

Aquinnah Board of Selectmen
Minutes of Meeting 12/03/2013
Aquinnah Town Hall Selectmen's Mtg Room

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

Also present: Adam Wilson, Town Administrator; Chilmark BOS Jonathan Mayhew, Bill Rossi, Warren Doty; Chilmark Residents Todd, Matt, Chris & Maggie Mayhew; Town Moderator Mike Hebert; June Manning, Vern Welch; Gazette Reporter Remy Tumin; Times reporter Pete Squarling; Fire Chief Simon Bollin, Carla Cuch, Giles Welch, Wendy Swolinzky

The meeting began at 5:02 pm.

-1st on the agenda under old business was a review of minutes from 11/19. Beverly asked that there be a mention of Chairman-Elect Tobias Vanderhoop's attendance at the meeting and his being welcomed by the Board and an edit of the Tribe's ongoing pursuit of adoption of state fire code regulations.

Jim made a motion to accept the minutes from November 19th as amended, Spencer seconded.

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

-1st on the agenda under old business was a meeting with the Chilmark BOS. Chairman Warren Doty spoke. He handed out a copy of the procedural format for changing the boundary line between the two towns. He showed a site plan with a proposed redrawing of the town line so that all buildings in respective towns would be fully in the those towns. Specifically the change would put the Mayhew shed in Chilmark and the A. Vanderhoop shed in Aquinnah. There was discussion whether or not the property line would go down the middle of the road. Warren explained that it's a lengthy process to get the change done. The goal is to get the two buildings fully into each town. Spencer expressed a concern of Aquinnah losing square footage and whether or not it's worth it to go through a lengthy process of changing town lines as opposed to having the owners just paying two property tax bills. Bill said it would simplify things between the town's buildings. Beverly read part of the procedural process to change town lines. Warren felt it was important to make this change because it is town owned land that is leased out. Changing the town line cleans up the lots leased to the two residents whose structures sit between both towns. There was discussion about having joint management of the area, including road maintenance and parking. There was consensus that the Board would look favorably towards the realignment.

-Beverly asked that it is taken under advisement and then brought up for more discussion at the BOS January 7th meeting. She asked Adam to have the site plan with the discussed lot line change put on the town's web site for public review and comment.

-Next on the agenda was a review of the custodian job discussion. The Board reviewed the changes made from the original description that was reworked by the Personnel Committee and recommended to the Selectmen.

Spencer made a motion to approve the revised Aquinnah Custodian Job Description. Jim seconded.

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

-Next was the approval of a special fund account for affordable housing. Affordable Housing Chairman Mike Hebert talked about the history of a \$100,000 dollar donation made to the town in exchange for land development off of Moshop's Trail. There was discussion about how to create an account and who would control it. Beverly read the town accountant's e-mail on the subject. There was agreement that disbursement of funds from an affordable housing account would be recommended by the committee to the selectmen.

-Spencer made a motion made to establish an affordable housing gift fund with Selectmen and Affordable Housing Committee both handling administration of the account. Jim seconded.

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

-Next on the agenda was a request to re-appoint Kathy Newman to the MVC as the selectmen's representative.

Spencer made a motion to appoint Kathy Newman to the Martha's Vineyard Commission as the Aquinnah Selectmen's representative for one year. Jim seconded.

The Board voted 2 – 0 – 1(Jim) in favor. The motion passed.

-Next on the agenda was final review and approval of the geotechnical engineering contract with GEI.

-Jim made a motion to approve the contract. Spencer seconded.

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

Beverly signed the contract.

-Next on the agenda was Menemsha Lease Lot A and the existing shed on the lot. Beverly said it's on the agenda because she doesn't see any progress in determining what's to be done with one of the lease holders (W. Swolinzky) having property on another leaseholder's lot (V. Welch). Beverly read correspondence from Wendy's Counsel to Attorney D. Perry (See attached Doc A). She stated that Perry has responded.

