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## **Minutes of the Commission Meeting Held on October 6, 2005 In the Stone Building 33 New York Avenue, Oak Bluffs, MA**

### **IN ATTENDANCE**

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Commissioners: (P = Present; A = Appointed; E = Elected)

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|---|---------------------------------------|
| P James Athearn (E – Edgartown)         | - Ned Orleans (A – Tisbury)           |
| P John Best (E – Tisbury)               | P Megan Ottens-Sargent (E – Aquinnah) |
| - John Breckenridge (A – Oak Bluffs)    | P Deborah Pigeon (E – Oak Bluffs)     |
| P Christina Brown (E - Edgartown)       | P Jim Powell (A – West Tisbury)       |
| - Carlene Condon (A – Edgartown)        | P Doug Sederholm (E – Chilmark)       |
| - Mimi Davisson (E – Oak Bluffs)        | P Linda Sibley (E – West Tisbury)     |
| - Martin Crane (A – Governor Appointee) | - Paul Strauss (A – Dukes County)     |
| P Chris Murphy (A – Chilmark)           | P Andrew Woodruff (E – West Tisbury)  |
| P Katherine Newman (A – Aquinnah)       |                                       |

Staff: Mark London (Executive Director), Paul Foley (DRI Coordinator), Christine Flynn (Affordable Housing & Economic Planner)

### **1. JENNEY LANE: DRI NO. 573 – EXTENSION REQUEST**

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*Commissioners Present: J. Athearn, J. Best, C. Murphy, K. Newman, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, A. Woodruff*

**Christina Brown** recused herself because she is an abutter and left the room.

**John Abrams** said the approval for the Jenney Lane project will expire in 2005 and asked for a two-year extension while the project is under appeal.

**James Athearn moved and it was duly seconded that the Commission grant a two-year extension of the approval of DRI 573. A roll call vote was taken. In favor: J. Athearn, J. Best, C. Murphy, K. Newman, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, A. Woodruff. Opposed: None. Abstentions: None. The motion passed.**

**Andrew Woodruff** commented that it looks like at least three Affordable Housing projects have ended up in court. He wondered if that is an indicator of what Affordable Housing projects would have to go through. **John Abrams** said more times than not, the projects don't end up in court. The projects that end up in court are the ones that people hear about.

## **2. 7 BEACH STREET: DRI NO. 557 – STAFF REPORT**

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**Paul Foley** reported that John Abrams and Affordable Housing Trust are in negotiations to move the house to 150 State Road and are working on the permits. The house currently at 150 State Road will be torn down and four units will go in on the acre site with quarter-acre zoning. The applicant has set a deadline for the move of the end of the year.

## **3. MVC PERSONNEL MANUAL**

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*Commissioners Present:* J. Athearn, J. Best, C. Brown, C. Murphy, K. Newman, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley

*Andrew Woodruff left the meeting at 7:55 p.m.*

**Christina Brown** outlined clarifications to the personnel policy, which was reviewed by counsel:

- Payment is bi-weekly.
- Bereavement leave for grandparents.
- It had been suggested that new employees receive 75% health insurance coverage, but counsel said that comparable employees couldn't be offered different coverage.
- Employees will be paid while on jury duty.

***Christina Brown moved and it was duly seconded that the MVC Personal Manual as written be adopted by the Commission.***

**Megan Ottens-Sargent** asked about vacation leave. **Christina Brown** said that vacation time can be carried over for a year, not indefinitely.

**Mark London** clarified that the amount of vacation does increase gradually. Following 1 year of employment, employees will receive one extra day each year over ten days to a maximum of 25 days.

**John Best** asked about the employee review. **Christina Brown** clarified that the Executive Director is reviewed by the Executive Committee. Commissioners discussed the logistics of Executive Director review.

**Mark London** pointed out that the personnel policy outlines procedure. In the event that complaints are brought to the Executive Committee; Chapter 831 also outlines procedure. It needs to be clear that the Commission makes the ultimate decision.

**Linda Sibley** pointed out that the Executive Committee and the Executive Director will work out a draft contract that will come to the full Commission. She suggested that the personnel policy have language that says the Executive Director's evaluation would be brought before the full Commission for adoption. There will be some language in the contract to protect the Executive Director, including length of contract, and the procedure by which the evaluation is done. The by-laws read that the Executive Director serves at the pleasure of the Commission. She agrees that three people shouldn't hold the Director's contract in their hands; the Executive Committee should be soliciting feedback from the rest of the Commission.

**John Best** said he could conceive of situations where evaluation of the Executive Director could be a problem; the Commission is currently collegial but it may not always be so.

**Megan Ottens-Sargent** asked about the process for approving the evaluation. **Linda Sibley** clarified that the Commission would vote to concur or not concur with the evaluation and then the Executive Committee could re-write the evaluation if necessary. It's important that the Executive Committee solicit some sort of input in preparing the evaluation.

**Jim Athearn moved to amend the motion in order to include language to the effect that the Executive Director's evaluation must be accepted by the full Commission, and that any termination procedure of the Executive Director must be carried out by the full Commission. A voice vote was taken. In favor: 10. Opposed: 0. Abstentions: 0. The motion passed.**

**A voice vote was taken on the motion to approve the MVC Personnel Policy as revised. In favor: 10. Opposed: 0. Abstentions: 0. The motion passed.**

The revised policy will be reviewed by the Personnel Committee to see if the wording is faithful to the discussion.

The Commission took a short recess.

#### **4. MINUTES**

*Commissioners Present: J. Athearn, J. Best, C. Brown, C. Murphy, K. Newman, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley*

##### **4.1 Minutes of September 8, 2005**

**Jim Athearn moved and it was duly seconded to approve the minutes of September 8, 2005 as written. A voice vote was taken. In favor: 6. Opposed: 0. Abstentions: 4. The motion passed.**

##### **4.2 Minutes of August 25, 2005**

**Jim Athearn moved and it was duly seconded to approve the minutes of August 25, 2005, as written. A voice vote was taken. In favor: 5. Opposed: 0. Abstentions: 4. The motion passed.**

#### **5. PLANNING PROCESS**

**Linda Sibley** announced that the Comprehensive Island Plan Steering Committee has been formed and that Jim Athearn has agreed to be chair.

**Jim Athearn** reported that the Steering Committee will be a broad representation of Martha's Vineyard and should be effective in working with other committees such as the task forces on water, affordable housing, open space, etc. He is hopeful that when the process has been completed, there will be buy-in from the community and this will translate into action in town meetings plans to ensure a good future for the Island. He feels that their work will bring new

concrete changes to how business is done on the Island. Representation in the planning process will include dozens if not a hundred people through the Steering Committee and Task Forces.

Members of the Steering Committee are: John Abrams, Clarissa Allen, Marie Allen, Jim Athearn, Prudence Burt, Tom Chase, Steve Ewing, Ann Floyd, Ray Laporte, Ned Orleans, Kerry Scott, Linda Sibley, Elio Silva, Russell Smith, Brett Stearns, Henry Stephenson, Paul Strauss, Richard Toole, Susan Wasserman, and Durwood Vanderhoop.

## 6. OTHER

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LUPC will meet on October 17<sup>TH</sup> to review Our Market's application, the DRI checklist, and perhaps the Cozy Hearth septic system for a technical meeting with staff and Edgartown board of health.

The meeting adjourned at 8:40 p.m.

Linda B. Sibley  
Chairman

2/2/2006  
Date

Nathaniel J. Mears  
Clerk-Treasurer

Feb. 2, 2006  
Date