

TISBURY BOARD OF SELECTMEN MEETING MINUTES

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

Tuesday, October 4, 2016

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

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

Staff Present: Jay Grande, Town Administrator, Barbara Lampson, Executive Assistant; Dan Hanavan, Chief of Police; Ray Tattersall, DPW Director; Kenneth Barwick, Building and Zoning Inspector; John Custer, Principal, Tisbury School

Others present: Richard Marks and Joseph Sullivan, Daedalus Corporation

Ben Robinson, Planning Board; Elaine Barse, Sarah York, Scott Mullin (Vineyard Haven Band members) and other members of the public.

Meeting called to order by Melinda Loberg at 5:36PM.

Daedalus Presentation:

John Custer of the Tisbury School introduces Richard Marks and Joe Sullivan of the Daedalus Corporation.

Principal Custer explains that Daedalus is the Owner's Project Manager of the Tisbury School MSBA project.

Richard Marks: explains the process of OPM or Owners' Project Management services and in-house cost estimating that Daedalus provides. Explains that they have done the West Tisbury EMS building, the West Tisbury Library, the Oak Bluffs Fire Department Building. Also they have done a wide variety of school projects off the island in other communities. Explains the steps of the process: coming up with options for and hiring an architect, with proposal due back from architects by October 30th. Interviews of the architects to be held on Nov 22 in Boston. A panel will vote on the choice of architect with the Town having three votes on the panel. After the architect is chosen the next stage is the feasibility study, lasting 4-5 months. OPM will study different sites, and different scopes for the project. He states that they will look at the size of the school, the configuration, and where the kids would go during construction. States that the final result of this phase is a "preferred option".

Further explains that the preferred option gets presented to the MSBA in October of 2017. After that there is a 120 day period to secure funding, and the "eligible expenses" covered by the State can be can go up to 41.5 million dollars, but will probably net out at 20-25% of the total cost.

Tristan Israel asks if the percentage has gone down, he believes that Edgartown got 50% of their funding.

Marks states that it may be possible to push it up to cover 44% + _ of the total costs. Explains that enrollment drives square footage, and if the Town decides on more square footage than is approved by the State then these are ineligible costs. Currently the state plans for 22 students per classroom.

Tristan Israel asks if the enrollment figures cover school choice numbers, Marks answers that the enrollment is fixed at 285.

John Custer states that the school management completed an enrollment projection process, and that the school is currently up to 318 students.

Tristan Israel states that he hopes the Town will be able to voice opinions and not just be given a final decision.

Melinda Loberg states that people in the Town will be very interested in seeing the design options and will want to weigh in.

Richard Marks describes the process of selecting the architect, and states that the architects services are provided on a fixed-fee basis.

DEPARTMENT / COMMITTEE REPORTS:

Halloween Street Closures: Jay Grande introduces Chief of Police Dan Hanavan, who will be discussing the Halloween street closures.

Dan Hanavan states street closures as follows:

- Franklin Street at Clough Lane,
- William Street
- Center Street and Spring Street from Main to Franklin

Motion: to approve the street closures for Halloween as outline by the Chief of Police, Dan Hanavan.

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

LDO Update: Ray Tattersall, DPW director, is introduced and distributes hand-outs for the Local Area Drop-Off (former landfill):

Ray states that in researching other local regulations, and in consultation with his existing staff, he has new LDO regulations to propose as follows:

- No acceptance of commercial brush
- Residential brush on Saturdays only, with a flat fee of \$25.00
- One day trash fee during summer months to accommodate renters who need to get rid of trash before leaving the island, where they would pay a one-day \$20.00 use fee in addition to the

He states that most of the other towns on the island don't take brush from the landscape businesses, and that if these new rules are approved there may be no need for the use of coupons

Discussion continues regarding whether commercial businesses should be able to dump leaves and brush.

Jay Grande states that DPW does not have the staff and resources to handle the burden of brush and leaves that Tisbury is being brought by the commercial businesses.

