

Aquinnah Board of Selectmen
Minutes of Meeting 10/05/2010
Aquinnah Town Hall Selectmen's Mtg Room

Members present: Camille Rose, Chairman, Spencer Booker, Jim Newman

Also present: Town Administrator Jeffrey Burgoyne, Fire Chief Walter Delany, Randhi Belain, Paul Manning, Marjorie Spitz, Roxanne Ackerman, Durwood Vanderhoop, Jamie Spears Vanderhoop, Carolyn Feltz

The meeting began at 5:00 pm

-Chairman Rose opened the meeting with a request to accept the minutes from the 9 – 21 BOS meeting.

A motion was made and seconded to accept the minutes from September 21st.

The Board voted 3 – 0. The motion passed.

-Under new business the 1st item was Jeff Burgoyne's announcement that he was resigning from his position as Town Coordinator. Board members thanked him for his five years of service.

-Next on the agenda was an agreement to have a special town meeting scheduled for November 9th. There was discussion on setting the tax recap and getting Schedule A done. Board members figured out they could meet to approve the warrant September 22nd.

-The Board took up the request for a transfer of \$5k to cover bills related to the repair of the fire station roof. Camille said there is over 18K in the reserve account for buildings & maintenance fund and can be replenished later on through the stabilization fund. Spencer made a motion to approve the transfer request. Jim seconded.

The Board voted 3 – 0 in favor. The motion passed.

-Next item on the agenda was to look at the Town Hall Window replacement bids. Jeff asked that the timeline could be extended to be certain that everything is in compliance and that there are provisions recommended by Jerry Wiener for specific windows to have extra work done on them. There was talk on getting the windows cleaned while the storm screens were replaced. Spencer made a motion to have the windows cleaned. Jim seconded.

The Board voted 3 – 0 in favor. The motion passed.

-Next on the agenda was the Roxanne Ackerman Lease revocation. Roxanne stated she had received the letter from Town Counsel stating that her aquaculture lease had been revoked and asked if there can be some arrangement since she depends on this type of fishing to make a living. Jim said the problem started when Roxanne was asked to clean up the bags and equipment that had landed on the beaches of the pond. He said the town has numerous complaints about the litter caused with the operation. He said when Roxanne got the 1st letter about the problem, photographs were included showing the damage being caused by the bags. Roxanne said she did get a call from Sheriff's Meadow in April. Adam Moore said to her that there are bags, boats and debris on their property. She apologized and said she'd pick it up. In June she said she got a letter revoking her license from the town.

-Jim said Roxanne had received the letter from the Town on April 15th. Roxanne claimed she never got a letter from the town back in April. She only recalls getting a call from Moore. She stated it's a great project that needs to continue. She said she is working with many different organizations but Jim countered saying,

“You need to work with us.” Jim asked Roxanne if the Selectmen were to go down to the site today, would they find all the bags in the water and not strewn all over the beach? Roxanne said, “Today there are probably bags on both beaches and I will go pick them up and tie them off.” There was discussion between Jim and Roxanne on how the site appears. There was discussion on the propagation of oysters and how it helps the overall shell fishing industry. Jim said the site, which is public, is not being kept clean and maintained. Oyster bags washing up on private beaches is littering and a big problem.

-Roxanne stated she picks up the bags and either puts them back on the site or transports them to her back yard. She said she wrote to Moore in May and submitted letters to the town that were stamped in back in July. Spencer asked how Sheriff’s Meadow was involved. She said they own a stretch a beach close to her site. Spencer asked if he went down to Cook’s beach, he would find none of her bags there. She said there are very few bags and that she keeps bringing more in. Spencer said there should be none. Even though it is a landing area, she does not have the right to stow their gear there, including oyster bags. Roxanne said she didn’t know that.

-Camille read into the record the certified letter sent to Roxanne April 15th from Town Counsel. She then read in to the record the letter sent to her dated June 17th stating that the Board voted June 15th to revoke her license due to public health and safety issues. There was discussion on the BOS meetings that took place and the decisions made regarding the lease. Camille expressed the opinion that there has been a six month period where the town has asked for a total clean up of the site and 3 letters have been written. She did not believe that Roxanne would ever be able to keep the site in good condition and the complaints are so numerous it has become an embarrassing issue for the town.

