

## TISBURY BOARD OF SELECTMEN MEETING MINUTES

51 Spring Street, Box 1239, Vineyard Haven, MA 02568

**Tuesday, November 1, 2016**

**Town Hall Annex, High Point Lane, 5:30PM**

**Members present:** Selectmen: Melinda Loberg, Chair; Tristan Israel, Clerk; Larry Gomez

**Staff Present:** Barbara Lampson, Executive Assistant; Jonathan Snyder, Town Treasurer; Anne Marie Cywinski, Asst. Tax Assessor; John Crocker, Interim Harbormaster; Public Works Director, Ray Tattersall; Building and Zoning Inspector Kenneth Barwick,

**Others present:** Phil Hale, Jeff Canha, Mary Ellen Larson, and other members of the public

*Meeting called to order by Melinda Loberg at 5:30PM.*

### **TOWN ADMINISTRATOR'S REPORT:**

Jay Grande, Town Administrator, is absent and a brief report is given by Executive Assistant Barbara Lampson.

**Joint Meeting with Waterworks:** Barbara Lampson states that this meeting is being postponed to a later date.

**Beach Road Design Review Committee:** Announcement is made that there will be a meeting on November 14<sup>th</sup> at 5PM, and that Jay Grande has written a letter to all property owners along the project route and invited them to attend and bring their questions and comments, and that input is welcomed from the public.

**Special Events Policy:** Announcement is made that a Special Events Policy is being worked on by Jay Grande and Barbara Lampson and will be brought before the Selectmen at an upcoming meeting.

**Personnel Policy, Update:** Announcement that personnel policies are being worked on Personnel Manager Kim Lucas, and that these policies will be sent out in draft form to department heads by the upcoming Friday, for their comments and review.

**CPC Final Applications:** There is an overview of final CPC applications given.

### **PUBLIC HEARINGS:**

**FY 2017 Tax Rate Classification Hearing:** Assistant Assessor Anne Marie Cywinski is introduced and hand-outs are produced. She explains that the tax values for the upcoming year have been certified, but have not yet been compared to the actual levy. An presentation outlines overall increase in real estate assessed values over the past year, with an overall value increase of 5%.

Melinda Loberg asks if all properties underwent re-evaluation? Anne Marie replies that the Town did an interim adjustment. She explains further that re-evaluation years have been extended from 3 to 5 years under the Municipal Modernization Act. Town Treasurer Jon Snyder discusses the differences between commercial and residential valuations, stating that 89% of the Town is residential, and asks the Selectmen if they want to vote a commercial shift for the upcoming year. Further discussion of tax rates and the residential shift ensues. Snyder states that the residential exemption is currently 18%, but is allowable up to 35 % under the Municipal Modernization Act.

Further discussion ensues on topics such as where to find out if you are due a residential exemption (on the tax bill), what qualifies a property owner for the residential exemption (where an individual is primarily domiciled).

Phil Hale, owner of MV Shipyard, comments that he is not in favor of a commercial shift. Josh Goldstein, owner of the Mansion House, also comments that he is against a commercial shift. Larry Gomez comments that the Town has a "pretty cheap" commercial tax rate and he thinks the business owners should take a look at that. He also questions whether he can vote on the commercial shift since he is a Town business owner. Tristan Israel informs him that he is able to vote, but suggests that the Selectmen invoke the rule of necessity.

Motion: to invoke the rule of necessity in regards to the vote on the commercial shift. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously 3 yes, 0 no, 0 abstentions.

**Motion:** *to not shift an additional burden of tax levy onto the commercial class.* Tristan Israel moves, Larry Gomez seconds, **motion passes unanimously: 3 yes, 0 no, 0 abstentions.**

Discussion moves on to consider the Residential Exemption. Mary Ellen Larson comments that a large proportion of Tisbury residents are seniors for whom the exemption is very important and she would like to see it continue.

Paul Cifola recommends to the Assessors examining who is here year-round and who is not. Joe Tierney urges the Selectmen not to eliminate the exemption because it is a big help to the working people in Town. Anne Marie Cywinski comments that this is one of the reasons the tax classification hearing is held, in order to publicize the

residency exemption. Harriet Barrow states that the Selectmen used to have a non-residents meeting every year to discuss these issues, Melinda Loberg states that the Visioning Council has stated the intent to hold such a meeting next summer, and so that is the Selectmen's intent to hold such a meeting.

