

Present: J.B. Riggs Parker, Warren Doty, Frank Fenner, Tim Carroll, Chris Abrams, Jim Carter, Brian Cioffi, Megan Dooley, Nancy Gardella, Alicia Knight, Jonathan Revere, Paul Watts.

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

Approval of Selectmen Minutes

Mr. Parker called for any changes or corrections to the January 19, 2010 Board of Selectmen meeting minutes. Mr. Fenner moved and Mr. Doty seconded to adopt the minutes as amended. SO VOTED: Three Ayes.

Martha's Vineyard Chamber of Commerce Tourism Fund

Nancy Gardella, Executive Director for the Martha's Vineyard Chamber of Commerce, accompanied by the Chamber board President Jim Carter and Treasurer Paul Watts, presented their proposal to have the Island towns collectively join to establish a tourism fund to market Martha's Vineyard. Ms. Gardella explained that Massachusetts has supported a marketing fund to promote Martha's Vineyard (among other MA destinations) as a premier worldwide vacation destination, but funding has been cut by 66% in 2009 and more cuts are anticipated for 2010. Ms. Gardella attested to the vital importance of tourism to the Island's economy and the success the Chamber has seen from outreach marketing in Europe and nationwide. Ms. Gardella explained that the requested tourism fund would serve as an alternative to the State marketing fund and would not be used for operating funds at the Chamber. Ms. Gardella explained that the Chamber is requesting from each town 20% of the hotel occupancy tax revenue that is collected be earmarked for the Chamber's tourism fund to make up for the loss in funding from the State.

Ms. Gardella presented a warrant article request that would authorize the Town of Chilmark to establish a tourism fund, managed through the Chamber, for sole purpose of destination marketing for the entire Island. Mr. Doty asked what the total fund would amount to if all the Island towns participated and Ms. Gardella said, based on the \$1.4 million collected in room tax revenue for Martha's Vineyard in 2009, 20% allotted to the Chamber marketing fund would be approximately \$280,000. Mr. Carter proclaimed that every dollar spent on marketing returns \$19.00 back into the economy and the loss of those dollars would be potentially devastating to the Island economy. Mr. Carroll said that Chilmark collects \$50,000 in a fiscal year from hotel occupancy tax and 20% of that revenue would cost the Town \$10,000. Mr. Carroll also mentioned a new State law that would allow the Town to increase room tax 2%. The Selectmen all expressed concern about an existing issue and frequent resident complaint about overcrowding in the summer, particularly in Menemsha.

Mr. Doty said the Town should vote on whether or not to establish a tourism fund and then it can be determined how to fund it if approved by the voters. The Selectmen agreed that the Chamber's request to establish a tourism fund should be a warrant article at the Annual Town Meeting.

Chilmark Preschool

Alicia Knight and Chris Abrams were present to request renewal of the Chilmark Preschool lease at the Chilmark School for three years. Ms. Knight declared that the preschool has been very successful having full enrollment and a waiting list. Mr. Parker attested that Principal Susan Stevens is very happy with the Preschool being at the Chilmark School. Mr. Doty moved and Mr. Fenner seconded to renew the Chilmark Preschool lease at the Chilmark School for three years. SO VOTED: Three Ayes.

Ms. Knight also addressed the need for a bathroom to be installed in the preschool room at the Chilmark School. Ms. Knight explained that not having a bathroom in the classroom causes many disruptions throughout the day, in addition to having to hire more staff to transport students to and from the bathroom as well as supervise the classroom. Ms. Knight explained they are meeting with the School Advisory Committee, Up-Island Regional District and PTO to discuss raising money for the bathroom through fundraising.

Boys and Girls Club Event

Mr. Fenner moved and Mr. Doty seconded to approve the Boys and Girls Club National Multiple Sclerosis Society Bike Tour "Ride the Vineyard" on May 2, 2010 with the condition that the Chief of Police approves the route through town. SO VOTED: Three Ayes.

