

**Town of Chilmark Board of Selectmen
May 19, 2009
Meeting Minutes**

Present: Warren Doty, Riggs Parker, Frank Fenner, Tim Carroll, Jonathan Revere, Jack Shea, Sam Bungey, Dennis Jason, Chuck Hodgkinson, Brian Cioffi.

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

Mr. Parker called for any changes or corrections to the May 5, 2009 Board of Selectmen meeting minutes. Mr. Doty moved and Mr. Fenner seconded the motion to adopt the minutes as corrected. SO VOTED: Three Ayes.

Middle Line Road (MLR) Building Committee

Mr. Doty began by saying that the Selectmen were ready to make their recommendations for the MLR Building Committee membership. Mr. Carroll, as the chief procurement officer, will appoint a committee. On behalf of the Selectmen, Mr. Doty recommended Frank LoRusso, Tim Carroll, Todd Christy, Roland Kluver and himself for a MLR Building Committee. Mr. Doty said he believes that five (5) people would be an effective number for the building committee and that the committee could be charged with carrying out the recommendations of the Board of Selectmen. Mr. Fenner said that he would welcome and encourage feedback and input from the MLR Building Committee regarding the design and construction of MLR. Mr. Parker said that he hopes the Building Committee can also recommend the parameters for what can be built on the Homesite lots. The Selectmen directed Mr. Carroll to appoint a MLR Building Committee after consulting with Town Counsel.

Middle Line Road (MLR) Update from Mr. Hodgkinson

Mr. Hodgkinson began by providing an update on the progress of the MLR project timeline. There are six (6) wells that are pumping water, one (1) dry hole and one (1) well in which a rock was struck while digging. Regarding the dry well, Mr. Hodgkinson spoke with Michael Renahan and Reid Silva and they are working on ideas as where to re-site the dry well without altering the entire site plan. John Keene is to have road specs ready by May 29 or the week thereafter.

Mr. Carroll is reviewing with Town Counsel a draft contract from David Hanlon regarding architectural services.

Mr. Hodgkinson received a design plan from NSTAR for installing utilities, which proposed running above ground utility polls from the Landfill to the new intersection at MLR. However, Mr. Hodgkinson pointed out that the above ground lines would have to be extended to the current MLR intersection where there is an easement to allow the lines to be buried up MLR. Mr. Hodgkinson will speak with Linda Coutinho to revise the plan accordingly. With the Selectmen's approval, requests for bids will be solicited for the utility work by the middle of June and work will begin as soon as the wells are completed. If the revised plan is completed in time, the Selectmen will review and approve an RFP for utility work at their next meeting on June 2, 2009.

Mr. Hodgkinson also made note of the Public Hearing that will be held by the Planning Board on June 8, 2009 at 5:00 p.m. regarding the Form C Subdivision of the Nab's Corner property by the Town.

Homeport Restaurant Septic Indemnification

At the request of the Selectmen, the Town received an official letter from the owners of the Homeport, Bob and Sarah Nixon, which indemnifies the Town from any issues that could arise from the restaurant's septic system, which occupies a few feet of town-owned land. The Selectmen then approved for Mr. Carroll to issue the Common Victualler license for the Homeport Restaurant.

Chilmark Town Affairs Council Summer Meeting

After some discussion, the Selectmen set August 11, 2009 for the summer meeting with the Chilmark Town Affairs Council.

Letter of Support for the Up-Island Regional School District Energy Committee

Mr. Doty explained that the Up-Island Regional School District Energy Committee has expressed the desire to conduct a feasibility study to see what the prospects are of having a wind turbine constructed at West Tisbury School to generate electricity. The committee has asked for letters of support from members of the Up-Island Regional School District to help them obtain a grant from the Massachusetts Technology Collaborative to conduct the study. Mr. Doty moved and Mr. Fenner seconded to write a letter of support on behalf of the Up-Island Regional School District Energy Committee. SO VOTED: Three (3) Ayes.

