does not indicate rights to signage which may be required to control public parking. Mr. Parker indicated that he would like a survey and plan attached to the lease. Mr. Carroll to follow up on Mr. Fenner's call to Glenn Provost regarding a survey. It was agreed to refer this issue to Special Legal Counsel Eric Wadlinger after the survey was reviewed.

#### Creek Lot Fourteen (14) Lease

The Selectmen signed the Creek Lease for Lot Fourteen (14) to Louis Samuel Larsen, Stephen W. Larsen and Jeremy Scheffer.

#### Amending Proposed FY 2010 COLA at Annual Town Meeting

Mr. Fenner read the proposed payroll budgets based on a 3%, 2% and 0% COLA. The Fiscal Year 2010 Budget would be 1.25% less than Fiscal Year 2009 with a 0% COLA, 0.76% with a 2% and 0.61% with a 3%. The COLA discussion has been readdressed due to a discrepancy in a recent Martha's Vineyard Times article about what the Selectmen favored for a COLA in Fiscal Year 2010 based on the Finance Committee's 3% recommendation.

Mr. Doty spoke in favor of having a COLA in Fiscal Year 2010 and pointed to the Personnel Policy and the formula used for this year calculated that a 4.6% COLA should be given. Mr. Doty stated

that the 4.6% was high but that the idea was to give a COLA to Town employees if the Fiscal Year 2010 budget was below 2009's budget, which was accomplished even with a proposed 3% COLA.

Mr. Parker stated that there has been no inflation this year, many private companies have not made contributions to employees' 401Ks, unemployment is at 8.5% generally across the country, the stock market is nearly 35-40% down, Steamship traffic is down 7-8% and trucks are down 13%. He went on to say that most Town employees are receiving 3.4% step increases this year and with a 3% COLA that would mean a 6% rise. Mr. Parker referred to using his "commonsense approach" which he thinks that any COLA increase does not seem fiscally responsible in the current economic times.

Mr. Frank LoRusso, member of the Finance Committee, said that he was absent at the Finance Committee meeting in which the Fiscal Year 2010 COLA were discussed. He wanted to voice his recommendation for a 1-2% COLA which he believed to be generous. Mr. LoRusso also stated that the Finance Committee was able to get the 2010 budget below 2009 by small reductions from each department and a 3% COLA would be far too much to give at this time.

Mr. Doty said that there are four (4) ways in which the Town of Chilmark exercised fiscal prudence in proposing the budget. First, we retired a debt and did not borrow any new money; second, staffing changes were made in which salaries were reduced; third, some employee hours were decreased; fourth, significantly reduced budgets for the Police, Harbor and Beach Departments.

Mr. Parker said that fiscal prudence has to be applied across the board and COLAs should not be given at this time. Mr. Doty said that the COLA discussion is a great debate and he recommended it be on discussed and decided by the Town at the Annual Town Meeting. Mr. Doty said that he is happy with the budget as it is, Mr. Fenner said he could not support a COLA above 2% and Mr. Parker supported prudence.

Mr. Doty moved to ask Town Meeting to amend the FY2010 budget request (Article 3) down from the 3% COLA to a 2% COLA and Mr. Fenner seconded the motion. SO VOTED: Two Ayes, One Abstention.

Mr. Parker said he would move to amend the 2% to 0%. Mr. Fenner will discuss with the Moderator, Everett Poole, how he would like this topic to be presented to the Town at the Annual Town Meeting.

#### Appointments

Mr. Fenner referred to a letter to the Selectmen from Mr. Frank LoRusso requesting to serve on the Personnel Board. Mr. Parker said that Mr. LoRusso would be an excellent addition to the Personnel Board. Mr. Doty moved to appoint Mr. LoRusso to the Personnel Board to fill the unexpired term of Richard Williams and Mr. Fenner seconded. SO VOTED: Three Ayes.

Mr. Parker moved and Mr. Doty seconded a motion to appoint Nina Lombardi Assistant Town Clerk. SO VOTED: Three Ayes.

#### Annual Town Meeting Warrant Explanations

The Selectmen amended the Warrant Explanations for Articles 5, 9 10, 12, 15, 16, and 22.

Mr. Doty requested that the Planning Board Chair, Janet Weidner, be asked whether Article 23 will be removed from the Town Warrant.

### Board of Health Request for Town Hall Recycling

Mr. Fenner referred to the letter from the Board of Health requesting that the recycling practices at Town Hall be expanded to include metal and plastic recyclables in addition to the paper already being recycled. Mr. Doty moved to expand the recycling practices at the Town Hall and Mr. Parker seconded. SO VOTED: Three Ayes.

### MSPCA Funding Request

Mr. Fenner relayed the discussions had at the Dukes County Budget Meeting regarding the MSPCA. The \$1,520 needed from Chilmark was determined based on the breakdown of the estimated revenues versus the estimated expenses for the MSPCA, for which there was a \$24,620 shortfall.

The Selectmen all agreed that the County has done a good job of providing leadership and responding to this emergency situation in order to save the shelter. Mr. Parker expressed concern that Town contributions would prevent private donations.

The County Manager used population to breakdown the cost per town. Mr. Fenner provided the example that if the Dukes County Regional Housing Authority 50/50 formula was used, which is based on population and land value, \$2,649.11 would be needed from the Town of Chilmark. However, Mr. Fenner noted that Chilmark has a larger population of farm animals for which the MSPCA does not provide sheltered care and that it would be best practice to use the population formula in this instance rather than the 50/50 formula.

Mr. Fenner suggested that the Selectmen send a letter to the County expressing that they support population formula (with regard to domestic animals) used to determine the MSPCA funding and are willing to support a Town Warrant article at a future Town Meeting to provide up to \$2,000 in funding for the animal shelter. Mr. Doty moved and Mr. Parker seconded. SO VOTED: Three Ayes.

### Squibnocket Parking Lot

Mr. Parker recused himself from this section of the meeting because John Keene Excavation, for which he has a family relationship, had provided the proposal for repairs to the parking lot.

Mr. Carroll stated that the area that is deteriorating at the parking lot is where the asphalt meets the parking lot as well as a few potholes. Mr. Carroll said that he supported the Highway Departments assessment that most of the deterioration of the parking lot has come from trailers and equipment being parked in the lot for the construction of a home on Squibnocket Farm Road.

Mr. Fenner and Mr. Doty suggested that money be taken out of the Board of Selectmen maintenance fund to repair the parking lot before the summer season. Mr. Fenner suggested that Mr. Doty look at the deterioration of the lot and they decide at a later date whether or not to go ahead with the repairs before the summer season.

### BAESIS eDawer Software for Scanning Archive Documents

BAESIS eDawer software is a commercial document management system to assist with scanning documents that need to be archived based on mandated by State Law. Mr. Parker moved and Mr. Doty seconded the motion for the Executive Secretary to purchase and implement the new software at the Town Hall. SO VOTED: Three Ayes.

State Highway Signs

Mr. Parker requested that the town ask MassHighway to put up a “hidden driveway” sign on South Road traveling east before the intersection with Eddy Farm Road and another on the east side of Windy Gates for the Gude driveway. The board agreed.

EXECUTIVE SESSION

Mr. Fenner moved and Mr. Doty seconded a motion to go into Executive Session to discuss land acquisition and not return to regular session. SO VOTED: Parker Aye. Fenner Aye. Doty Aye.  
At 9:23 PM

Meeting adjourned at 10:04 PM