

Present: J.B. Riggs Parker, Warren Doty, Frank Fenner, Tim Carroll, Melanie Becker, Brian Cioffi, Marshall Carroll, Joan Chavez, Emily Day, Megan Dooley, Elizabeth Gude, Barry Lopes, John Pearson, Jack Shea, Jonathan Revere.

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

Special Town Election Warrant

Mr. Doty moved and Mr. Fenner seconded to sign and post the Special Town Election warrant with Question #1 "Shall the Town of Chilmark be allowed to exempt from the propositions of Proposition 2 ½, so called, the amounts required to pay for the bond issued in order to construct three affordable housing duplex rental buildings at Middle Line Road including the payment of all other costs incidental and related thereto?". SO VOTED: Three Ayes.

The Selectmen signed the warrant and gave Constable Marshall Carroll five copies to post throughout Town.

Public Hearing: Street License

Mr. Parker opened the public hearing at 7:35 p.m. Barry Lopes, of Oak Bluffs based Native Island Tours, was present to ask the Selectmen's permission to operate four tour buses over the North Road, Menemsha Crossroad, State Road and South Road. Mr. Lopes said the Setra tour buses measure forty feet long and ninety-two inches wide, and are smaller and narrower than other tour buses that come from off-island. Mr. Lopes attested he had been granted permission from Vineyard Haven and West Tisbury to operate the tour buses, and proposes to have a \$15.00 to \$20.00 fare. John Pearson, Mr. Lopes' associate, proclaimed that their business goal is to compete with existing bus service, but they do not expect an increase in overall tour bus patrons from last season. Mr. Doty expressed concern over increasing the congestion on the rural, narrow roads in Town, particularly in the summer when there are numerous pedestrians using the roads; the Selectmen agreed. In addition, the Selectmen discussed the issue of vertical clearance on Town roads, particularly on North Road, and said it could be expected that the buses would retain damage from low laying branches on North Road. Mr. Lopes said it would not be a hardship to his business to reroute the tour bus and not travel on North Road and Menemsha Crossroad.

With no further questions from the public Mr. Parker closed the public hearing at 7:45 p.m. Mr. Doty moved and Mr. Fenner seconded to grant Native Island Tours a one year street license to operate on South and State Road, renewable if the service is acceptable. SO VOTED: Three Ayes.

Public Hearing: Street License

Mr. Parker opened the public hearing at 7:55 p.m. to hear Ron Minkin's request to operate four tour buses over the North Road, Menemsha Crossroad, State Road and South Road. Mr. Minkin was not present to testify to the application and Mr. Parker closed the hearing to be rescheduled.

Town Accountant Interviews

Ms. Becker reported on behalf of the Town Accountant Search Committee that out of fifteen requests for applications, nine applications were submitted and four people were interviewed for the Town Accountant position. Ms. Becker said the committee was pleased to recommend to the Selectmen Emily Day and Joan Chavez as the finalists to be interviewed this evening.

The Selectmen interviewed Emily day followed by Joan Chavez.

At the conclusion of the interviews, the Selectmen stated that, due to the three years it requires to complete the municipal accounting certification, they expected a strong commitment and longevity from the chosen candidate. The Selectmen decided to meet at 1:45 p.m. Friday, January 8, 2010 to select the Town Accountant.

Filming Request

Town resident Elizabeth Gude was present to speak on behalf of the request from New York University graduate student, Gabrielle Demeestere, to film a ten minute film in Chilmark called the Donut Hole, which would support the completion of her master's degree. The filming will require no more than three hours on Saturday, January 16, 2010 and will take place from Panhandle Road in West Tisbury, up Middle Road to Tabor House Road. The Selectmen questioned if the filming would interfere with traffic, or if a Police Detail would be needed. Police Chief Cioffi said that because the filming would have an educational benefit he would happy to help facilitate any safety requirements needed for the filming. Mr. Doty moved and Mr. Fenner seconded to grant permission for the Donut Hole to film January 14-16, 2010 with the condition that use of any public road is approved by the Police Chief. SO VOTED: Three Ayes.

Approval of Selectmen Minutes

Mr. Parker called for any changes or corrections to the December 1, 4 and 15, 2010 Board of Selectmen meeting minutes. Mr. Fenner moved and Mr. Doty seconded to adopt the minutes as amended. SO VOTED: Three Ayes.

Automark Election Machine

Mr. Carroll informed the Selectmen of the one-thousand dollar annual budget item for the Automark election machine, which is a State provided voting machine that assists impaired individuals with voting. Mr. Carroll and the Town Clerk had discussed the high annual cost for the machine as being cumbersome because the Town has not needed to use the machine since it was provided by the State per a voting accessibility regulation. Mr. Carroll noted one visually impaired resident who chooses to vote by absentee ballot and said that individual arrangements would be made to assist impaired voters as needed. The Selectmen agreed that the Automark machine was not being utilized by the Town, as there was no present demand or need, making the annual cost to maintain the machine an erroneous expense. Mr. Doty moved and Mr. Fenner seconded to not use the Automark machine for the Special Election January 19, 2010 and to direct the Executive Secretary to write the Secretary of State to negotiate other accessibility voting options for future elections. SO VOTED: Three Ayes.

Letter to Sheldon H. Elsen Regarding National Flood Insurance Program

Mr. Parker made note of the Selectmen receiving a letter from Sheldon H. Elsen, a resident of Tea Lane, urging the Town to adopt the National Flood Insurance Program (NFIP). Mr. Parker explained that onerous zoning restrictions that would change the essential character of the Town would have to be adopted by the Town to participate in the NFIP. In addition, by the Town not participating in the NFIP, it effectively eliminates large houses being built in the Coastal District as the houses would require Federal flood insurance to be built. Mr. Carroll recommended the Planning Board form a sub-committee at some point to re-explore the zoning restrictions of the NFIP. Mr. Doty moved and Mr. Fenner seconded to direct the Executive Secretary to write a letter to Mr. Elsen explaining the Town's position on the NFIP. SO VOTED: Three Ayes.

Mr. Parker will review the draft for approval before sending to Mr. Elsen.

Park and Recreation Committee

Mr. Parker announced that the Selectmen and the Parks and Recreation Committee will hold a meeting January 12, 2010 at 7:30 p.m. to discuss the request from Alec Gale and Tim Broderick to lease space on the Menemsha Bulkhead.

Menemsha Fish Market

Mr. Fenner pointed out that the Federal report submitted by Stanley Larsen of Menemsha Fish Market did not indicate the fish he purchased from local fishermen. The Selectmen requested that clarification be made to portray how much fish Menemsha Fish Market purchased from the local fishing fleet.

Mr. Doty moved and Mr. Fenner seconded a motion to proceed into Executive Session to discuss matters of litigation and not return to regular session. SO VOTED: Three Ayes.

Meeting adjourned.

Approved January 19, 2010.