Chilmark School Principal Finalist

Mr. Doty said that final interviews for the Chilmark Head of School will be held this week; Susan Kluver will be interviewed on Wednesday, May 20 at 5:30 p.m., with Susan Stevens following at 6:30 p.m., and on Thursday, May 21 at 5:30 p.m. Deborah Hammond. The School Committee and Dr. Weiss will be running the interviews. Mr. Doty went on to say that Dr. Weiss will ultimately make the final decision for the new Chilmark School Principal by next week, but Dr. Weiss welcomes all public input. Mr. Doty said that he could not attend the interviews held on Wednesday and Mr. Parker and Mr. Fenner said that they would attend all the interviews if possible. Mr. Doty said that all three (3) are exceptional candidates and that they would all make excellent principals.

Announcement of new Chief of Police

Mr. Parker began by suggesting the Selectmen discuss their recommendation for the new Chief of Police before officially making the vote. Mr. Fenner remarked that having to select a new chief after Chief Rich's many years of outstanding service to the community would be a tough act to follow. He went on to say that no one particularly likes change, but that this is a good change for Chief Rich, and with this change comes a good opportunity for the community. Mr. Fenner said that the Chilmark Policemen are all very professional and that they would work well with whomever the Selectmen chose for the general good of their department. Mr. Fenner went on to say that all three (3) of the final candidates would make very good Chiefs; however, one (1) particular candidate stood out. Mr. Fenner stated that this candidate offered suggestions in both financial and personnel matters for ways to reduce costs and increase efficiencies, which

displayed progressive thinking and someone who is willing to think outside the box. Mr. Fenner confirmed that in addition to the candidates being openly supported by three (3) other Island police chiefs, comments from the public were also received in appreciation for extra efforts he has made to serve the community. Mr. Fenner also noted that the candidate was chosen by his peers to lead a team oriented group of Island police officers, which portrayed he had the leadership required for the Chilmark Chief of Police position. Mr. Fenner used a rural expression by saying the cream rises to the top and that this candidate is an Officer who rises to the level of Chief of Police for the Town of Chilmark. Mr. Fenner said he was pleased to nominate Officer Brian Cioffi as the next Chief of Police for Chilmark. Mr. Doty said that he did not have remarks to add as Mr. Fenner had done justice in his remarks and seconded the nomination. Mr. Parker, as the Selectmen who interviewed and chose the finalists, added to Mr. Fenner's remarks by saying the eighteen (18) applicants, six (6) interviewees, and the three (3) finalist were all exceptional contenders for the position. Mr. Parker reiterated Mr. Fenner's expression and agreed that Mr. Cioffi did indeed rise to the top. Mr. Parker, having a motion, brought the nomination of Officer Brian Cioffi to be the Chilmark Chief of Police effective July 1, 2009 to a vote. SO VOTED: Three (3) Ayes.

Subleasing of Menemsha Bulkheads

Mr. Parker stated that there is language that suggests the Selectmen might allow subletting of a Town owned Bulkhead in Menemsha for the purpose of creating a marketplace for buyers and sellers of locally caught fish. Mr. Carroll asked the Selectmen if there were any ground rules that they would like to outline before turning the discussion over to the Parks and Recreation Committee. The Selectmen all agreed that they would support any use of a town owned lot that would directly benefit the local commercial fishing fleet. There was some discussion. It was determined that each sublease would have to be approved by the Selectmen, sublettors cannot merely be landlords and must partake in the commercial fishing industry, and any activity on the lot must be related to the purchase of locally caught fish and shellfish; and it must serve the Menemsha fishing fleet. Mr. Carroll was asked by the Selectmen to consider, with the Parks and Recreation Committee, the rules and regulations for subleasing the Town Bulkhead.

Lucy Vincent Beach Lifeguard Shed

Mr. Parker addressed the proposal to move the old Lucy Vincent Beach lifeguard shed to Peaked Hill Pasture for the storage and protection of equipment for the Shellfish Department. The Selectmen were in agreement that the shed should be removed as soon as possible from Lucy Vincent Beach to Peaked Hill Pastures and have a concrete slab poured there to create foundation for the shed. The Selectmen asked Mr. Carroll to look into the cost, or perhaps even a volunteer, to move the shed from the beach on a trailer where it can stay until a slab can be poured. Mr. Doty moved and Mr. Fenner seconded to move the shed from Lucy Vincent Beach to Peaked Hill Pasture for the use of the Shellfish Department. SO VOTED: Three (3) Ayes.

