

Present: Riggs Parker, Frank Fenner, Warren Doty, Tim Carroll, Jonathan Revere, Chuck Hodgkinson, Sam Bungey, Reid Silva, David Zeilinger

Minutes of January 20th 2009 approved with changing “these” to “the”.

Homeport

Mr. Fenner announced that he had been told by the Ethics Commission that he did not have a conflict of interest on the basis of competition, however they suggested that he might be in conflict as a secondary abutter. Therefore Mr. Fenner recused himself from this discussion.

Mr. Parker assumed the chair and stated four concerns on behalf of the board. 1. Where would employee parking be located given that ten spaces were lost in the sale of the dock parcel? 2. It is possible that the septic system for the Homeport is on town owned land under North Road. Mr. Parker said it would be appropriate for the town to be indemnified by the owners for the use of that land. 3. The new owners will have to apply for a Common Victualler’s license from the Selectmen. They will have a public hearing and will be asked about the intended hours of operation. 4. Bob Nixon’s offer to make the beach lot available to provide limited public access to Menemsha Pond for man powered small boats is being looked forward to by the town.

Mr. Doty said that he took exception to some of those items being presented as the board’s opinion. Mr. Parker said that he would make them as his concerns.

David Zeilinger introduced himself as the manager of Mr. Nixon’s Beach Plum Inn and Menemsha Inn and Cottages. He said that the plan was to operate the Homeport Restaurant this season just like it has been operated for the past fifty years. He said that they did not have a magic wand to solve all the long-standing problems such as parking. He suggested that a synergy could be created between the three businesses that would be a benefit to the community. Mr. Zeilinger said that he will address each employee individually about parking, and encourage car pooling or the use of the VTA buses.

Reid Silva showed the Selectmen a copy of a design plan for the newer improvement to the septic system. It showed two strips of approximately 10 x 60 feet each of the leaching beds to be on town land under North Road.

Mr. Doty asked why this was a concern of the Selectmen. Mr. Parker said that if the system failed and caused damages to a third party the town should be indemnified against being sued. Mr. Doty said that the town has at least three other septic systems on town owned land in the area. He said that this could open a can of worms. Mr. Parker said that perhaps this is the time to address them. Mr. Parker spoke to possible concerns about the “green” pond next door to the septic system.

Mr. Doty said that in the past number of years he has been hearing from the residents of town to “leave Menemsha the way it is”. There was discussion. Mr. Doty said that he would want all businesses in Menemsha to be on the same level playing field. Mr. Parker agreed.

Mr. Zeilinger said that the Homeport would be open the same hours of operation as in prior years. The board reminded him that those hours were 5 PM for the back door to open and then the dining room would open between then and 6 PM. It was discussed

that the back door would close around 8:30 PM and that by 10 PM the dining room was closed. Mr. Doty suggested that the last reservations were usually around 9:00 PM and there had been no lunch service.

Mr. Doty reminded Mr. Zeilinger that the town would like to continue using the Homeport parking area during the day. Mr. Zeilinger said that they were planning to continue operating in the same manner as Mr. Holtham had. He said they were working on the details and should be open Memorial Day to Columbus Day if possible. Mr. Doty said that would be a nice season. He suggested that they consider extending through the MV Striped Bass Derby even if it was only three days a week. Mr. Parker agreed. Mr. Carroll said that the Homeport used to open for Mother's Day in May.

Mr. Parker asked Mr. Zeilinger to draft a letter to the Board of Selectmen on the issues raised tonight. Mr. Zeilinger said he would do that. He told the board that the Nixons were open to the idea of carried kayaks using the beach access. Mr. Doty suggested that the town could help do what is necessary to create that limited public access.

MV Commission

Executive Director Mark London, Elected Commissioner Chris Murphy, and appointed Commissioner Bill Bennett came before the board to discuss their budget. Mr. Murphy said that the commission had approved a budget for FY2010 as required by the statute, but they were willing to review what the towns do regarding employee compensation and would amend the commission budget as necessary. Mark London said the budget was down 9% for FY2010 over FY2009 and that assessments are up less than 1%.

