

Aquinnah Board of Selectmen
Minutes of Meeting 4/23/2013
Aquinnah Town Hall Selectmen's Mtg Room

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

Also present: Adam Wilson, Town Administrator, Chief Randhi Belain, Vern Welch, Jim Sanfilippo, Wendy Swolinzky, Harbormaster Brian Vanderhoop, Shellfish Chairman Buddy Vanderhoop, Carla Cuch, Berta Welch, Vern Welch, Alexandra Taylor, Hugh Taylor (via Skype), Sgt Paul Manning, Officer David Murphy, Hollis Smith, Nancy Benoit, Whitney Swolinzky,

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

-1st on the agenda was a review of minutes from the 4-2 Selectmen's meeting.

-Jim made a motion to accept the minutes from April 2nd. Beverly seconded.

There was discussion about money budgeted from the highway department for road signs.

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

-Next under old business was the request from Brian Vanderhoop to reconsider the action taken by the Board on January 22nd to reduce the water frontage for Lot B to 35 feet and increase the frontage for Lot A to 70 feet.

Beverly made a motion to rescind the original motion granting Wendy Lot A of the Menemsha lease lots. Jim seconded.

-The discussion began with Beverly saying it seemed like a good idea back in January to give Wendy the room she needed for her business and that she was going to have Camille's shed anyway. But when Brian requested the water space between the two lots be divided in half the whole situation got too confusing and she no longer feels comfortable with her endorsement. She also had concerns in setting the precedent of moving lot lines around to suite everyone's needs. She wants to go back to square one which is when a lot becomes available, it should go to the 1st person on the waiting list.

-Jim asked what will happen to Wendy's ownership of the shed. Wendy said she has a bill of sale. She said she bought it April 11th.

-Wendy said she thought this was all settled back in January. She talked about her use of the shed on Lot A while running her business on Lot B. She said she's been allowed the use of the shed for her business for the last six years. She said she needs the shed to be able to operate her boat rental business.

-There was discussion about how the town leaders over the years have turned a blind eye to the fact that there has been a shared usage of the two lots which conflicts with the leasing arrangement. Spencer identified the problem is that lot A has only 35' of water frontage and Wendy has 60' of dock to work with. He said to Wendy that she wants Lot A, wants the shed on Lot A, and wants the water frontage lines changed so that she can have enough room to put in 60' of dock.

-There was discussion about the site survey never being certified or registered back in 1992 and Hollis's Lot C having more frontage than what he uses. There was discussion about the cliff owners historically having to remove their buildings when their lease ends. Vern brought up the fact that another Menemsha lot is now also going to be available on June 30th. Brian said he has contacted Lynn & Susan Murphy about Lot F being available as of July 1st. He proposed to take the Murphy lot instead so as to have the water frontage he needs. Spencer and Beverly talked about the coincidence that two lots have almost simultaneously become available. Spencer said if two are available on the same day, Brian has a choice, being 1st on the wait list. After he chooses, Vern then has the option,

being next on the wait list, to take the other available lot. Vern asked what his options will be if he ends up with Lot A. He said if that is the case, he'll try and work out an arrangement with the existing structure on the property. -There was discussion about the shed on Lot A being a valuable asset and the shared usage of all the lots down on Menemsha Creek by current leaseholders.

-Hugh spoke about the possibility of the waiting list members drawing lots for the two available. He said the Selectmen have to decide what will be each lot's frontage and how the tides can determine how much dock each tenant needs. Vern stated he wants to make a deal but he needs to know what's going to be presented to him.

-Spencer said Brian is going to have a choice of which lot he'd like to have. His preference, stated earlier in the meeting, was to have Murphy's lot. If that's the case, Vern would then have the option of leasing Lot A. Vern said he needs to know where he stands so that he could possibly cut a deal. Buddy suggested a way Wendy could run her business using only 35' of dock space. There was discussion about what was voted on back in January. Adam read the minutes from January 22nd.

“Jim made a motion to move the lot line so that Lot B is reduced to 35 feet and increase Lot A to be 69.9 feet. Beverly seconded. There was discussion about notifying Chip about Lot B's availability...

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

-Beverly made a motion that as of July 1st, 2013, the town will enter into a new lease agreement for Wendy to have Lot A. Jim seconded.

The Board voted 3 - 0 in favor. The motion passed.”

-Nancy commented on the shed's history and the difficulty in getting it moved. Berta said the ownership of the shed was included in Alfred Vanderhoop's will. There was discussion about the sale of the shack.

Berta said if the shed can't be sold to the new leaseholder, it needs to be removed. That's the protocol with everyone else who leases business space from the town. There was discussion about tenant's rights and the retention of property. Alexandra said the blind eye scenario has made this mess but it can't be continued. She said there's got to be an effort to make it right. She added the Selectmen have to decide what to do.

-Beverly called for a vote on her motion.

The Board voted 2 in favor (Beverly/Spencer), 0 against and 1 abstention (Jim) to approve. The motion passed.

Board Members said they now need to discuss what to do next. Brian said he's written to the Board asking to take over the lease for the Murphy lot. Beverly re-emphasized that as of June 30th, the town owns lot A. She requested that Wendy provide a copy of the bill of sale. There was discussion about the time frame to get new lease holders in place before the summer begins. Wendy gave her story of the history of how her business has grown. She talked about the business being her livelihood and that the season is about to start. She asked for the board to consider her longevity.

-Next on the agenda was New Business. The Board took up the request to renew the taxi license for Aquinnah Taxi.

Beverly motioned to renew the Aquinnah Taxi Cab Company license for another year. Jim seconded.

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

-Next on the agenda was a presentation given by Officer David Murphy on the use of tasers. Randhi explained that David will be taking an instructor's course this June to be certified in training police personnel how to use them. The presentation showed how effective the devices are and how their use has shown statistically the reduction in injury claims for both those taken into custody and police personnel. David explained that protocol allows for taser use in subduing an individual falling between pepper spray and/or baton and a service pistol. David said that for

officers working in remote rural areas, where back-up for a physical confrontation could take as long as 15 – 20 minutes, a taser needs to be available for their protection. Randhi said that the purpose of the presentation is to gain consensus from Board Members that the police department could go forward and draft policy regulations for taser use for the Selectmen to approve.

The Board, by consensus, agreed that the police department could go forward and draft a Taser Use Policy.

-In the Town Administrator's report, Adam said that Library Director Lisa Sherman has filled the P/T position hiring Giulia Fleishman. She is a Chilmark native and graduate of NYU. While in New York, she worked as a page in the reference building at the main branch of the New York Public Library.

-Adam showed a contract for electrical service up to the Cliff Lot just past Berta's Store. He said there is no power there and the Tribe is building an informational kiosk on the site.

Jim made a motion to approve the wiring contract for Ed Ferry. Beverly seconded.

The Board voted 3 – 0 in favor. The motion passed. Spencer signed the contract.

-Adam showed another contract for an engineering survey that needs to be done to fix the culvert on Lobsterville Rd. He said the funds will come out of Chapter 90 road funds.

Jim made a motion to approve the wiring contract for George Sourati. Beverly seconded.

The Board voted 3 – 0 in favor. The motion passed. Spencer signed the contract.

-Spencer asked if there was any other business. Hearing none...

A motion was made and seconded to adjourn.

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

The meeting ended at 8:00 pm.