Tri-Town Ambulance Vacancy Posting & Position Description

Police Chief Cioffi, a Tri-Town Ambulance Committee member, spoke on behalf of the request to create a Tri-Town Ambulance Chief position that would replace the Tri-Town Ambulance Coordinator position. Chief Cioffi explained that over the last fifteen years Tri-Town Ambulance has gone from volunteer EMTs to a fulltime service with paramedics, and is working towards compliance with State guidelines to provide a twenty-four/seven paramedic service. With thirty-seven employees in its operation, Mr. Parker said a service of that magnitude cannot be run by a committee, but should have a person running and directing the department and reporting to the committee. Chief Cioffi reported that the Personnel Board approved the position description created by the Tri-Town Ambulance Committee, which requires the Chief to be a paramedic with a salary of grade eleven step one. Chief Cioffi explained that the ALS (Advance Life Support) Supervisor, who is a paramedic, will maintain his position as he is responsible for only the ALS part of the Tri-Town service. Chief Cioffi said that by hiring a Tri-Town Ambulance Chief as a paramedic, in conjunction with the ALS Supervisor being a paramedic and the night-shift covered by Tisbury paramedics, the Tri-Town Ambulance will be in compliance with the State mandate of twenty-four/seven paramedic level service.

Mr. Doty moved and Mr. Fenner seconded to approve the job description and vacancy posting for the Tri-Town Ambulance Chief. SO VOTED: Three Ayes.

Martha's Vineyard Superintendent of Schools Union (MVSSU)

Mr. Carroll briefed the Selectmen on the Warrant Article request from the Superintendents Office regarding a recommendation from the Up-Island Regional School District Committee to replace rotting windows at the West Tisbury School. Mr. Doty said he would like to see an analysis of why the windows were improperly installed which lead to the rotting and have more exploration into the problem. The Selectmen agreed to postpone this discussion until the next meeting and ask the MVSSU to explore the warranty options with manufacturer or with the contractor. The Selectmen planned to ask either the Superintendent or the Up-Island Regional School District Committee to come to the next Selectmen's meeting to explain this issue further.

Wind Turbine Moratorium Warrant Article Request

The Selectmen received two petitions from Chilmark resident Andy Goldman requesting an article be placed on the Annual Town Meeting warrant seeking a one year moratorium on the issuance of special permits for windmills. One of the submitted petitions seeks a majority vote to amend the Zoning Bylaws Article 4.2B and 4.2A to establish a one year moratorium on the issuance of special permits for windmills until April 2011. The second petition indicated a two-thirds vote to pass a warrant article to declare a one year moratorium on the issuance of special permits for windmills until

April 2011. Mr. Parker stated that the two petitions sought the same outcome and Town Counsel had determined this would be an amendment to the Zoning Bylaw, which requires a two-thirds vote at Town meeting. Therefore, the Selectmen agreed to send this petition to the Planning Board to amend Article 4, Section 4.2A.4 “Windmill . . .” of the Zoning Bylaws. The Selectmen made note of the twenty-one day period the Planning Board has to hold a public hearing and sixty days thereafter to complete a report, and expressed their desire to have this completed in time for the Annual Town Meeting warrant. Mr. Fenner moved and Mr. Doty seconded to submit to the Planning Board for their review amendment of Article 4, Section 4.2A.4 “Windmill. . .” Zoning Bylaw to create a one year moratorium in anticipation for such a warrant article at the Annual Town Meeting. SO VOTED: Three Ayes.

Mussel Project Aquaculture Grant

Mr. Doty gave a brief update on the progress of the experimental long line mussel project underway by Alec Gale and Timothy Broderick. Mr. Doty explained that the Conservation Commission requires the project to have a bond that would guarantee their ability to remove the equipment if and when the project ends and an aquaculture permit is needed in order to get a bond. Mr. Doty moved and Mr. Fenner seconded to grant a Commercial Aquaculture Permit to Alec Gale and Timothy Broderick for the production of Blue Mussels on submerged long lines at two sites in the waters of the Town of Chilmark. The locations of the two sites are defined specifically in rulings of the Chilmark Conservation Commission. SO VOTED: Three Ayes.

The Selectmen agreed to ask the Shellfish Advisory Committee to look into soliciting requests for interest from other fishermen in the community that would be interested in creating separate aquaculture zones.

Community Development Grant

Mr. Doty moved and Mr. Fenner seconded to authorize Chairman Parker to sign the Community Development Grant. SO VOTED: Three Ayes.

