

Aquinnah Board of Selectmen  
Minutes of Meeting 3/20/2012  
Aquinnah Town Hall Selectmen's Mtg Room

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

Also present: Adam Wilson, Town Administrator; Angela Waldron, Animal Control Officer

The meeting began at 5:30 pm

1<sup>st</sup> on the agenda was a public hearing involving a dog bite. Animal Control Officer Angela Waldron gave an accounting of what happened on January 27<sup>th</sup> when Benjamin Higgins had been bitten by Arianna Feldberg's dog. Angela said it was the dog's second offense.

Ken Lieberman, the attorney representing Higgins, spoke about not looking for a specific action as a result of the incident. He presented Higgins' side of the story which included the dinner he and Arianna had together, how the dog interacted with him throughout the evening and how he came to be bitten.

-Ken showed pictures of Higgins face after the hospital visit. He handed over the medical reports. He said cosmetic surgery will probably be needed.

-Arianna spoke about Mac being a rescue dog and the 1st incident of biting when "Mac" was a puppy 4 ½ years ago. She said that back then, like now, the issue has to do with her dog not being given enough space and how she has warned people about that but biting has happened anyway.

-Arianna said she had warned Ben that having dinner at her house could be trouble because the dog has issues with strangers. He can't be crowded and needs his space. The dinner was fine and a lot of alcohol was drunk. When they decided to watch a movie, Mac joined them on the couch. When she went to adjust the volume on the TV, the attack occurred. She didn't see it. Even though Ben didn't want to go to the hospital, she took him anyway.

Arianna read from the State Statute that reads a dog is not considered dangerous if an attack occurs as a result of trespass or some kind of provocation. Arianna acknowledged that her dog did bite Ben and she is now taking steps to have Mac trained. She is trying to be proactive so that an incident like this never happens again.

-Angela stated that it cannot happen again. She talked about the statute not applying with social situations. She was happy to hear that the dog is now getting training from Karen Ogden. Angela said if the dog has these kinds of stress reactions with people, don't let him go near any people.

-Angela's recommendation is to have a Beware of Dog sign on the property, have the dog muzzled when it's out and make sure the back yard has a proper chained fence in the back yard.

-Jim asked what type of dog Mac was. Arianna said he's a Yellow Lab

-Karen Ogden spoke of her training background and what she's doing to train Mac. "Mac" is not a reactive dog. She does not fear for her personal safety. The dog is learning some alternate behaviors. There is education going on for both animal and owner.

-The Board asked what recommendation Angela wants to give. She recommended a muzzle when outdoors, a completely fenced in yard, and a "Beware of Dog" sign.

The Board accepted Angela's recommendations with the understanding that if another biting incident occurs, severe sanctions will result.

-There was more discussion about the history of the dog and how he has interacted with other members of the Feldberg family.

The Board went back to review of the minutes.

The Board went back to Old Business to review the minutes. 1<sup>st</sup> was a review of the Selectmen's meeting March 6th.

Beverly made a motion to accept the minutes as presented, Spencer seconded.

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

There was also a review of the executive minutes from March 6th. Beverly made a motion to accept the minutes as presented, Spencer seconded.

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

-The Board moved onto the agenda item to have bunk beds put into the Fire Department's second floor headquarters. Police Chief Randhi Belain and Acting Deputy Fire Chief Simon Bollin thought the idea was fine since the space was underutilized but the final decision should not be made until a new Fire Chief is hired. The space has been measured and everything will fit but it is the Fire Chief's office so he will have the ultimate say.

-Simon talked about the Fire Department's participation in the disaster drill at the Airport that occurred the previous weekend went well. Aquinnah backed up West Tisbury. Four people went + the tanker truck.

-Next on the agenda was the Senate Resolution. Adam explained what it was all about. He said it is a response to a recent decision by the Supreme Court that favors corporate involvement in electoral affairs.

Spencer made a motion to accept Senate Resolution 772 for the May Warrant. Beverly seconded.

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

-Adam asked the Board to grant permission for the Fall River Radio Club to do its annual event up at the Circle from May 3<sup>rd</sup> to the 6<sup>th</sup>. The Board, by consensus, granted permission to the Radio Club.

Randhi pointed out that the Boys & Girls Club will its bike ride that same weekend.

-Next on the agenda was a review of the proposed new lease agreement between the Town and the Tribe for the Cliff business lots. Adam said he hand delivered the documents to Tribal headquarters March 12<sup>th</sup> and sent an e-mail to Tobias Vanderhoop yesterday asking if they had reviewed the materials and that the renewal issue was on the agenda. There has been no response. There was discussion about the rent being raised 4%, up to \$8.27 per square foot. There was talk about the kiosk being put in the small triangular lot the tribe rents. Adam talked about the changes he made from the current lease to the new one. He said he eliminated the clause that has the Town canceling the lease at any time without reason. He said the lease is similar to the one the other Cliff tenants have.

Spencer made a motion to accept the intergovernmental lease as presented with a new lease payment of \$8.27 per square foot. Beverly seconded.

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

-Adam gave his report.

- 1<sup>st</sup> was an announcement that Amanda Hutchinson's memorial will be April 29<sup>th</sup> from 1 – 4 pm at the Chilmark Community Center.
- There was only one bid resubmitted to re-floor the Town Hall. Mark Clark did another site visit and submitted a bid close to what he had originally estimated. The contract has to have an additional \$300 just in case the metal doors in the foyer need to be trimmed. The slate tile also has to be bought separately.
- Spencer made a motion to accept the bod for the Town Hall reflooring at \$9,260.00. Beverly seconded.

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

- There are 3 people who want to serve on the Personnel Board. June Manning, Kathy Newman and Alexandra Taylor. Spencer made a motion to appoint the three to the Personnel Board until June 30<sup>th</sup>, 2012. Beverly seconded. Adam said he'd send letters.

**The Board voted 2 – 0 - 1 in favor. The motion passed.**

There is a request to use Red Beach for a summer kayaking program sponsored by the Chilmark Community Center. Selectmen and Randhi questioned how the drop off would occur and the unavailability of staged parking for the truck and trailer just off the beach area. There was also a concern about the pick -up of 15 -20

kids at 10:30 when many people show up at the beach. Adam was told to express those concerns to the program coordinator and to see if they still want to go forward.

-The Board voted to go into executive session with Randhi Belain to discuss a disciplinary issue and would not return to the public meeting.

The meeting ended at 6:45 pm.