Menemsha – North Road Survey for Songwind Trust License

Mr. Carroll asked the Selectmen if he could consult with legal counsel to determine the extension of the property line at the Songwind Trust property on North Road in Menemsha. The Selectmen gave Mr. Carroll permission.

General Discussion:

The Selectmen signed a contract with Baesis for eDrawer.

Chilmark Land Bank Advisory Committee Land Purchase

Mr. Doty provided an update from the Chilmark Land Bank Advisory Committee that they are submitting a management plan for a new property purchased from the Sherriff's Meadow Foundation near Quansoo. The property borders Tisbury Great Pond down to the pond shore and will provide access to the public. The land was purchased by the Land Bank because the Sheriffs Meadow Foundation was going to publicly sell the land to fund an endowment fund. There will be a public hearing on June 8 to discuss how the property will be used in order to provide public access to Tisbury Great Pond.

Town Hall Parking Lot Maintenance

Mr. Fenner, having reviewed the balance of Town Hall maintenance expenses, suggested that the funds be used to repair some of the steel edging in the Town Hall parking lot so no one will be at risk for injuring themselves on areas that have become sharp, etc. Mr. Fenner also suggested that the funds to perform the repairs could be withdrawn from the Selectmen's maintenance budget. Mr. Fenner moved and Mr. Doty seconded a motion to approve \$2,500 from the Selectmen's maintenance fund be used to repair the Town Hall parking lot. SO VOTED: Three (3) Ayes.

Menemsha Comfort Station

Mr. Fenner said that the backflow preventer should be installed before the restrooms. Mr. Fenner asked if the water supply along the Bulkhead will be weakened by reducing the waterline preventer from two (2) inches to an inch and a quarter (1.25). Mr. Fenner asked Mr. Carroll to address the issue with the Menemsha Water Company.

Public Information Meeting regarding DAS

Mr. Parker stated that Mr. Carroll has arranged a public information session to take place on June 22 regarding the new proposal from ATC for the Up-Island Distributed wireless system. The public information session will be held prior to the public hearing to provide residents with information regarding the new proposal.

Tax Collector Position Vacancy Notice

Mr. Carroll said that after eighteen (18) years of Town service, Tax Collector Polly McDowell has announced that she will retire on August 1, 2009. Mr. Carroll made note of the position vacancy notice schedule he had sent to the Selectmen via email and asked for their permission to advertise immediately it in the interest of hiring a replacement that Ms. McDowell would be able to train prior to her departure. Mr. Carroll also discussed an idea that had been entertained previously to combine the Tax Collector position with the Treasurer. Mr. Doty said that the Town has an excellent tax collecting system, and together with the Assessor's Office, has handled the public efficiently and provided such good service. Mr. Doty continued by saying that in combination with a good financial picture he did not support combining the positions. Mr. Parker agreed with Mr. Doty that the current system works well and does not need to change; noting that possible changes in addition to hiring someone new could bring difficult rearrangements of office space, etc. Mr. Fenner agreed and supported advertising the position vacancy notice as soon as possible. Mr. Carroll said that he would run the hiring process similar

to that of the Town Clerk and have a three (3) member hiring committee consisting of himself, a Selectmen and a member of the Finance Committee. Mr. Parker told Mr. Carroll to also clear the hiring process with Personnel Board chair, Maxwell McCreery. Mr. Fenner moved and Mr. Doty seconded to advertise the position vacancy notice for the Town Tax Collector and start the hiring process. SO VOTED: Three (3) Ayes.

Mr. Doty moved and Mr. Fenner seconded a motion to go into Executive Session to discuss land acquisition and labor contracts. SO VOTED: Three Ayes.

Meeting adjourned.

APPROVED: June 2nd 2009