Chairman Parker signed the Community Development Grant.

Owner’s Project Manager (OPM) for Middle Line Road (MLR)

Mr. Doty recommended the Selectmen hire Michael Josefek of Architectural Consulting Group, LLC as the Owner’s Project Manager for the construction of the rental duplexes at Middle Line Road. Mr. Fenner moved and Mr. Doty seconded to appoint Michael Josefek of Architectural Consulting Group, LLC as the Owner’s Project Manager for the construction of the rental duplexes at Middle Line Road. SO VOTED: Three Ayes.

Mr. Doty said a contract is currently being negotiated to determine Mr. Josefek’s payment structure for the services rendered. Mr. Fenner moved and Mr. Parker seconded to authorize Mr. Doty to sign the Owner’s Project Manager contract for Michael Josefek when it is complete. SO VOTED: Three Ayes.

Town Accountant Request

Town Accountant, Emily Day, wrote a letter to the Selectmen requesting her salary start at grade nine step two due to the experience she brings to the position in addition to her six month probation period will not be completed until after July 1, subsequently she would not be eligible for a step increase until seven and a half months after her hire date. There was discussion regarding the Personnel Bylaw requirements for a step increase and whether an employee should request a step increase if the position was advertised at step one. Mr. Doty moved and Mr. Fenner seconded that Emily Day will

be eligible for a step increase after a positive performance evaluation is completed at the end of her six month probation period. SO VOTED: Three Ayes.

Mr. Parker said the vote will be contingent upon the Selectmen having legal authority to vote in the manner they did.

Cable TV Regional Committee

The Selectmen discussed which Chilmark representative should be appointed to the Cable TV Regional Committee to negotiate the cable television contract and Mr. Doty volunteered to serve. Mr. Fenner moved and Mr. Parker seconded to appoint Warren Doty as the Chilmark representative on the Cable TV Regional Committee. SO VOTED: Three Ayes.

Zoning Board of Appeals Appointment

Mr. Parker addressed the need to appoint an alternate of the Zoning Board of Appeals as a voting member due to Bill Rossi resigning from the board. Mr. Fenner moved and Mr. Doty seconded to appoint Barbara Armstrong a voting member of the Zoning Board of Appeals. SO VOTED: Three Ayes. Mr. Fenner moved and Mr. Doty seconded to appoint Russell Maloney an alternate member of the Zoning Board of Appeals. SO VOTED: Three Ayes.

Distributed Antenna System (DAS) Contract Status

Mr. Carroll provided an update regarding the DAS contract and presented the Right of Way agreement and the leasing agreement to host the Hub station at the Landfill to the Selectmen. Mr. Fenner questioned the commencement date of the Hub lease to begin within three years of the permit being issued and Mr. Carroll said the special permit was issued with a three year time period. Mr. Fenner also asked if the Department of Environmental Protection (DEP) has been notified about the proposed Hub station at the Landfill and Mr. Carroll stated that he has been in contact with representatives from the DEP that have requested special conditions and permitting be obtained by American Tower Corporation (ATC). Mr. Parker stated that a condition to receive appropriate approval and permitting from the DEP should be inserted into the contract. The contract states that in the event the contract is terminated ATC is responsible for removing the nodes within sixty days and Mr. Fenner questioned if the fiber optics would also be removed. Mr. Carroll explained that negotiating with ATC to keep the fiber optics in place in the event the contract is terminated would probably work out in ATC's financial favor. Mr. Parker complimented Mr. Carroll for doing an excellent job negotiating the contract with ATC.

Mr. Fenner moved and Mr. Parker seconded to authorize Chairman Parker to sign the contract with American Tower Corporation to install a Distributed Antenna System when it is finalized. SO VOTED: Two Ayes; One Abstain (Doty).

Mr. Fenner reminded everyone that the Chilmark Pre-School will have a fundraiser Saturday, February 13, 2010 from 6:30 p.m. to 11:00 p.m. at the Chilmark Community Center.

Mr. Doty moved and Mr. Fenner seconded a motion to adjourn. SO VOTED: Three Ayes. Meeting adjourned.

Respectfully submitted by Nina M. Lombardi.

Approved February 16, 2010.