

Aquinnah Board of Selectmen
Minutes of Meeting 8/06/2013
Aquinnah Town Hall Selectmen's Mtg Room

Members present: Beverly Wright, Chairman, Spencer Booker, Jim Newman (Via Conference Phone).
Also present: Adam Wilson, Town Administrator, Vern Welch, Affordable Housing Chairman Mike Hebert, WTGH/A Natural Resources Director Bret Stearns, DPW Director Jay Smalley, Attny Eric Peters, Wendy Swolinzky, Town Clerk Carolyn Feltz, Jim Sanfillippo, Tri-Town Chief Paul Wilkins, Police Chief Randhi Belain, Fire Chief Simon Bollin, Planning Board Chairman Peter Temple, Carla Chuch, Adriana Ignacio

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

-1st on the agenda was a review of minutes from 7/16 and 7/30. Vern commented that the 7/16 minutes state he was given a cease and desist order for working on the Swolinzky shed railings when in fact he was just asked to stop working on them by the Building Inspector. Adam said he would amend the minutes to state that instead.

Spencer made a motion to approve the minutes of 7/16 as amended. Beverly seconded.

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

Next minutes from 7/30 was reviewed.

Spencer made a motion to approve the minutes of 7/30 as amended. Beverly seconded.

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

1st on the agenda was the LUCAS Loan Agreement. Beverly stated that the Board was ready to approve the agreement with a slight editing of the 1st paragraph about the machine being available for everyone and not just tribal residents.

Spencer made a motion to approve the loan agreement as amended. Jim seconded.

The Board voted 3 – 0 in Favor. The motion was passed.

Beverly signed the document and handed it to Tri-Town Chief Paul Wilkins who was then taking it to Chilmark Selectmen for their signature.

-Next on the agenda was a presentation made by Peter, who comes to the Board as the Executive Director of the MV Donors Collaborative and as a member of the Dukes County Healthy Aging Task Force. He talked about the increasing needs of seniors in the next decade as their population grows. He said it will have a big impact on the various services that cater to seniors and those in the professional care for the elderly and their housing needs. Recommendations are going to be made as to what to do for the needs of elders and how there can be a plan for housing and services that will occur in November. He's seeking representation from the Town for the event.

-Next on the agenda was Mike Hebert from the Affordable Housing Committee. He asked the Board to reduce the AHC from 7 members down to 5. Adam asked about the alternate status staying the same. He said they can be effective with just five.

Spencer made a motion to have the Affordable Housing Committee go from 7 full time members down to 5. Jim seconded.

The Board voted 3 – 0 in Favor. The motion was passed.

-Next on the agenda was a report from Carolyn on the status of the public restrooms. She said everything is back to normal but the temporary port – o – potties are still in place and will remain there as a back-up until all the toilets have proved their fully functional.

-Next was a review of the MOU to approve the County's Health Care Access Program.

Spencer made a motion to approve the Town's Memorandum of Understanding for the Dukes County Health Care Access Program for the next 3 years. Jim seconded.

The Board voted 3 – 0 in Favor. The motion was approved.

-Next on the agenda was a review of the GSA Letter Adam had drafted for the town to send to apply for ownership of the Gay Head Light Station.

It was approved and signed by Beverly.

The next meeting for BOS will be moved to Wednesday 8/21 at 5:30 pm with the summer residents meeting to be at 7:00 pm.

Beverly asked that Adam write a letter to the Tribe complimenting the informational sign boards that are up at the Cliff Lookout.

-Next on the agenda was Attny Peters who talked about the permission letter Wendy needs for her engineer to file with the ConCom for a Notice Of Intent regarding the new placement of the shed on Town Lot B.

Jim asked if the ownership of the shed prevents the letter going forward. Eric said the lawsuit has to do with Camille and not Wendy.

Beverly is concerned about what happens if the town has given permission for the shed to be moved could be relevant to the lawsuit. Eric said neither Wendy or the town or Vern as the leaseholder is involved in the lawsuit. Spencer said the letter is for application purposes only. Peter said the PBPRC is in a continuance over the matter of permitting the move of the shed.

Peter said from the town's point of view each Menemsha lot should be made as useful as possible. If the shed is moved, there can't be another one built on lot A. It's currently on the town line and doesn't meet setbacks. He said the zoning by-laws should be changes so that all the lots could be improved. He suggested the moving of the water lot lines so they all have 54 feet in waterfront length. Peter talked about the marine commercial district and the allowance of fishing sheds keeping it in character with the fishing community. Wendy's application does make the current non-conforming situation less so, which is something the Planning Board looks favorably on. He said the Planning Board is prepared to work on changing zoning by-laws so that shed structures can be in the setbacks. He believes the MVC Commission would go along with it.

There was discussion about the extension of the time granted to move the shed as a result of application made to a town community review board, in this case the PBPRC. Peter said there is still a build ability issue with lot B because a good chunk of it is within the 30' setback.

Eric said there are different processes for different boards and their follow through. He asks that the letter be signed allowing the engineering firm to move forward with the application to the ConCom.

-Beverly questioned the loss of revenue if the shed was moved and Lot A was not allowed to rebuild. She discussed the current lease arrangement. Eric said Lot A still has value because it has water access. Peter said Lot A is only 35 feet in length and is limited in its use.

-Vern made the suggestion that he would buy the dock and pilings for \$500.00. He would agree to let the shack stay where it is and allowing Wendy to use it until January. Beverly said the lot cannot be shared because the leases states they cannot be shared.

-Jim commented that sharing has been going on in Menemsha for years and the lease language should be changed to reflect that and/or allow it.

Spencer made a motion for the Board to sign the ConCom application letter. Jim seconded.

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

Beverly signed the letter. Adam made a copy and gave the original to Wendy.

-Vern asked what his position was with the Board and where he stands with the shed on Lot A. He said he's ready to go fishing. He then left the meeting.

Jim commented that the shack has been shared for years and if Vern is offering to allow it to be shared this year it should be allowed.

-Randhi wanted the Board to consider having the black patrol car becoming the town car to be placed into the Palmer Lot for town's official business. Adam said there could be a considerable cost savings for employees as well as insurance. Beverly would like to have the town logo on the car.

-Adam to look into the cost for travel using the police car for the Palmer Lot for the next meeting.

-Peter asked if the Board can sit down with Wendy and Vern and work something out as far as the shed's usage. Beverly said the Board has suggested to both parties that there can be mediation but the response was that counsel had to be present as well. Spencer said the proper course of action is to have both Vern and Wendy work out something between them and then present their plan to the Selectmen for consideration and hopefully approval. What Vern did tonight, making an offer without the other party's knowledge of the proposal, doesn't work. If both parties can come up with a plan together, he'd consider it.

-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 6:42 pm.