

Aquinnah Board of Selectmen
Minutes of Meeting 4/01/2014
Aquinnah Town Hall Selectmen's Mtg Room

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

Also present: Town Administrator Adam Wilson, Town Counsel Ron Rappaport, Fire Chief Simon Bollin, DPW Director Jay Smalley, Police Chief Randhi Belain, Sgt Paul Manning, Assistant Assessor Angela Cywinski, Assessors Ted Cammann & Darren LaPorte, Berta Welch, PBPRC Chairman Peter Temple, Tribal Administrator Cheron Watchman, Martha Vanderhoop, Cully Vanderhoop, Adriana Ignacio, Engineer Kent Healy, Gazette reporter Remy Tumin, Chilmark Resident Jessica Roddy, Wendy Swolinzky, Attorney Eric Peters

The meeting began at 5:32 pm.

-1st on the agenda under Old Business was a review of minutes from 3/18.

Jim made a motion to accept the minutes from March 18th, 2014 Spencer seconded.

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

-Next on the agenda under Old Business was a further review of the 7 Families proposal to gift abutting property to the Philbin Beach parking lot in exchange for parking space and additional beach access. Ron read additional correspondence from William Lake on the matter of granting only an easement from the Philbin parking lot area and the 7 Family Lot.

-Ron 1st confirmed that at the present time, no one from 7 Families has either parking or beach path access on their property and are proposing the donation of their land in exchange for an easement through the beach lot and exclusive parking spaces. Ron said the idea was for Philbin land to be used for vehicular access to private parking and then again for pedestrian access to the beach. He said that language in the deed from Philbin allows only permanent and seasonal resident homeowners to utilize the donated land and members of 7 Families would have to be residents in order to utilize the parking lot as a pass through to their parking and beach path for pedestrian access.

-There was discussion about the pedestrian path being on private property. There was discussion about the path being used by the town by prescriptive right since its use has never been challenged for 25+ years.

-Ron also asked how the private parking would be policed. Jessica said, "It doesn't matter because we're not interested anymore."

-There was discussion about the number of additional cars that could be parked if extra land was acquired. Peter said zoning does not allow for any more parking lots to be created off of Moshup's Trail. This project would be an expansion of an existing municipal lot and could be specially permitted. Peter did a recent walk through of the property and found it to have more wetland than previously thought. He said the number of additional parking spaces originally thought available for the town (10), would be reduced if the project could somehow still move forward.

-Next on the agenda was a meeting with the cliff lease lot owners. Beverly brought up the subject of trash removal. There was discussion about total removal of the garbage and how much volume of trash is to be removed and whose business bears the ultimate responsibility for the most trash. Jay asked if his department would become responsible for the removal of all refuse generated by the shops at the cliffs or just the trash that comes from doing business up at the cliffs. There was board consensus that the cliff lease holders would continue to maintain their own receptacles for business producing waste and removal of such on a daily basis but that the town would put more receptacles in the general public area so as to cover the public trash that accrues from the visiting public. The focus was on having enough barrels strategically placed so that refuse and recycling can be efficiently maintained. Jay said there has to be more money budgeted for either additional barrel tops or plastic totes.

-Jay said it would be better to put three barrels on the walkway plus the existing one at the bottom of the stairs and by the picnic area. There was discussion about the total cost of disposal, including recyclables.

-Cully asked if there can be a designated handicap spot on the road leading up to his shop. Randhi said the point is taken but utilizing the road up to the AQ Shop is not the answer.

-Next on the Agenda was a meeting with Brian Smith and Curt Schroeder from the Martha's Vineyard Commission to talk about the MVC's assessment increase to the town. Jim said it's tough to ask all the departments to hold the line but not the MVC. Brian said it's got a lot to do with budgeting for legal representation. He said the MVC is playing catch – up with small increases in prior year budgets and additional expenses that forced the Commission to borrow from their reserve fund. He said it's not got to do a lot with current personnel but the benefits that go with paying fixed costs. Curt said there will most likely be a reduction in next year's budget. He said the Commission has had to spend a lot of money defending certain DCPC's. The Board thanked the representatives for coming to the meeting.

