

Aquinnah Board of Selectmen
Minutes of Meeting 11/9/2010
Aquinnah Town Hall Selectmen's Mtg Room

Members present: Camille Rose, Chairman, James Newman, Spencer Booker.

Also present: Adam Wilson, Town Administrator,

Derrill Bazy, Sarah Thulin, Marjorie Spitz, Richard Skidmore, June Manning, Michael Hebert, Brian Vanderhoop.
James Sanfilippo

The meeting began at 5:05 pm.

-The Town Administrator's contract was signed by the 3 Board Members. Adam was welcomed by everyone in the meeting room.

-1st up on the agenda was the 20 State Road RFP being submitted by the Affordable Housing Committee

– Derrill stated the resident home site needs to be transferred to a community land trust. The Island Housing Trust responded to the requirements for the RFP. It has been reviewed by counsel to fulfill legal requirements. The committee wishes to continue working with this organization since they have built and managed other community housing projects in the town as well as island wide.

Jim made a motion to put the sale of 20 State Rd. for \$20,000 to IHT on the warrant for the next town special meeting. Spencer seconded.

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

-Derrill next talked about the 6 acre parcel that's at 45 State Rd. He said a PNS is in the works. The CPC has recommended the purchase of the property with a ten year loan. A warrant article will be drafted asking voters to appropriate \$240,000 to purchase the land. Camille asked about rental possibilities for the parcel. Derrill said he'd update warrant articles and send them to Adam.

-The next agenda item was a review of the Library Associate Letter

Jim made a motion to approve the library endorsement, Spencer seconded.

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

-The next agenda item was a determination whether or not the town would invoke a cost of living adjustment for FY 2012 – Camille said that the budget review will start in January with departments getting their drafts to Adam. Jim said the federal government is not giving a COLA.

By consensus the board will not recommend a cola for the next fiscal year.

-The Board, by consensus, agreed that the date for the Special Town Meeting will be Tuesday November 30th @ 7 pm.

-Next on the agenda was the Sheriff's Meadow conservation restriction. Adam Moore, Executive Director of SMF needs an approval of a conservation restriction for Map 8, lot 84, East Meadow Rd owned by Yvette Eastman. Adam M said there has been a history of preservation of the property. There will be a restriction making it unbuildable. He said the ConCom voted to approve the purchase and are working on a management plan for this property as well as others.

Spencer asked about the restrictions and its benefits. Adam M said it's still her land to access the beach and to have reserved rights as the owner. Sarah Thulin talked about the Eastman family history. June Manning asked if the property has clear title. Adam M. said the SMF is buying a title insurance policy just in case.

Spencer made a motion to accept the Sheriff's Meadow conservation restriction for the Eastman property, Jim seconded.

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

-Next on the agenda was the MVTV – Comcast Legal Expenses. Richard Skidmore talked about the new agreement with Comcast and the attorney Bill Soloman has been chosen to be legal counsel for all the towns on the island. His fee of \$18,420 will be split 6 ways. \$3,070 is Aquinnah's bill. Richard asked the board to authorize up to \$4K. He's met 2 other attorneys and he feels Bill is the best choice for the town. There was discussion on Bill's legal background.

Camille asked why the process is starting now and not 3 years ago. There was discussion on how the agreement will be negotiated for the next 10 years. Richard said 5% of cable's gross revenues have been a boon to community television on the island. There was discussion on whether the legal bill will have to go on the town special or come out of the legal budget.

Jim made a motion to approve Bill Soloman's hiring and the cost for his services not to exceed \$4,000 dollars.

Spencer seconded.

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

-Next on the agenda was the endorsement for the MV Regional Emergency Planning Committee. There was discussion on signing on for the FEMA and MEMA workshops and workshops for the local island community. Chief Randi approves the endorsement. There was discussion on who would be point person working with the EMT team.

The Board, by consensus, approved the endorsement document.

-The 9th agenda item was Cape Light's co-op and the use of photo voltaic @ the town landfill . Camille said there was an opportunity to install a lot of PV's in landfills but the deadline was missed. Cape Light Co-op would get more electricity added to the grid if such a system could be set up in Aquinnah as well as every other landfill still in operation on the island. There was discussion on what the expenses would be in joining the compact and the liability.

The Board by consensus agreed to joining the electric co-operative as well as maintaining the membership to Vineyard Energy co- op.

-Next was a request from Joyce Bowker from the Council's on Aging for a support letter for a grant program her organization is seeking through the hospital.

The board, by consensus, agreed to sign the letter Adam had drafted endorsing the grant application.

