

Present: Frank Fenner, Riggs Parker, Warren Doty, Tim Carroll, Jonathan Revere, Jack Shea, Chuck Hodgkinson, Karsten Larsen, Max McCreery, Jonathan Klarén, Brian Cioffi, Lenny Jason Jr, Sam Bungey, T. J. Hagerty.

Meeting Called to order at 5:15 PM in the Selectmen's Meeting Room.

Minutes of January 6<sup>th</sup> 2009 approved as corrected.

#### Personnel Board

The Selectmen reviewed and approved the position descriptions of the Board of Health Administrator, Beach Superintendent, and Assistant Beach Superintendent. Mr. Parker moved and Mr. Doty seconded a motion to add "j. ability to pass a CORI check" to the position descriptions of the two Beach jobs. SO VOTED: Three Ayes.

Personnel Board Chairman Max McCreery reviewed the draft newspaper advertisement for the Chief of Police position. He requested that the deadline be changed to March 2<sup>nd</sup>.

Mr. Doty asked where the process recommendation the Personnel Board was going to produce was. Mr. McCreery said that it would be worked on at the Personnel Board's next meeting on Thursday. He said that the Selectmen would participate in the process to select the finalists for Police Chief. Mr. Parker said that the Selectmen should read all the applications and individually select who they would like to interview. Mr. Doty agreed. Mr. Doty asked to have the Personnel Board make a book of applications similar to the one we had for the other positions that the Executive Secretary made. He asked the Personnel Board hold the book and keep it confidential. Mr. Parker said that the chosen people would be interviewed by a sub committee. He said the sub committee could include one Selectman and two personnel Board members. Mr. Fenner said he wanted to consult Town Counsel on this. Leonard Jason Jr asked how many applications did the Selectmen expect to have. Mr. Doty asked Mr. McCreery to bring these thoughts back to the Personnel Board.

Mr. Doty moved and Mr. Parker seconded a motion to advertise the amended ad in the MV Times. SO VOTED: Three Ayes.

#### Beach Committee – Lucy Vincent Beach Shed

Chairman Kristen Maloney reported that the existing shed, built 15 years ago by the High School students, was rotting out and needed to be replaced. She said that they were filing permits with the ZBA and the Conservation Commission. The Selectmen asked about the location and size of the shed. They were told it would be slightly longer.

It was said that the neighbors would need to approve the new design because it did not make the setback requirements. Mr. Fenner asked if the building was on skids and a temporary structure. Mr. Jason said he would work with the Beach Committee.

Mrs. Maloney asked the Selectmen for a \$5,000 warrant article to fund the replacement with a new shed built by the MVRHS building trades students this spring.

Chairman Maloney told the Selectmen that the Beach Committee was pursuing the replacement of the porta-potties at Lucy Vincent and Squibnocket beaches with composting toilets. Mr. Fenner questioned if the lease would allow a permanent installation of a composting toilet. Mr. Carroll recounted some of the challenges discovered when this was investigated 15 years ago.

#### Shellfish Advisory Committee

Mr. Doty reported on a meeting of the Shellfish Advisory Committee where they voted to ask the Selectmen to change the catch limit for Bay Scallops. The SAC suggested that the limit be

raised from 2 bushels to 3 bushels in Quitsa Pond only if the commercial shell fisherman will also move 3 fish totes of undersized scallops from Quitsa Pond to Menemsha Pond under the supervision of the Shellfish Constable. There was discussion of how die offs in cold weather in prior years may have been partially caused by an over abundance of undersized bay scallops.

Mr. Fenner suggested opening Quitsa to 3 bushels on Saturdays only. Karsten Larsen said that would not give the commercial fishermen enough time to impact the size of the Quitsa scallop population before they are killed by the ice this winter.

Mr. Doty told the board that the Constable was confident on being able to make this work. There was discussion about having the three totes delivered to the Constable at Hariph's Creek landing instead of distributed in Menemsha Pond. The Selectmen agreed to have the Constable manage this distribution of under sized scallops.

Mr. Parker moved and Mr. Doty seconded a motion to adopt the Shellfish Advisory Committee's recommendation. SO VOTED: Three Ayes.

#### Dukes County Pest Control

T. J. Hegarty and County Commissioner Leonard Jason Jr came before the Selectmen regarding their warrant articles for the 2009 ATM. Mr. Hegarty reported on the past year. He reported that the state is willing to test mosquitoes for EEE and West Nile for another year without cost to the towns.

#### Homesite Deed Rider

The board discussed the draft documents from the housing Committee and Town Counsel. Chuck Hodgkinson suggested changing the oversight of rentals to the Zoning Board of Appeals. Mr. Parker disagreed and said that the Selectmen should retain that duty. The board said that it agreed with the comments Mr. Parker had sent to Town Counsel. The board agreed that hardship cases should be decided by the Board of Selectmen. It was agreed to have Mr. Parker communicate with Town Counsel on this matter and to bring it back to the board on February 3<sup>rd</sup>.

#### Homeport Restaurant

Mr. Fenner read a statement regarding an article in the Martha's Vineyard Times and the potential new owners. The Selectmen discussed the potential sale. It was agreed to invite Mr. Nixon to discuss various concerns with the Selectmen before he closes on the property. There was discussion about staff parking and the location of the existing septic system. It was agreed to invite the Nixon's general manager to the February 3<sup>rd</sup> meeting.

#### Refuse District

Mr. Parker moved and Mr. Doty seconded a motion to have Frank Fenner and Michael Renehan serve as the Chilmark Representatives on the new committee looking into how to move towards an all island refuse district. SO VOTED: Three Ayes.

#### Town Counsel – Disclosure

Mr. Fenner read a letter from Ron Rappaport Esq disclosing that an attorney at his firm was representing Bob Nixon and the MV Savings Bank regarding a loan. The Selectmen found no conflict.

#### MV Boys & Girls Club

Mr. Doty moved and Mr. Parker seconded a motion to approve the May 2<sup>nd</sup> 2009 bike race and fund raiser under the same conditions as last year and that they worked with Chief Rich and Chief Norton on traffic and safety issues. SO VOTED: Three Ayes.

### Community Center

Mr. Doty explained that Mrs. Doty was willing to sponsor the use of the center by Mr. Hotchkiss for the purpose of a free public concert. Mr. Parker moved and Mr. Fenner seconded a motion to waive the fee for use, but not the cleaning deposit. SO VOTED: Three Ayes.

### Tufts Medical Plan

Mr. Fenner asked that the town send a copy of the Tufts' letter to insurance plan participants.

### MV Commission

The board discussed the interest expressed by Tim Lasker, Bill Bennett and Jeff Herman to serve on the commission. Mr. Parker spoke in support of Mr. Bennett. Mr. Doty spoke in support of Mr. Lasker. The board agreed that Mr. Lasker was a first class applicant. The board discussed the years Mr. Bennett spent before the commission as an applicant.

Mr. Parker moved and Mr. Fenner seconded a motion to appoint Bill Bennett as the Selectmen's Representative to the Martha's Vineyard Commission for 2009. SO VOTED: Three Ayes.

### Harbor Dredging

Mr. Parker said that he had received a complaint about a broken bottle in the dredge spoils that were deposited on the beach. Mr. Doty reported that the spoils were not placed on the beach this year, but along the breakwater before the beach groin to re-nourish that structure.

### Menemsha Bulkhead Rents

The Selectmen discussed having a joint meeting with the Park & Recreation Committee before their budget hearing to discuss raising the rents.

Meeting Adjourned at 7:40 PM.

APPROVED: February 3<sup>rd</sup> 2009      Three Ayes