There was discussion about the loss of grants. They had been estimated at \$80,000 and were now at \$40,000. He said that the commission had stopped funding the Island Plan and that they would finish working on it within their regular budget.

Mr. Parker said that this was the first time the commission has come before the Selectmen to discuss their budget. He said it was good that they had been to Edgartown, but asked why he had not gone to the other six towns. Mr. Murphy said that notice is always given to the island finance committees of all budget meetings. He said that in the past the MV Commission has spoken to FINCOM chairs and members individually and have incorporated their concerns. Mr. London spoke about the timing. Mr. Parker said it was not a question of timing. There was discussion.

Mr. Fenner said that it was the economic times that were of concern as we work towards a zero increase in our budget this year. He suggested the MV Commission consider reducing the percentage of the premium for health insurance they pay from 90% to the 75% that the towns pay. Mr. London described how they had reduced health insurance costs by not offering the more expensive plans.

Mr. Doty said that his goal was to level fund the Chilmark town budget. He said that the MV Commission was over that by only \$140 out of a \$130,468 assessment. He asked what the issue was. Mr. Fenner commended the MV Commission for doing well on this budget. Mr. Parker asked why the budget hadn't been reduced more with the Island Plan not being funded next year and he questioned if the MV Commission was delivering services in the most economically appropriate manner regardless of level funding. There was discussion.

Menemsha Comfort Station & Trash IFB

The Selectmen discussed the three bids received for the Cleaning Contract for Menemsha this coming season. Bids were received from Smith Properties (\$37,500), Brent Bandi (\$41,700) and Sparkle Cleaning (\$38,000).

The Selectmen asked the representatives from Sparkle and Smith properties to provide additional references for the board to review for their next meeting February 17th 2009.

Mr. Fenner told the group that he would like to see trash service from Columbus Day through December 7th if the weather was nice next year. Mr. Doty pointed out that the bids included a \$700 a week option to provide additional service. It was agreed that the Selectmen could negotiate that if desired.

Bill Bennett

Mr. Fenner welcomed Mr. Bennett and congratulated him on accepting his appointment to be the Selectmen's Representative on the MV Commission for 2009. Mr. Bennett asked for general instructions from the board on where they felt he should focus his efforts.

Mr. Fenner said that some development is both necessary and desirable. Mr. Doty said that the Island Plan process has come up with 10,000 ideas and he hopes that they are not lost in the outcome with the Island plan coming down to something like "Smart Growth" or land use planning. He spoke to the areas of energy, waste management, and economic development. Mr. Parker said that there have been plans before, but that the MV Commission needs to take constructive steps to recommend a implementation process for new plans.

Mr. Doty commended MV Commission employees Bill Wilcox (Water Quality) and Chris Seidel (GIS) for their help and called them outstanding departments of the MV Commission. Mr. Parker agreed with Mr. Doty.

Mr. Fenner said that when the town appeared before the MV Commission on the permit for the Middle Line Road Affordable Housing, he didn't feel that the commission was terribly supportive of the project. Mr. Bennett commented that affordable housing was a mandate of the MV Commission. The Selectmen thanked Mr. Bennett for coming to the meeting.

Menemsha Bulkhead Lots

Mr. Parker moved and Mr. Doty seconded a motion to accept the January 28th 2009 vote of the Park & Recreation Committee to raise the annual rent on the Menemsha Bulkhead lots occupied by businesses (lot 2A Menemsha Fish Market, lot 4A Larsen's Fish Market & lot 9A Menemsha Texaco) by 20% each year for the next three years. SO VOTED: Three Ayes.

The board discussed the lease for lot 5A last issued in 2007 to Louis Larsen (jr.). It was agreed to organize a meeting with the Park & Recreation Committee and Mr. Larsen to resolve the current situation.