Tristan Israel objects to the topic being brought up in the middle of leaf season.

Grande responds that due to the volume of brush and leaves accepted in the past, the area intended for new solar array was rejected because the ground was unstable due to the former large amount of brush and leaves dumped there.

Ray Tattersall suggests a one-day brush day for commercial trucks and residents.

Jay Grande states that whatever we do we need to make it simple, so that the regulations are easy for staff to understand and enforce.

Larry Gomez states that he likes the idea of leaves free, and brush on Saturdays.

Melinda Loberg comments that this is a good start, and asks Ray Tattersall to come back with concrete recommendations Nov. 1.

Motion: *To accept leaves and grass and garden clippings for free from residents (non-commercial) effective immediately. Larry Gomez moves, Tristan Israel seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.*

DISCUSSION SESSION:

Selectmen's Policy:

Jay Grande explains that the Selectmen have been working on advisory policy for each of the Town Boards and Committees to follow, so that they know that they are supposed to conduct themselves in a particular way, in regards to conduct, purview and responsibilities; reporting back to the Selectmen and following the guidelines from the Town Clerk.

Tristan Israel states that this is in regards to following up on the new regulations on Public Records requests.

Grande states that he is drafting a public records policy.

Israel states the need for quick compliance with public records requests.

Melinda Loberg comments that we need to work on how the minutes are being collected, and to make it more timely, regular, and in regards to posting them on the web site.

Jay Grande states that he and Barbara Lampson are working on this policy with the Town Clerk, and will bring that policy back to the Selectmen for consideration on a later date. He asks for the Selectmen for any general guidance they may have and to ask approval of spending time on this effort.

Special Events Policy: Jay Grande states that they have made a good start on special events policy for the Town and that it will be brought to the Selectmen at an upcoming meeting. He says that policy will also apply to events at the Tashmoo Spring Building.

He will work on policy with Building Department, Fire, and bring it back to the Selectmen, and states additionally that they are working on updating the beach regulations, hunting/firearms, and rental regulations, and that these will be on the agendas for future meetings.

Letter from Finance Advisory Committee Re: Increase in Mooring Fees: Melinda Loberg states that the Selectmen have received a letter from the Finance and Advisory Committee regarding a recommended increase in the mooring fees.

Town Treasurer Jonathon Snyder stated that during his term as Selectman he remembered they agreed to raise them every other year, which has been done, so fees are due to go up next year.

Melinda Loberg states that they held a hearing five years ago, which laid out fee increases for the next five years.

She mentions discussing the possibility of raising the fees for commercial moorings as well, but states that this is not mentioned in the current letter provided by the Finance Committee.

(Spreadsheet from prior hearing is passed out, generated by prior Town Treasurer Tim McClean.)

Loberg states that the last year included was the upcoming recommended increase of 10% for FY2018, which is the increase currently recommended by the Finance Committee. She states that the prior spreadsheet also recommends increases to commercial mooring fees.

Selectmen agree to revisit and vote at an upcoming meeting, on November 1, or November 15.

PROSPECTIVE MEETING AGENDAS:

There is discussion of whether a public hearing is required to discuss the possible ban on shellfish dragging in Lake Tashmoo. Selectmen agree that public meeting law is satisfied by adequate notification of what will be discussed so that people may attend and bring comments if they choose to do so.

Jay Grande also states that the eelgrass committee needs to come back before the Selectmen at a near future date.

Tristan Israel asks where we are with the Attorney General's response to the Waterways Regulations, and Jay Grande states the intent to have the hearing on November 1.

Jay Grande state that the Park and Ride agreement will expire at the end of the year, & asks the Selectmen to consider extending it through another year, to give the Parking Committee time to consider any changes to the management of the Park and Ride.

APPOINTMENTS: Melinda Loberg asks if there are any appointments to consider.

Beach Road Design Review Committee: Selectmen review proposed appointments to the Beach Road Design Review Committee.