-Another request on the agenda came from MV Community Services asking for the posting of an info flyer for their program to end domestic violence in the town's public restrooms. Camille pointed out the public places it would be placed, including town hall.

The Board, by consensus, agreed to the request to have MVCS info flyers for their CONNECT program available in the town's public restrooms.

-The Board looked into raising the town's rate for overtime parking fees – the recommendation for raising fees comes from the police department to raise the price to \$20.00. Ticketing can occur every ½ hour in the overtime

period. Jim asked if it could be 25 or even 30. There was discussion on what is appropriate. Board members talked with Randi the need for signage indicating the price hikes. There was discussion on how long it takes to eat at the various establishments at the cliffs.

The Board, by consensus agreed to up the overtime parking fee to \$25.00. Randi was asked to make sure new signs would go up announcing the new fees.

-After raising overtime parking fees the board took up the matter for a request for the town to acquire the Old South Road. There was discussion on the current condition of the county road and the maintenance needed to improve it. There was discussion on current ownership. There was discussion on the tribe putting in a culvert for drainage purposes. The Board talked about an engineer going over the road and reporting the problems it has that would have to be fixed if the town wished to eventually acquire it.

The Board, by consensus, agreed to table the current proposed acquisition for the time being.

-The 14th agenda item was to look at a proposed West Basin wind turbine. Camille said that R. Ketchum wants to have an experimental wind energy generating facility 20 feet tall and 5 feet wide in the West Basin. There was discussion on what review boards the proposed tower would have to review the project.

The Board, by consensus, decided they would take more time to thoroughly understand the scope and impact the project would have in the West Basin

-Next on the agenda was a follow up review of the status of the R. Ackerman commercial aquaculture project lease. Camille asked fellow members if the town should have the failed project area cleaned up by the town. Jim said not much had been done as far as clean up from the last visit he paid to the site. Spencer agreed that it has gotten worse. Jim asked if Roxanne could be given a letter giving her 10 business days to remove all the materials related to the commercial oyster operation. Camille said that she had received a letter from Town Counsel saying she had 30 days to accomplish just that and she hasn't complied. Camille pointed out that there has been a lot of money spent on legal fees. Jim stated he was aware that Roxanne was notified about this meeting. Board members discussed the request made for a plan and timeline when the project would be cleaned never materialized. Both --- Spencer and Jim acknowledged that "they did their best" in trying to remedy the problem in a timely manner but it hasn't happened.

-Spencer asked about the shellfish that are alive and still have value. Camille said that legally once someone defaults on their lease, the property then belongs to the town. She would like to see the equipment put into a safe place on town property. Once Roxanne pays the bill for the cleanup, she can get her gear back. Camille talked about a logistical plan to remove everything from the pond. She wants to see the town recouping its costs for clean up in this fiscal year. There was discussion on what to do with the oysters still in the bags and whether or not they're still edible or sellable. Spencer said he would talk to Chip to see if he could make a determination if the remaining oysters are marketable.

By consensus, the board agreed to move forward and begin a town clean up of the aquaculture project and storage of the equipment with bills to follow going to Roxanne Ackerman.

-There was discussion of upcoming events occurring later in the evening and the tribe's report on possibly placing two wind energy generating systems on tribal lands.

-Adam gave an update on several road sanding companies and their bids to contract road sanding for the winter.

-Camille talked about the problems with the town generator and costs to rehabilitate it. She said that Vineyard Generator has an air cooled one in the shop and would be willing to take a credit on and get a good price for the generator for around \$5k installed. There was discussion on whether it qualifies for town hall refurbishment money being attached to the town hall.

Jim San Filippo said the Shellfish committee voted to recommend opening the pond for scalloping 11/15 with 2 bushel limit per day. Chip said the time frame will be 7:00am to 4:00pm and not 7:30. No fishing on Saturday's unless there is a cold week day. There was discussion on 3 vs 2 bushels and prior years with additional grass beds. There was discussion on boats still out on the water and what remedies are in place.

-Adam was asked to change the hours of commercial operation in the regulations for scalloping

Jim motioned to approve opening the pond to commercial scalloping on November 15th, Spencer seconded.

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

-Under Selectmen's other business, Adam brought up the issue of the dumpster at the West basin being removed and to know that the town would not try to recover expenses incurred getting ready for Hurricane Earl.

-Marjorie and the Board discussed upcoming warrant articles for disability; insurance and the excess levy that won't go against the tax rate were discussed. Adam also handed an article dealing with policeman longevity.

-Board members signed a reserve fund allocation and the recent payable warrant.

-There was a scheduled warrant meeting set for Friday 11/12 @ 9:00 am

The meeting adjourned @ 6:45 pm.