Mr. Parker suggested a new line be added to the Bulkhead Lot leases. Mr. Carroll said that the Bulkhead Rules & Regulations require the unanimous vote of the Park &

Recreation committee to change the leases. Mr. Parker will address this at the next Park & Recreation Committee meeting.

The board discussed the upkeep and repairs to buildings on town lots. Mr. Doty asked his fellow Selectmen to submit any specific concerns they had to Mr. Carroll.

Menemsha Creek Lots

The Board agreed to discuss lot 14 with Mr. Louis Larsen (Sr.). The board authorized Mr. Carroll to release the renewals for all the other lots.

Town Clerk

Mr. Carroll reported that Jessica Bradlee had completed her six months of initial probation and that he recommended her for appointment as a permanent employee. Mr. Carroll commended Mrs. Bradlee for her efforts in learning the job of Town Clerk and for the way in which she carried out those duties during the State Primary and Presidential Election. Mr. Hodgkinson concurred and joined in Mr. Carroll's recommendation.

Mr. Parker moved and Mr. Doty seconded a motion to appoint Jessica Bradlee as a permanent town employee. SO VOTED: Three Ayes.

Mr. Doty spoke about how Mrs. Bradlee was a charming and effective person that was a pleasure to have working for the town. Mr. Fenner and Mr. Parker agreed.

Community Center Book Festival

The Selectmen discussed the request of the Summer Program Committee to hold a Book Festival on the Community Center athletic field. Mr. Doty stated that he would not want anyone to use the athletic fields for parking for this event. Mr. Parker moved and Mr. Doty seconded a motion to approve the event on the condition that it is coordinated with the Community center program, the Library and the Fire & Police Chiefs. SO VOTED: Three Ayes.

Tri Town Ambulance Administrative Assistant

Mr. Carroll asked the board to approve the vacancy posting for the Tri Town Ambulance Administrative Assistant. A recent resignation created this vacancy.

Mr. Parker asked the board to send this to the Personnel Board for review of the position description as he had heard there were concerns that this position might not be as high as a Grade 6 after the changes that had been made to the position description. There was discussion. The matter was sent to the Personnel Board for their recommendation.

Thank You Letters

The board agreed to send letters of appreciation to retiring employees Basil Welch and Ozzie Fischer. The board agreed to send thank you letters to Chris Murphy for his three years as the Selectmen's Representative to the MV Commission and Henry Kirwin for providing assistance to the Shellfish Department this past summer.

Housing – Deed Rider for Slavin

The board agreed to read the new version of the document and sign it at the FINCOM Budget Hearing tomorrow, Wednesday February 4th 2009.

Middle Line Road Affordable Housing

Nine companies have expressed interest in bidding on the wells for Middle Line Road. The bids are due at 4:30 PM on Wednesday February 4th at 4:30 PM. It was restated that the well drillers should clear only the minimum amount of trees and brush needed to make access, and that should be within the layout of the future road.

Mr. Doty asked what the process was once the wells were installed. Mr. Hodgkinson said that the rental designs need to be brought to bid document level and that the utilities and Middle Line Road improvements could be done. Mr. Doty said that the estimate to complete the bid documents is \$85,000 and an appropriation is needed.

Mr. Carroll reminded the board that a Project Manager should be on board before a Designer is selected. Mr. Hodgkinson spoke about the project manager working on the WT Town Hall project. Mr. Carroll spoke about perhaps using a local architect. Mr. Fenner asked for a warrant article to fund the bid documents and project manager costs.

DAS

Mr. Parker gave a verbal update on the Distributed Antenna System being negotiated with American Tower Corporation.

All Island Selectmen

The board agreed to host the All Island Boards of Selectmen at the Community Center on March 23rd 2009 at 7:00 PM.

Community Center

Mr. Doty questioned whether the sliding door at the Center could be improved.

Meeting adjourned at 9:29 PM.

Approved: February 17th 2009 Three Ayes