

Aquinnah Board of Selectmen
Minutes of Meeting 3/19/2013
Aquinnah Town Hall Selectmen's Mtg Room

Members present: Spencer Booker, Chairman, Jim Newman,

Also present: Adam Wilson, Town Administrator, Chief Randhi Belain, Sgt Paul Manning, Fire Chief Simon Bollin, Animal Control Officer Angela Waldron, June Manning, Jeffrey Madison, Asst. Assessor Angela Cywinski, and Town Counsel Ron Rappaport

The meeting was called to order at 5:32 pm.

-1st on the agenda under Old Business was a review of minutes from the 3-05 Selectmen's meeting.

-Jim made a motion to accept the minutes from March 5th. Spencer seconded.

The Board voted 2 - 0 in favor. The motion passed.

-1st on the agenda under New Business was a request from UMass Dartmouth to amend language from the Estuaries Project they are working in for Squibnocket and Menemsha Ponds so that the deadline to complete to the study would be December 31st, 2013 instead of June 30th, 2013.

Jim made a motion to amend the completion date for UMass Estuaries Project for Squibnocket and Menemsha Ponds to December 31st, 2013. Spencer seconded.

The Board voted 2 - 0 in favor. The motion passed.

-Next on the agenda was a request from the Fall River Radio Club to utilize the Aquinnah Circle for their annual amateur radio expedition May 3rd to May 5th. Spencer read the request from Ronald Daignault.

Jim made a motion to grant the use of the Circle for the Radio Club May 3rd to the 5th. Spencer seconded.

The Board voted 2 - 0 in favor. The motion passed.

-Jim asked that Randhi be notified.

-Next on the agenda was a proposed petition coming from the Selectmen for medical marijuana dispensaries.

Adam explained the petition requesting a one year moratorium on licensing dispensaries in town is a result of the meeting the Selectmen had with the Youth Task Force back in December and the effort being made by the other 5 towns to incorporate into their by-laws a hold on licensing until the State Department of Public Health releases its regulations relating to individual town licensing. Adam said the Town should enact a town by-law, based on the language used by all the towns that defines medical marijuana use and a one year moratorium from the date when the state releases its regs on how to license a dispensary.

Jim made a motion to put the proposed by-law on the Annual Town Warrant. Spencer seconded.

The Board voted 2 - 0 in favor. The motion passed.

-Randhi followed up by proposing that the town also vote to adopt a public consumption by-law preventing public consumption of the drug. He showed the Board a proposed by-law crafted from Town Counsel's office. He said the by-law will prevent public consumption in any form of ingestion.

Jim made a motion to put the proposed by-law on the Annual Town Warrant. Spencer seconded.

The Board voted 2 - 0 in favor. The motion passed.

-Next on the agenda was a review of the final draft of the Comcast cable contract each town has to agree to in order to get cable service for the island for the next ten years. Adam said each island town board is its own licensing authority to grant to Comcast the right to construct, upgrade, install, operate and maintain a cable television system

within a public way. Adam talked about the new contract allowing for greater build out, an additional PEG Access Channel, discounted service for seniors and \$500K in capital investment for MVTV.

The Board, by consensus, agreed to sign off by March 31st the final contract for cable service by Comcast until 2023.

-Next on the agenda was a meeting with Animal Control Officer Angela Waldron and her request to build a dog pound shelter on the town campus. She said she has taken personal responsibility for dogs not claimed by the end of the day home with her and it's too much of a liability issue. She passed out a brochure that showed kennels able to shelter two or more animals. Angela thought the pound could go where the two sheds are on the other side of the Old Town Hall. There was discussion about the size. Everyone agreed the kennel should be put on a slab foundation. There was discussion about the cost. Adam suggested the project could be funded with free cash at the annual town meeting. Simon suggested looking to the high school for labor support. It was agreed that Jay (Smalley), would be contacted for the follow up and would figure out location and what to purchase.

-Angela also talked about sheltering animals according to a soon to be enacted regional disaster plan. She said there needs to be a plan to shelter animals locally in case the way out of town is cut off. She said she wants to follow the (N)ational (I)ncident (M)anagement (S)ystem for working out a plan for local sheltering of animals.

-Next on the agenda was a request from the Personnel Committee to recommend a new job description for a Director of Public Works. June said it is to benefit Jay with all the various job functions becoming uniform under one title. It also paves the way for a supervisory role he would have with the town custodians. June said the new JD is recommended unanimously by the Personnel Committee and if recommended by the Selectmen will then go to voter approval at town meeting. There was discussion about snow and ice removal for all town buildings. There was discussion about the position being salaried instead of hourly.

Jim made a motion to recommend the new job description for Director of Public Works be placed on the annual town warrant. Spencer seconded.

The Board voted 2 - 0 in favor. The motion passed.

-Next on the agenda was a request from the Connect to End Violence Program for the creation of a domestic violence free zone within the town. Randhi explained that all the police chiefs have endorsed the proposal. There was a proposed street sign the group wants to put up in each town. Spencer read the letter from C. Costello.

Jim made a motion to declare Aquinnah as a domestic violence free zone. Spencer seconded.

The Board voted 2 - 0 in favor. The motion passed.

-In other business, Spencer read a letter from June announcing her resignation from the town housing committee. Spencer thanked her for her many years of service to the town. Adam said he's put the committee's vacant positions on the web site and in the community e-mail.

-Next on the agenda was a request from the Board of Assessors to use legal services for a case involving a non-profit group and their eligibility for exemption. Angela said there needs to be a review by an independent counsel to determine whether or not the town should tax their land. There was discussion about the exemption clause and the DOR having case precedent to allow taxation. The BOA needs to know if the non-profit should be challenged on its claim for exemption or challenge the DOR's claim they should be taxed.

The Board agreed to sign off approving the legal request.

-Next on the agenda was another request for legal counsel from the Board of Health regarding a conflict of interest with one of their board members. Adam said Chairman Richard Skidmore has already investigated bringing a

warrant article to town meeting that would grant exceptions for a septic installer being allowed to serve on the BOH. He just needs to know from counsel if the member has to wait until that is voted upon or can there be some kind of temporary exemption that allows him to continue to serve until that vote occurs.

The Board agreed to sign off approving the legal request.

-The Board looked over the submitted spending, general and CPC warrant articles for the special and annual town meetings. Simon was asked about the work he's doing trying to upgrade fire dept. equipment. There was discussion about the necessity vs mandatory need for different pieces of equipment. A thermal imaging camera was talked about being replaced for \$17K.

-Jim made a motion to go into executive session with Town Counsel to discuss the purchase, exchange, lease or value of real property, and to **not** reconvene in open session afterwards. Spencer seconded.

In a roll call vote, Jim and Spencer voted "aye" to go into executive session. The motion passed.

The meeting ended at 6:30 pm.