

Aquinnah Board of Selectmen
Minutes of Meeting 12/7/2010
Aquinnah Town Hall Selectmen's Mtg Room

Members present: Camille Rose, Chairman, James Newman.

Also present: Adam Wilson, Town Administrator, County Manager Russell Smith, Police Chief Randhi Belain, Police Sergeant Paul Manning, Shellfish Warden Brian Vanderhoop, Shellfish Advisory Committee Chairman Buddy Vanderhoop, Committee Members/Constables Hollis Smith & Ed Belain, Roxanne Ackerman.

The meeting began at 5:05 pm.

-Minutes from the last three meetings were reviewed.

A motion was made for acceptance of minutes from 11/9, 12 & 16th, 2010

The Board voted 2 – 0. The motion passed.

- 1st on the agenda was recent gasoline purchases by police department personnel. Camille said she went over the bills for the last monthly cycle and questioned whether or not it was economically feasible for the police vehicles to go to the VTA fueling depot as opposed to Menemsha Texaco. There was discussion on the price difference and number of gallons purchased and distance figures. Sgt Paul Manning presented figures that showed the costs are effective when looking at the significant difference in price per gallon between the two fueling stations. He also stated that a majority of the purchases made at the VTA occur while an officer is heading either down or back up-island on official business. There was consensus that as long as that policy remained in effect, usage of the VTA fuel depot could continue.
- Next on the agenda was the formation of a committee to build a new police station. There was discussion between Randhi and the Board about getting the project up and going and recruiting committee members. Besides seeking a few members from the community, it was agreed that representatives from Fire, Police, EMT + the Highway Supervisor & Building Inspector be included. Camille stated that this ad-hoc committee doesn't need a quorum and should have a sunset date to establish project completion. There was talk about getting the project costs on the warrant at next year's town meeting. There was agreement to get the committee going by the end of January.
- The 3rd item on the agenda was to schedule budget meetings & establish department submission deadlines for 2011. Camille requested that town department budgets be submitted by the end of January. Jim said two budgets should be presented – one that shows each department at level funding and the other at 10% less. There was discussion about cost of living issues and the slowness in the national economic recovery. Board members want to have different options for next year's budget and calculate where the town will be based on the upcoming re-evaluation of property assessment. It was decided that finance meetings will start the 2nd week of February.
- Jim and Camille discussed the concept of having a better formula created for the town when having to pay for regional budgets and sharing costs for island wide services. The subject came up with the recent 1/6th allocation for legal fees for the new 10 year cable contract. There was discussion about the differential problem for being assessed for regional services and yet not getting an equitable share of said services. There was discussion about the varied costs of usage such as ambulance service. There was discussion with County Manager Russell Smith about creating a formula that is equitable for the taxpayers using both population and real estate valuation. Camille said all current island wide

assessments and their formulas for payment should be re-examined to see if there can be changes benefiting Aquinnah tax payers.