**Motion:** *to close the public portion of the Tax Rate Classification Hearing. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously 3 yes, 0 no, 0 abstentions.*

Tristan Israel comments that everyone who owns property in the Town of Tisbury could have the appearance of a conflict, and so proposes use of the Necessity Rule again.

**Motion:** *to invoke the Rule of Necessity. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.*

Discussion continues, a letter written by a season resident is referenced by Melinda Loberg, and Tristan Israel speaks in favor of the Residential Exemption, particularly in regards to the high cost of living for people living here year-round.

**Motion:** *To approve the Residential Exemption of 18%. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.*

**Motion:** *to continue the hearing until November 15 at 5:30PM. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.*

#### **Public Hearing on Proposed Increase In Mooring Fees:**

Melinda Loberg reads the Hearing Notice. Jon Snyder recounts the history of agreed-upon mooring fees approved by the Selectmen in the past, resulting in a 10% increase being recommended for adoption this year for all types of moorings, in all locations. Jon Snyder recommends increasing the commercial moorings for the inner harbor as this is a Town asset which is currently underutilized. He recommends consideration of some action to take back some of that value, options discussed are taking back 20 moorings, which would result in \$70,000 additional revenue for the harbor, or to raise the rates that are charged to the commercial lessees. Tristan Israel is concerned about the fact that the Harbor is projected to lose money this year, and agrees that the Selectmen need to look at some of these proposals. He suggest looking at it further in more meetings, but that for the short term he wants to take a look at what the Selectmen have essentially already agreed to do. Larry Gomez makes the point that we need to make more money to cover the Harbormaster's budget, and that if the private interests are making money on something that could be better utilized to cover the revenues needed by the Town, and the Harbor, he is in favor of considering it. Melinda Loberg suggest taking commercial mooring fee increases out of any motion to increase fees. Tristan Israel disagrees. Melinda asks to open up the hearing to public comment. Jeff Canha, town resident asks if Harbormasters figures are available in past Town reports, and Tristan Israel clarifies that he is referring to projected figures for the upcoming year. Melinda Loberg states that the goal was 25% over 5 years. Phil Hale comments that he accepts that. He also explains that the Army Corps engineered his specific moorings over 25 years ago for his specific purposes, and he is not sure that it is legal for the Town to take them back. He explains that he has those moorings for his customers to tie up at so that he can work on their boats. He states that the Town needs to focus on why they are losing money, and not charge the business community more. He says he accepts the 10% increase.

Michael \*\*\* says he is on the Harbor Management Committee, and has not heard about taking back commercial moorings. Melinda Loberg clarifies that these are ideas put out by the Town Treasurer, and not in fact what the hearing is about, and that there will be further discussions on these ideas at a later date. Tristan Israel states the need to take new looks at how the Harbor is managed overall, and how the Town does business. John Crocker states that the Harbor Management Committee will be considering a lot of these revenue ideas at our next meeting. Mary Ellen Larson of the Finance and Advisory Committee states that the Harbor has suffered with the new management, and various upgrades, and steps are being taken to improve and hopefully up the revenues.

Melinda Loberg states that she encourages the Harbor Management Committee to consider some of these ideas.

Larry Gomez states that they want the public to recognize that they are looking for ways to generate revenue.

**Motion:** *To close the Hearing on Proposed Increase In Mooring Fees: Larry Gomez moves, Tristan Israel seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.*

**Hearing closed at 6:38PM.**

**Motion:** *To approve the 10% increase in mooring fees. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously 3 yes, 0 no, 0 abstentions.*

Melinda Loberg requests that the Harbor Management Committee take these ideas back to their next meeting and have a fuller discussion of them.

Tristan Israel asks if the Town can maybe get a consultant to guide the actions of the Town in regards to the Harbor for issues of revenue, character, etc.

**Public Hearing On Tisbury Waterways Regulations (continued):**

Tristan Israel reads the Waterways Hearing Notice. Hearing opened at 6:41. Tristan Israel explains that the Hearing was repeatedly continued while the Town awaited the final ruling from the State Attorney General on the proposed moratorium.

Melinda Loberg states that this was done in order to give the Town time to come up with a more wholistic overall approach to the waterways regulations, and better define the uses of all the Town's waterways, not just the Harbor. States that the Vision Council is going over these issues but it takes time, and that was the point of the moratorium.

