

Town of Chilmark Board of Selectmen
July 21, 2009
Meeting Minutes

Present: J.B. Riggs Parker, Frank Fenner, Tim Carroll, Marshall Carroll, Brian Cioffi, Angie Grant, Emily Meegan, Marianne Nitchie, Sarah & Robert Nixon, Jonathan Revere, Robert Zeltzer.

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

Mr. Parker deferred approval of the minutes until the next Selectmen's meeting since Mr. Doty was not present to vote.

Herbert Hancock Plaque for Town Hall Entrance

Mr. Parker read the inscription on the proposed plaque for the Town Hall entrance which will honor Herbert Hancock. Mr. Fenner moved and Mr. Parker seconded to approve the plaque for Herbert Hancock. SO VOTED: Two (2) Ayes.

Vineyard Transit Authority (VTA) Bus on Middle Road & Schedule for Beach Bus

Ms. Nitchie spoke on behalf of including Middle Road as a bus route on the VTA schedule, and provided a map of Middle Road which outlined some of the dwellings off the road. Ms. Nitchie stated that the bus route would service the Middle Road sides of Tea Lane and Meeting House Road, and relieve the road of traffic. Ms. Meegan also spoke in favor of providing the bus route in order to cut down traffic on Middle Road as well as in the Town center. Mr. Parker acknowledged the eighteen signatures that Ms. Nitchie had collected in favor of the bus, although only eight were Middle Road residents. Robert Zeltzer, a resident of Middle Road and recreationalist on the road, spoke in opposition of allowing buses on Middle Road, describing the road as a narrow, winding road that has many hills, which creates blind spots along the road for motorist and bikers. Mr. Zeltzer said that in lieu of there being a bike path up-island, many people recommend and use Middle Road to bike up-island, and noted that he saw thirteen adults and four children bicycling on the road the other day; compared to eight bikers he observed on the West Tisbury bike path. Mr. Zeltzer supported reducing the traffic on Middle Road in terms of commercial trucks in order to make the road safer for bicyclist. Mr. Zeltzer also mentioned personal experience he has had with being passed by a VTA bus while biking and how potentially dangerous and scary the experience is.

Mr. Fenner said that he has observed buses and large trucks on Middle Road and acknowledge the danger, but was interested in hearing from Angie Grant, the VTA representative at the meeting, about what the alternatives are for VTA transportation on the road. Ms. Grant first stated that any negative incidents with VTA drivers should be reported to the VTA office immediately. Ms. Grant went on to describe the schedule for the VTA Chilmark beach route bus, which operates from July 1 through August 31 to service guests staying at local inns. Ms. Grant said that unbeknownst to the VTA or the Town, the Menemsha Inn and Beach Plum Inn hired their own private van service to transport their guests to the beach. As a result, the VTA beach bus is now virtually empty because the other local inns are much smaller and the Blueberry Inn is closed this summer.

Ms. Grant stated that the VTA beach bus runs from 9:00 a.m. to 5:30 p.m. with an obligation from 11:27 a.m. to 5:27 p.m. to connect with the Route #5 bus from Aquinnah. Based on existing schedules and routes, Ms. Grant suggested a pilot route using a smaller van that could have hourly (27 minutes passed the hour) service starting from Alley's General Store in West Tisbury, to Panhandle Road, up to Middle Road and on to the Chilmark Community Center. Currently a twenty-

seven foot Bluebird bus is being used to service the existing beach route, but a smaller twenty-five foot bus could be used to service Middle Road if the route was added to the existing beach bus route.

Mr. Parker remarked that he frequently drives Middle Road and has observed many recreationalists using the road, and expressed that although the road is paved it is essentially a country-road. He went on to say that the priority of the Selectmen is to ensure safety within the Town and providing buses on Middle Road would pose a possible safety hazard. He stated that a reduction in traffic from commercial trucks and trucks hauling from the landfill is something the Selectmen could address by calling the service providers. Mr. Parker stated that allowing VTA buses on Middle Road would be a perilous step in the wrong direction and would open a debate to allow tour buses as well. Ms. Grant said that the Selectmen would still have authority to deny access to tour buses on Middle Road. Ms. Grant requested that the Selectmen reach a decision about the future of the beach bus, and/or Middle Road access, within five months in order to be included on the VTA 2010 schedule. Ms. Grant went on to say that it is a disservice to the Town, tax payers and the VTA to continue operating the empty beach bus.