- In the Town Administrator's report, Adam handed out materials from Randhi seeking Board approval for policies & procedures for the police department. They included Use of Force, Use of Force Reporting, Use of Less Lethal Force and Vehicular Pursuit. Jim & Camille reported that they had reviewed the materials and were comfortable with the policies as they had been presented.
- Jim made a motion to approve the 4 policies as presented. Camille seconded.
The Board voted 2 – 0. The motion passed.
- Camille read into the record a letter of thanks to June Noble for the contribution of 20 State Road for community housing.
- Adam reported on the two bids given to the town last Friday for the window replacement work scheduled for the town hall.
- Jim made a motion to accept the bid from Kral Construction for \$18,100.00 to do the Window Replacement Project at Town Hall. Camille seconded.
The Board voted 2 – 0. The motion passed.
- The Board talked with Paul about setting a date to further talk on the patrolman's contract. It was agreed they'd meet December 14th @ 9:00 am.
- Camille announced that as a result of the additional spending at last week's special town meeting, the official tax rate is \$3.86 per \$1,000 assessed real estate value; an increase of 7cents over last year's rate.
- Adam reported that the contract is in place for the emergency generator to be replaced by David Steere of Vineyard Generator. There was discussion about the generator and putting together a maintenance contract to pay for its upkeep. There was a short discussion on savings in pre-buying propane and Adam was asked to contact DOR to inquire how the town can do that type of 30B bidding.
- Adam had the board sign off on the ABCC liquor license renewal forms for the Outermost Inn & the Aquinnah Shop.
- The subject of the town taking over State Road maintenance was discussed. Camille thought it could be a good idea if the County had a plan in place to handle the contracting for road maintenance island wide. Since the other towns had turned down the offer, by consensus the board did not want to pursue the option as well. A letter to the State DOT would be sent indicating the town would not want to do its own contracting for maintaining the State Road.
- Adam announced the Town Holiday Party scheduled for Thursday, December 16th from 4:00 to 6:30 pm.
- The Board moved on to Other Business. Buddy made a report from the Shellfish Advisory Committee. He stated that a shellfish sanctuary was moved east of its present location. He then stated that George Baird had engaged in scalloping for 4 days before he came in and paid for his scalloping license. The committee voted to revoke his license until this scheduled meeting. He stated that the penalty, as stated in the town's regulations, is revocation of the shell fish license for 6 months as a 1st offense. The committee is recommending that sanction to the Board as being appropriate for the offense. Buddy then went on to say that Wilde Whitcomb also has a scallop permit but is living in West Tisbury and has not lived in Aquinnah for at least one year and is not a student. Therefore he is not eligible to get a license to commercially scallop. Buddy stated that Wilde has perjured himself by stating that nothing has changed from the license application he submitted the previous year. He said that the committee voted to revoke his license until this meeting.

- Camille stated that George's application for the scallop license and \$200 fee was received on November 29th. Buddy said he was out fishing before that. Brian said when he saw George fishing he went to check and see if an application had been submitted and couldn't find one.
- Camille asked what dates George was observed fishing before the 29th. Members of the committee couldn't present exact dates. The Board stated that there would have to be another meeting, of which George needed to be made aware of, where the committee could submit their report, with accurate dates and specific locations George was fishing prior to the submission of his renewal form with the town. He has the right to answer to the report and then a determination can be made if there was a violation of the shellfish regulations and if so, the appropriate sanction.
- There was discussion on when a suspension can occur and the time between an order to cease & desist and the determination by the Selectmen to sanction. The Board and committee members went on to discuss residency status in relation to the shellfish regulations. Committee members argued that Wilde Whitcomb was known to rent property in Oak Bluffs and West Tisbury and did not live in Aquinnah last year. Camille stated that Wilde is a registered voter and is part of a family that owns a home in the town and does qualify as a resident. There was a lot of discussion on the interpretation of residency as it applies to the shellfish regulations. The scallop regulation that one had to have maintained continuous residency in the Town for a period of one year immediately prior to the issuing date was talked about at length. Camille said evidence is needed by the board in order for it to make a proper decision on the matter of Wilde's residency.
- Camille stated that no one's scallop permit can be suspended or revoked until there is a hearing on the matter. The committee must present evidence and those individuals accused of violating the regulations have a chance to respond to the accusations. The Board will hear everything and then make a determination if indeed violations of the regulations have occurred. If so, then the Board will decide the appropriate sanction(s).
- A meeting was scheduled for next Tuesday, December 14th @ 5:00 pm. Adam was instructed to contact Wilde & George and to have them come to the meeting.
- Roxanne Ackerman inquired if the lease she had for her oyster operation was still in effect. Camille stated it had been revoked quite a long time ago. She said there was another vote taken on November 9th to have the town clean up the entire operation. Adam reminded Roxanne that he hand delivered the letter to her the next day that stated that the town was taking over the clean up of the oyster farm. Roxanne made claims she had never been notified and that she thought her lease to run the farm was still in place. Jim and Camille stated it wasn't.
- There was lengthy discussion on the time frame history of Roxanne's aquaculture business.
- Camille made a motion to close the meeting. It was seconded by Jim. There was no further discussion.
- **The Board voted 2 – 0. The motion passed.**
- The meeting ended @ 6:30 pm.