**Motion:** To approve a temporary moratorium starting November 1, and ending 18 months later on approximately May 1 of 2018. Larry Gomez moves, Tristan Israel seconds, motion passes unanimously 3 yes, 0 no, 0 abstentions. Phil Hale comments that he thinks a lot of these issues are covered under the Harbor DCPC.

**Motion:** To close the public hearing. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

Hearing closed at 7:02.

**DEPARTMENT / COMMITTEE REPORTS:**

**Snow Removal:** DPW Director Ray Tattersall gives a comprehensive overview of snow removal plans for the upcoming winter.

**Seaport Grant Application:** Interim Harbormaster John Crocker gives an explanation of the Seaport Economic Council Grant application, which is to help pay for infrastructure repairs/replacement in Lake Tashmoo.

**Motion:** To approve the application for the Seaport Economic Council Grant. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously 3 yes, 0 no, 0 abstentions.

**Dredge Permits Update:** John Crocker explains that the most immediate dredge needs are in Lake Tashmoo, at the bulkhead and in the channel. He states that they now have an Order of Conditions in place for this, and that the Dredge Committee is close to having their 401 water quality permit. He states the need to update the Army Corps permit. Tristan Israel asks if we have the money to do all this, and John Crocker says yes. Melinda Loberg states that money has been set aside incrementally from the Embarkation Funds, but state the need to make renewal of the permits a more regular and cleaner process. Larry Gomez asks if the money is coming from the stabilization funds? Jon Snyder answers yes, dredge stabilization funds. Larry Gomez asks if the money has to be voted at Town Meeting, and if it would then be available immediately, and Jon Snyder answers yes on both counts.

Melinda Loberg asks for the committee to update the charge for the Dredge Committee that defines the staff members on the committee as non-voting, which may allow for more voting members to be added.

**DISCUSSION:**

**MA Clean Energy Center Grant:** Melinda Loberg explains this grant opportunity as generated by the Board of Health to help with nitrogen mitigation and funding to help residents with this, and that it involves water testing and upgrading our water-testing lab. She explains that there is a \$150,000.00 maximum award, and that the required match for the Town would be \$8,000.00

**Motion:** To support the application for the MA Clean Energy Center Grant. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

**Weather Flow Weather Station, Lease Extension:** Kenneth Barwick, Building and Zoning Inspector, produces a renewal of the lease for the Weather Flow Weather Station at the Town Landing on Beach Road.

**Motion:** To approve the accept and sign the lease contract for another 4 years. Larry Gomez moves, Tristan Israel seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

**APPOINTMENTS:**

Hunting/Firearms Regulations Committee, prospective appointees:

**Motion:** To appoint Eric Medeiros, Phil Hale, John W. Grande, and Daniel Hanavan to the Hunting / Firearms Regulations Committee. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

**ADMINISTRATION:**

**Motion:** To approve rate increase for Jonathon Cohen. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

**Motion:** To approve the Step Increase for Asst. Treasurer, Kim Serpa. Tristan Israel moves, Larry Gomez seconds, ***motion passes unanimously: 3 yes, 0 no, 0 abstentions.***

**Motion:** To approve the rate increase for Cecily Greenaway, Reference Librarian. Tristan Israel moves, Larry Gomez seconds, ***motion passes unanimously: 3 yes, 0 no, 0 abstentions.***

**Motion:** To approve the signing of the Cemetery Deed for Book 4, Page 126, Lot Z-272. Tristan Israel moves, Larry Gomez seconds, ***motion passes unanimously: 3 yes, 0 no, 0 abstentions.***

**Motion:** To approve the Payroll Warrants and Warrants Payable as follows:

#102216 for \$315,423.39

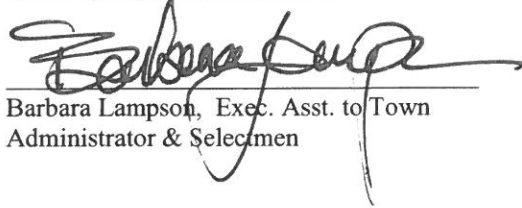
10/20/2016 for \$1,739.92

10/18/2016 for \$216,410.66

10/25/2016 for \$246,301.54

Tristan Israel moves, Larry Gomez seconds, ***motion passes unanimously 3 yes, 0 no, 0 abstentions.***

Meeting adjourned at 7:58PM.



Barbara Lampson, Exec. Asst. to Town  
Administrator & Selectmen



Melinda Loberg, Chair