

Aquinnah Board of Selectmen
Minutes of Meeting 12/20/2011
Aquinnah Town Hall Selectmen's Mtg Room

Members present: Jim Newman, Chairman, Beverly Wright, Spencer Booker

Also present: Adam Wilson, Town Administrator; Walter Delaney, Simon Bollin, Jay Smalley, Sgt Paul Manning, Wendy Swolinzky, Buddy Vanderhoop, Lynn & Susan Murphy, Hollis Smith,

The meeting began at 5:30 pm

1st on the agenda was a review of the minutes from 12/06. Beverly made a motion to accept the minutes as presented, Spencer seconded.

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

1st on the agenda was a review of the Town's Menemsha Lots and the current status of the lease holders. Adam explained the situation of the six lots being currently used and paid for each year but the town having no written leases in place. There was discussion about the number of lots and who are the current users. Buddy said there had been a meeting a couple of years ago and the Board had promised the current users ten year leases but no documents were ever drawn up. Wendy said the meeting was in June of 2009. She said that Hugh (Taylor) sat before the Board and got an agreement for a ten year deal. Jim acknowledged that meeting had occurred and when the new leases are drawn up it will be for ten years. There was an agreement for ten years going back to June. The current users of the lots were identified: Murphy, Rose, Swolinzky, Vanderhoop, Smith and Taylor.

-Adam talked about the Act of '65 that established the land for the town, the deed put in place in '70, and the 2 town agreement that came about in '95/96. Wendy said she had gotten her 1st lease right around the time of the '96 agreement. There was discussion about prior leases being only five years.

-Adam handed out a draft of the new lease and gave copies to the current users attending the meeting. Jim said there are issues that still need to be addressed, including a lot that's not being used and the current rent of \$450 that's been in place for decades.

-Adam told the Board that the proposed lease was drafted by him and Town Counsel. A majority of the document was language taken from prior years Creek Lease agreements. Beverly had a question about the time frame on when the Lessee can ask to renew before the lease runs out. Adam said that there should be language requiring 6 months' notice for renewal. There was discussion about a new user's lease conforming to the 2 town agreement. Jim said the goal of a long lease is to satisfy the capital investment that goes into having a dock or a building. On page 11 there was discussion about some of the provisions in the draft and language being used that includes "may" & "shall". The default clause and violations of the lease was discussed. The Board took up the issue of how specific and how ambiguous the lease should be and the process for renewal. There was discussion about the assignment and subletting clause. Beverly stated that she wants the leases to be as clear as possible, including what the base rate would be and then how increments would take place for the other 9 years of the lease so there won't be trouble for future selectmen boards down the road. There was discussion about the waiting list for these lots and how they remain recorded and not forgotten. It was decided that suggested changes can be looked at by Town Counsel and then to go from there. There was a brief discussion about the rate never been allowed to go up and how research into the procurement laws do not in fact prevent rental rates from going up.

-Next on the agenda was the Shellfish Committee recommendation for the Menemsha Pond. The committee did not want the pond to be open for commercial scallop fishing this year. They did recommend fishing for quahogs using specific dragging techniques. Beverly made a motion to not open Menemsha Pond for commercial scalloping at this time. Spencer seconded.

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

Spencer made a motion to allow skip and rocking chair dredging for quahogs. Beverly seconded.

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

Next was the appointment of an acting fire chief. It was stated that the current acting chief was retiring at the end of December. There was discussion about the rescue truck replacing the truck that was sold to the Town of Gosnold. There was discussion about the current chain of command and lack of authority to get administrative things done. Simon said there needs to be someone appointed now for the last two weeks of December. Walter suggested that an appointment be made to deputize Simon or Jay as Chief and Assistant Chief until such a time that the chief's position was filled.

Jim made a motion to name Simon Bollin as Deputy Chief. Spencer seconded.

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

Jim made a motion to name Jay Smalley as the Assistant Chief. Spencer seconded.

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

-Next on the agenda was a review of the draft for the Board of Selectmen's Code of Conduct. Jim read the document aloud. Beverly asked about how the Town would work through the Town Administrator to get things done. She also asked that the word "specific" be edited out from the rule of Selectmen limiting contact with specific town staff. There was discussion about the Selectmen avoiding micromanaging town employees.

Spencer made a motion to adopt the Town of Aquinnah Board of Selectmen Code of Conduct with the one correction. Beverly seconded.

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

Adam gave his administrative report:

1. The extra fire truck was sold to the Town of Gosnold for \$5k;
2. He handed out the revised draft of the Tri-Town Agreement for further review;
3. He handed out a spreadsheet of the URISD Budget showing that Aquinnah's assessment is 35.5% higher than last year.
4. Adam, Randhi and Jay went to the ACC and met with Berta to figure where additional parking could go for the museum;
5. He reported he has just about wrapped up everyone's performance evaluations and will have a full report to the Board in January;
6. He is working on the energy management services agreement and power purchase agreement with Vineyard Power. The Planning Board has given a special permit for the project;
7. Maria McFarland was hired as the Tax Title Associate. She should start work Jan 4th;
8. The holiday party is tomorrow in the Old Town Hall beginning at 5:00 pm.

-Beverly asked if the town web site could have a blog from Vineyard Power to discuss how they are moving along with the solar array project. Jim thought it would be a good idea but commented on false information being passed around by e-mail that shouldn't go public or allowed on the web site. Board members agreed it would be a good thing for public relations. Beverly said she would contact Vineyard Power and follow up.

- The Board took up the request to re-appointment Camille Rose to the Martha's Vineyard Commission. Beverly made a motion to reappoint Camille Rose for another three year term as Aquinnah Selectmen's Representative to the Martha's Vineyard Commission. Spencer seconded.

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

-Jim asked Adam if he could send Camille a letter for getting the solar photovoltaic project started and moving it forward to getting it done today.

-The Board discussed meeting as the Finance Committee. They settled on January 17th @ 8:30 am in Town Hall. There was discussion about asking department to level fund and to think about a COLA this year. Adam said he'd research what other towns are considering.

A motion was made and seconded to adjourn.

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

The meeting ended at 6:40 pm.