-Jim made a suggestion that there could be site visit done between Roxanne and members of the board to clearly identify what needs to be cleaned up. Roxanne said she had several hundred bags in the water filled with oysters. When asked by Jim if any of the bags are on land, she said, “Nothing’s on land, except for a few shell bags.” She said Chip came in and got them. Roxanne questioned the board as to how she can improve her project and what increases she would be allowed under her 5 year lease.

-Jim and Roxanne discussed the size of her operation and whether or not it is too big and unmanageable for just one person. Roxanne talked about a discussion she had with Sarah Thulin on her beach related to loose bags. Jim said in spite of the letters, there have been numerous discussions on keeping the site in order and neighboring beaches clean. Spencer added that one of those conversations occurred when the lease was renewed. Roxanne talked about where her operation stands today. Camille stated that there have been two formal votes by the Board to revoke the license. Jim and Camille discussed the procedural options for reinstatement. Spencer opined that if a person has a lease to run a shell fishing operation, and is dependent on it for a livelihood, then the rules and guidelines for keeping an orderly site must be followed to the letter of the contract.

-Jim and Spencer talked with Roxanne and her children of the need to go down to the affected areas, locate and document every piece of equipment Roxanne is owner of that has become debris on public and private lands and set a finite timeline for its removal. Board members discussed the fact that complaints about debris on beaches only have come from the Town’s side of the pond. There was discussion about Roxanne’s request to be put on the agenda of a previous meeting and her failing to show up for that meeting. The circumstances about that failure to meet were talked about.

-Roxanne stated that she will do whatever it takes to bring her operation into compliance. Jim said Board members could go down to the site and mark exactly what needs to be cleaned up. If it doesn’t happen, it’s over. Camille said that in spite of any clean-ups that have occurred, in the past six months the operation has not been kept in a clean and orderly fashion.

-Roxanne and Camille discussed their perceptions of how well the granted operation has worked in the past six months. Board members discussed with Jeff the 3 – 4K estimated cost to clean up the entire operation.

Jim proposed that because it is Roxanne's livelihood, there should be another chance to clean up the site and to keep it in tip top shape. Camille stated that before there can be consideration for another lease, Jim & Spencer can meet with Roxanne and come up with a plan for clean-up. Spencer said he would contact Roxanne to get a date and time and then relay that info to Jim so they all could meet and go over the town's requirements for total clean up and the time frame in which to do it.

-The next agenda item was selectmen's new business; Camille reported that the All-Island selectmen made a resolution for each town Board of Health to vote to support the grant for another tick study similar to the one done on Nantucket.

Jim made a motion to have a letter written to support the project, Spencer seconded.

The Board voted 3 – 0 in favor. The motion passed.

-Jeff said he had heard from Derrill Bazy CPC that the state will get 100% match for next year's CPC funding. He updated a revenue report received for the parking lot. The seasonal total is \$136,337 which is \$23K more than projected. The Board complimented Carolyn Feltz and the staff for the work they did this year in the parking lots.

-There was discussion on the request for reimbursement from L. Bazy for damage incurred to her car in the town's cliff side parking lot. Camille said there has been considerable work done to keep the parking lot well maintained and didn't think Lainy had a legitimate claim.

-Board members discussed the ongoing problem of roofing nails causing tire punctures in the Town Hall parking lot. It was thought that the contractor who recently did the re-roof needs to make restitution since it was in his contract to clean up the site after the job was completed.

-Jeff read correspondence from several community groups inviting them to events scheduled in October.

-The Board met with Adam Wilson, who is an applicant for the Town Administrator's position. Adam spoke to the Board about his educational, business and personal background. Town personnel discussed with Adam some of the expectations they seek in the administrator's position. Adam talked about his background in writing grants. There was also discussion on municipal financial management. Camille and Adam discussed the merits of a tax forgiveness program. There was discussion on the fiscal fallout that occurs with 2 ½ overrides and the use of other funds to pay government expenses. Adam and Randhi talked about Adam's background in personnel administration.

-Jim made a motion to close the Board's meeting. Spencer seconded.

The Board voted 3 – 0 in favor. The motion passed.

The meeting ended at 6:35 pm.