Chief Cioffi stated that there have been twenty-five accidents on Middle Road in the past five years involving bicycles, deer, and cars driving at high speeds. Chief Cioffi expressed concern that there would be a possible increase in accidents if additional traffic was added to the road such as the VTA bus. Mr. Fenner said that he saw this idea as an opportunity for the community and had called Ms. Grant to speak about the possibilities of vehicle alternatives and routes. Mr. Fenner, noting the safety issues of using a bus, said he would like to see a passenger van used on a trial basis for half the summer to connect residents to up-island and down-island, which would be a benefit to the community. Ms. Meegan said that her fifteen year old son takes the VTA across the island but she needs to drive him from their home off Middle Road in order to get him to the VTA. Ms. Grant stated that VTA passenger vans are twenty feet long and ninety-six inches wide with the mirrors, raised roof, and can accommodate eight people depending on wheelchair lift.

Mr. Nixon commented that when he bought the Menemsha Inn twelve or thirteen years ago, the inn guests were no longer able to drive to the beaches because the VTA had begun its service. Mr. & Mrs. Nixon said that the VTA bus was not working well for shuttling their guests to the beach because the bus could not go down Squibnocket Road or down to the footpath entrance at Lucy Vincent. Due to the economy and unusually rainy summer season, the Nixon's have been trying to provide any additional service to their guests to enhance their stay and have privately arranged a fifteen passenger van to shuttle their guest to the beach, but apologized for the miscommunication with the Town and VTA. The Nixon's highly complimented Beach Superintendent, Martina Mastromonaco, for her service accommodating their inn guests with special needs.

After much discussion, the Selectmen were divided and decided to defer the discussion until more information can be gathered about the impact of allowing a VTA van route on Middle Road, as well as the possibility of combining that proposed route with the beach bus. Mr. Fenner moved and Mr. Parker seconded to reduce the VTA beach bus schedule to start at 11:27 a.m. and run until 5:27 p.m. as of August 1, 2009. SO VOTED: Two (2) Ayes.

Taxi Regulations

Mr. Carroll began by noting that there has been discussion between the towns over the past fifteen years to adopt one set of taxi regulations that apply to every town. Edgartown, Oak Bluffs and West Tisbury have requested that standardized taxi regulations be discussed at the upcoming All-Island Selectmen's Meeting. Mr. Fenner addressed the fact that Chilmark has little involvement in licensing

taxis, but that he would like to review the existing regulations for each town and participate in the discussion; Mr. Parker agreed.

Menemsha Parking Enforcement

Chief Cioffi said that over the last two weeks the Chilmark Police have been stepping up their enforcement of parking violations in Menemsha. Since doing so, the Police Department received a complaint from a citizen who was told in the past that the timed parking limits were not enforced after 6:00 p.m. and then was told, after receiving a ticket, that it is not enforced until after 7:00 p.m. Chief Cioffi, upon looking into the matter, discovered it was common practice in the past not to enforce the parking limitations after 6:00 p.m. The parking signs by the Galley and Homeport Restaurant indicate one hour parking limitations between the hours of 9:00 a.m. to 9:00 p.m., but the thirty minute parking signs across from the fish markets have no time frame indicated, which was part of the citizens complaint.

Chief Cioffi said that he spoke with the Highway Superintendent about ordering new signs for the thirty minute parking spots across from the fish markets with 9:00 a.m. to 9:00 p.m. as the enforcement timeframe as well as a sign for "No Overnight Parking." Chief Cioffi also spoke with the fish markets and they formed a consensus that the parking spots from the Menemsha Comfort Station to the bridge should all be thirty minute parking spaces, which would be a total of twelve spots (increased from ten). Currently there is a sign at the bridge which indicates the five hour parking limitation, but in order to be clear the Selectmen agreed that new signs with the limitations should be installed for the thirty minute parking spaces. The Selectmen decided to not increase the number of thirty minute parking spaces to twelve, but changed the first two spots at the bridge to five hour spaces and made the following ten parking spaces up to the Comfort Station thirty minute parking.