-Vern stated the Town's Counsel has advised that there only be a limited amount of time for settling the issue of the shed being on another leased lot before losing interest in the building and the Board has never given Wendy a deadline and it has been going on for months and asked that they now decide a course of action. Vern said that there has not been an extension of time granted. He said Lot B should be taken away because Wendy has violated that lease two or three times. Vern submitted written demands to Board Members, including 5 changes in his lease with the town (See attached Doc B). There was discussion about different violations occurring with all the leaseholders in Menemsha and if anything can be done about it.

The Selectmen did not agree to any of the suggested changes.

-Spencer read from the 5-28 Perry letter that there should only be a short period of time in which an arrangement can be made about the building's future between Vern and Wendy, otherwise there would be risk loss of any interest in the building. Beverly said Dan Perry gave advice and now it's time to follow through.

-Jim made a motion to reconfirm Vern's right to Lot A and that the building stays on lot A as Town Owned property. Spencer seconded.

The Board voted 2 in favor (Beverly & Jim), 1 against (Spencer). The motion passed.

There was discussion about what are the next steps for the shed structure. Beverly wanted to have another lock put on the shed and to find out who owned the current lock. There was discussion about the ownership transfer situation between Wendy and Camille Rose.

-Beverly read an e-mail statement from Berta Welch that the shed's ownership transfer has not been settled (See attached Doc C). Beverly said the shed is now's the town's. There was discussion about whether or not the shed can go out to bid, be sold as surplus property or negotiated as part of the existing lease with Lot A. Carla talked about the shed staying where it is.

There was discussion about the lease for Lot A having language that included the shed. Vern asked about the railings that's needed.

-Adam stated he would talk to the Building Inspector and get a determination on whether or not the structure's deck needed railings in a commercial-marine district.

Wendy came in to the meeting and was told the decision made by the board. There was discussion about what would happen next. Wendy then left the meeting.

-In other Selectmen's business, Adam asked that the Board take up consideration of administratively closing Town Hall the Thursday and Friday following Christmas. Adam pointed out that most employees aren't in Town Hall on Friday's anyway and that if everyone plans on using personal and vacation days for those two days, there won't be enough manpower to keep the town hall open anyway. There was discussion about having the phone message set up so that anyone calling will know the Town Hall is closed for the holiday and 26th and 27th.

By consensus, the Board agreed to administratively close the Town Hall for December 26th and 27th.

-Beverly notified the board that Town Counsel wants to have an executive session for December 17th.

-Simon gave an update on a fire/rescue drill recently done on tribal property involving Tri-Town and Chilmark fire department. He also said that the scott packs that were on the last warrant have arrived and the older equipment is being transported to the island of St. Vincent as planned.

-Mike Hebert, as the rep to the Cape Light Compact group reported that the solar array at the circle bathrooms had a series of mechanical problems and it's been determined that the inverter needs to be replaced. The cost for

such replacement will be \$2,500. There was discussion about the costs of replacement and where the money to pay for it could come from. Jim asked if it's cost effective to repower the 8 panels or dismantle the system and sell the panels. Mike said the system was designed to pay for itself as far as the electricity needed to run the restrooms. The Board, by consensus, agreed that the system should be maintained.

Adam said he'd talk to Jay about budgeting the inverter replacement through buildings & grounds fund.

-Carla asked if there could be a way for trash removal to continue through the Thanksgiving holiday.

The Board agreed, by consensus, that one trash container should be maintained at the cliffs for the entire off season.

-The Selectmen reviewed a reserve fund transfer request of \$7,000 to offset additional costs to maintain the circle bathrooms this past summer season. Board members signed the transfer request.

Beverly signed off on the Permanent Endowment Fund Agreement between that entity and the Town.

-Beverly asked if there was anything else to report. Hearing none...

A motion was made and seconded to adjourn.

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

The meeting ended at 6: 27 pm.