Motion: to approve Jay Grande, Melinda Loberg, Paul Wohler, Ben Robinson, and Bill Veno to the Beach Road Design Review Committee. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

Wastewater Committee: Melinda Loberg states that the Wastewater Committee has a vacancy and that there is a prospective member named Christina Colarusso who would be able to serve through June 30 of 2017.

Motion: to appoint Christina Colarusso to be an at-large member of the Wastewater Committee. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously 3 yes, 0 no, 0 abstentions.

DPW Advisory Board: Melinda Loberg states that there is a vacancy on the DPW Advisory Board, and asks if there has been a resignation letter submitted by Tom Pachico, former DPW Advisory Board Member. She asks for the prospective member to be invited to an upcoming meeting of the Selectmen.

Tristan Israel states that he attended a Mass. Municipal Policy Board meeting, and states that they have an attorney who came and talked about the new public records law that will go into effect January 1 of 2017. States that it calls for a standardization centralization of requests, and a limit of maximum response time to 10 days. He states further that the meeting included as follows:

Re: Alcohol Licenses - Allows Town's to set how many licenses they allow, rather than the State.

Re: State lands - raised the topic of areas where the State might be able to promote uses that address housing needs.

Re: CPA funding - he notes that the current reimbursable from the State is down to an historic low of 19%, and that we should think about lobbying our representative for increased reimbursal under the CPA.

Santander Bank: Building and Zoning Inspector Kenneth Barwick appears before the Selectmen to discuss concerns about the replacement of the Santander (Stone Bank) Bank's roof. Explains that it is an historic building. Jay Grande explains that the bank has removed the existing clay tile roof, and is replacing it with asphalt shingle, and that since this is an historic building asks what the local jurisdiction is on this. Mr. Barwick responds that they went through the normal building permit process. States that the building is not in the Town's historic district, and so there is no historic easement. Tristan Israel asks if the building square footage is above 3000 square feet, at which point it crosses a threshold of review. Jay Grande asks if there is any communication the Selectmen would like to express to the Bank for future? Tristan Israel suggests that if it is an open building permit the building is old enough that the Selectmen can refer it to the MVC for consideration under requirements for review of buildings over a certain age. Tristan Israel suggests a two- stage action by the Selectmen as outlined below.

Motion: To ask Santander Bank to consider a roofing style more in keeping with the prior material that was removed from the roof. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

Further discussion: Melinda Loberg states that with a hurricane coming, she is reluctant to vote for referral if the referral will halt the work on the roof, because of liability issues.

Motion: To refer the roof replacement project at Santander Bank to the MVC. Tristan Israel moves, Larry Gomez seconds, motion passes: 2 yes, 0 no, Melinda Loberg abstains.

ADMINISTRATION:

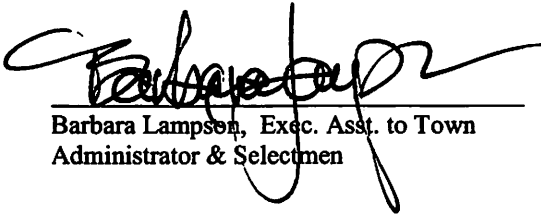
Motion: to approve the rate change slip for James Cleary. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

Motion: to approve the rate change slip for Porter Fraser. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously 3 yes, 0 no, 0 abstentions.

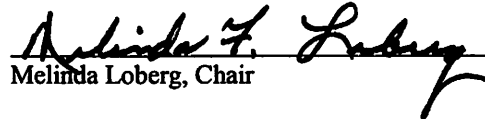
Motion: to accept and sign meeting minutes from September 20, 2016. Larry Gomez moves, Tristan Israel seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

Motion: to approve the Warrant Payable for \$ 409,354.85. Tristan Israel moves, Larry Gomez seconds, motion passes unanimously: 3 yes, 0 no, 0 abstentions.

Meeting adjourned at 8:00PM



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



Melinda Loberg, Chair