-Next on the agenda was a review of the plan for the remediation of the pathway to the bathrooms. Kent Healy and Jay showed pictures of the existing path and several remediation steps that can be taken to reduce the amount of water run-off. There was discussion about the warrant article approved at a previous town meeting for a site survey that could be used instead for construction work to abate the water run off down to the bathrooms. Adam said he'd check to see that the article needs to be rescinded by the town first before having the funds used for the related but different type of project.

-Next on the agenda was a review of the Fire Department's budget. Simon explained the increase for both himself and the volunteer firefighters. Simon said the pay will still remain as a sliding scale of reimbursement based on the number of hours of participation. The Board agreed to the added expenses in Simon's budget. In his department expenses, he said that the Memorandum of Understanding with the other towns for regional training means that everyone pays for the training for all FD on the island. Truck maintenance is also a factor and needs to be increased because of the aging factor of the vehicles. There was discussion about Simon having an administrative assistant 4 hours a week (\$7,500 per year), to help with necessary clerical work. He said that he needs someone or else he's got to renegotiate his contract for more money in order to do the required administrative work. He said he's submitted a job description to the personnel committee for review and hopes to have the assistant's position recommended to the Selectmen before the May 13th Town Meeting.

-The Board went through the DPW budget and the proposed two additional seasonal helpers. The Board agreed to Jay having two seasonal workers for 18 hours a week instead of one that would have to have been benefited. Jay also presented several estimates from painting contractors to repaint trim and windows for the municipal campus. There was discussion about utilizing a federal program that has excess vehicles for use by municipalities for only the cost of insuring them and Jay may be able to get another truck for seasonal work.

-The Board agreed that they will have a quorum to meet on Tuesday, April 15th.

-Adam gave the Board several requests for approvals from various sources. The Board agreed by consensus to approve the following:

1. Approval of town road usage for the MS Bike Ride in April;
2. Approval of the Permanent Endowment Fund agreement with the Town and the MV Savings Bank;
3. Approval of the contract with the Town and Cape Light Compact for the bid contract for NetExtra for electrical power generation.

Beverly signed the relevant documents on behalf of the Board.

-Next on the agenda was a review of the Special and Annual Warrants. There were no changes in the Special except perhaps pulling the warrant for the land acquisition of the 7 Families Land.

-In the Annual warrant, there was discussion about the Assessor's Article requesting \$18K+ hours needed for overlay and revaluation work in the coming year. There was discussion about Angela possibly having an assistant to help with the overlay work. Angela said she needs to research abatements from 1980 to 2000.

Angela said she needs to do her part of the revaluation. Beverly wants to know if there can be a temp hire. Angela said the E-911 coordinator for the official ways list is also something she does. She talked about next generation E-911 will take up 160 hours as well. She estimated that she needs 137 hours for the reval, 160 hours for E-911

projects and the overlay project as well. There is 222 hours left for the vessel work. Spencer said the cost is something the Assessor's Board will have to bear.

In Selectmen's Other Business, Beverly recognized Wendy and Attny Eric Peters. He spoke of the Board's actions at the 3-18 BOS meeting in which they allowed Vern Welch to make improvements on the shed on lot A and to put locks on the doors and asked that the Board hold off on any action regarding the property until the matter of ownership is taken up in a court date that is set for April 11th. There was discussion about Counsel's advice not to do anything with the property until the court date and whether or not members of the Board of Selectmen received that advice. Beverly said the Board has received an opinion that the shed belongs to the town. The Board can wait for the outcome of the court case but if it chooses to grant requests from the Lot A leaseholder to do work on the lot, they have the right to do so.

-Spencer said he has concerns about the shed having no rules as to how it can be used. Jim said the Department Of Revenue reports that the rightful owner of the structure is the town. Eric said the issue here is that there should be a delay in doing anything to the property until the case is settled. Board members said they'd take that under advisement.

In Other Selectmen's Business, there was discussion about the Tribe-Town safety agreement and how it is progressing towards approval and signature. Simon reported that there are a few more edits to the document and then it should be all set.

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

A motion was made and seconded to adjourn.

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

The meeting ended at 7:42 pm.