Mr. Fenner referred to correspondence from the Dog Officer, Chris Murphy, suggesting that a sign be placed in Menemsha to enforce the Town Leash Law for dogs. Mr. Carroll said that there was a sign at the Menemsha bridge stating that dogs must be kept on a leash. Chief Cioffi and the Selectmen discussed that an additional Leash Law sign should be placed at the slip dock and beach to help enforce the law.

Finance Advisory Committee Chapter 77 Transfers

The Chapter 77 law allows municipalities to transfer up to five-thousand dollars from one department to another to service department deficits. The law requires the approval of the Finance Advisory Committee as well as the Board of Selectmen to allow the transfer. Mr. Carroll reported that the Finance Advisory Committee unanimously voted at their July 14 meeting to approve the Chapter 77 transfers. Mr. Fenner moved and Mr. Parker seconded to approve the Chapter 77 Transfers and signed the transfer document. SO VOTED: Two (2) Ayes.

Squibnocket Pond Discussion

Mr. Fenner stated that he met with Mike Syslo regarding the repairs that were made to the access road (causeway) to Squibnocket Farm Road, which subsequently blocked the public access launch to Squibnocket Pond. Mr. Fenner met onsite with a member of the Conservation Commission to explore the possibility of using fill along the causeway and transplanting a strip of vegetation to stabilize the bank. In addition, a short access road could be created down to the existing road off the end of the beach parking lot with large stones, which would be tamped down to create a smooth drivable surface. Mr. Fenner saw this as the least intrusive way to regain access to the pond and

would be reviewing this option with the Conservation Officer, Rusty Walton, to create a plan to submit to the Conservation Commission for a public hearing.

General Discussion

Mr. Carroll informed the Selectmen that the Town is awaiting a formal request from the American Tower Corporation for the town to jointly apply with West Tisbury and Aquinnah for Economic Stimulus money to assist with the installation of the Distributed Antenna System.

Mr. Fenner stated that he has observed washouts in the road along the creek side/Aquinnah-side of Edy's Island Way leading out to the Coast Guard Station. Mr. Fenner requested that the Town of Aquinnah be contacted to prepare the washouts in the road before the problem worsens. Mr. Parker agreed.

Mr. Fenner asked about the status of improvements to "the parking lot" at the Town Hall.

Mr. Fenner has asked the Highway Superintendent, Keith Emin, to fill potholes that have been created by natural settling in the parking lot off the drive-on dock in Menemsha.

Chief Cioffi informed the Selectmen that the driveway at the Chilmark Police station was washed out in the last heavy rain storm. Mr. Carroll asked Chief to discuss the maintenance budget with the Town Custodian, Rodney Bunker, and explore the repair options.

Mr. Parker requested that the Highway Superintendent, Keith Emin, fill the ditches off of North Road, which were created when the road was repaved this winter.

Mr. Parker asked Mr. Carroll to post the Selectmen's meeting minutes from January to the most recently approved on the Town website as soon as possible.

Mr. Carroll reported that the Highway Department had received complaints about hazardous driving visibility due to Russian Olive trees at the corner of the fork in Menemsha Crossroad when driving from Menemsha. The Highway Superintendent attempted to trim back the trees and was approached by owners of the Teel property at 96 Menemsha Crossroad stating that the trees are on their property. Mr. Carroll stated that Bill Smith had planted grass at the said area many years ago on behalf of the Town so the road line is no longer visible. Reid Silva from Vineyard Land Surveying did not have anything on file at their office and the area would have to be resurveyed to establish the Town property line, which would cost fifteen-hundred to two thousand dollars. The Selectmen agreed to review the area and make a decision.

Mr. Fenner moved and Mr. Parker seconded a motion to proceed into Executive Session to discuss land acquisition and possible disciplinary action. SO VOTED: Two Ayes.

Meeting adjourned.

APPROVED: August 4th 2009