

TISBURY BOARD OF SELECTMEN MEETING MINUTES
Tuesday, August 13, 2019 at 5:00 PM
Emergency Services Facility, 215 Spring Street, Tisbury
Melinda F. Loberg; James Rogers; Jeff Kristal

Members Present: Melinda Loberg, James Rogers, Jeff Kristal

Others Present: John Grande-Town Administrator, Alexandra Kral, Mark Hanover, George Balco, Danielle Ewart, John Crocker, Nancy Weaver

CALL MEETING TO ORDER

Acknowledgement of the Years of Service: Ken Barwick

Member Loberg read out Ken Barwick's achievements, who after many years of service as a Town's Building Inspector had retired. Board Members thanked Mr. Barwick for his service to the Town.

Member Kristal also thanked all Town staff who worked on the Beach Road Festival and asked to schedule a meeting where public will be able to provide feedback on the past concert. Member Kristal suggested August 27th as a potential date for public input meeting.

TOWN ADMINISTRATOR

Steamship Authority: Schedule, Operations & Planning

Town Administrator expressed his concern over possible changes to the operating schedule and elimination of a 5:30AM boat from Woods Hole to Vineyard Haven.

Mark Hanover, Martha's Vineyard representative on the SSA Board, and George Balco, Tisbury Appointee to SSA Advisory Board, were present at the meeting. Mr. Balco stated that 5:30 AM boats have been running for 3 year from and to the island. Representatives to the SSA asked Board for a letter in support. Mr. Hanover stated that SSA Board is expecting a strong push back on this proposed reduction in service.

George Balco stated that SSA Advisory Board is taking every step possible to develop a strategy to mitigate the impact of early freight boat on the Woods Hole neighborhoods.

Member Rogers spoke in favor of the support letter and requested that said letter highlight the need for 5:30 AM boat in order for Islanders to make it to their medical appointments. Member Kristal agreed with Mr. Rogers.

Member Rogers motioned to write a letter of support of the 5:30 AM service to and from the Island. Member Kristal seconded the motion. The motion was unanimously approved.

Tisbury School Update

Town Administrator informed Board Members that area for lead testing will be expended. The testing scheduled for August 20th. Member Rogers inquired if funding for expended testing is already available. Member Loberg stated that Mr. Custer previously indicated that funds are available to accommodate said testing.

Member Loberg stated that Board shares concerns of teachers and parents regarding contingency plans for the Tisbury School in case the testing results will be positive.

Town Administrator stated that site visit for the OPM applicants has been successfully conducted. The selection of the OPM is scheduled for upcoming Wednesday

Town Administrator will return to the Board with a further update on the 2nd meeting in September. Administrative meeting with superintendent and Town staff will be schedule in the near future.

Mass Housing Production Plan Grant Update

Town Administrator stated that before entering into the MOU for the development of the IFP property he would like to schedule a presentation for the selectmen some time at the end of August or beginning of September. Town Administrator has a meeting scheduled with IFP this Friday

Member Loberg asked if presentation can take place during joint meeting with Planning Board. Town Administrator stated that he wants Board of Selectmen to review the project prior to any discussion with Planning Board.

Municipal Solid Waste Contracts

Town Administrator stated that CRAPO agreement will be amended to gap at \$10,000 (?), overall language of the agreement needs to be consistent as well. Two contracts will be sent out for bid: LDO and curbside. Transfer station contract and CRAPO will come back at end of September.

Cooperative Agreement for Emergency Communications and Dispatch Services

No update on from emergency and dispatch services agreement.

Vineyard Haven Library Update

Town Administrator informed Board Members of his plan to schedule a future joint meeting with Library Trustees to discuss the process of appropriating donations to the Library.

APPOINTMENTS

Shellfish Constable: Danielle Ewart

Shellfish appointment deferred to the future meeting.

Natural Resources Committee: James Hale, Michael Baptiste, James Tilton, Matthew Hobart

Member Kristal motioned to appoint stated above individuals to the natural resource committee. Member Rogers seconded the motion. The motion was unanimously approved.

Parking Task Force: Kirk Metell, Mark Saloio, David Ferraguzzi, Michael Levandowski

Member Kristal requested that Cheryl Doble(Planning Board) and Jeff Kristal(Selectmen) are added to this appointment to Parking Task Force.

Member Rogers motioned to appoint stated above individuals to the parking task force. Member Kristal seconded the motion. The motion was unanimously approved.

PUBLIC HEARINGS

5:30 PM Public Hearing to review and consider proposed Aquaculture Regulations.

Member Kristal read out notice of Public Hearing. Danielle Ewart presented proposed Aquaculture Regulations.

Member Rogers raised concern over low annual fee and bond requirement.

Noah Maynard spoke in support of proposed regulation stating that fee structure is the same fee as Edgartown. Mr. Maynard also mentioned that aquaculture will be a significant benefit to the Town waters as it provides for the filtration of water to remove nitrogen.

Member Rogers asked for a map of areas that will be allowed to be utilized by aquaculture business.

Member Loberg agreed and suggested that town needs to identify the areas that Town believes to be the most beneficial for aquaculture use.

Noah Maynard stated if town does it will have to pay the state to map out the area, if applicant proposes an area that responsibility will fall on the applicant.

Lynn Fraker stated her support of aquaculture being allowed within Town ponds.

Danielle Ewart stated that at first, she was opposed to allowing aquaculture in the ponds however, after the conversation with the state representative she was confident that there won't be any negative effects.

Jeff Cahna expressed his support of the proposed aquaculture regulations.

Public Hearing was continued to August 27th at 5:30PM.

6:00 PM Public Hearing to review and consider proposed Main Street Banner Regulations.

Member Kristal read out notice of public hearing. Member Kristal presented Main Street Banner Regulations. Banners would be used to promote community wide events installed only at designated locations or exclusively for events held in Tisbury. All banners will be uniform in construction. Requests must be submitted 30 day in advance. Application must include final design proof \$250 fee, banner parameters and sizing.

Member Loberg stated that past practice restricted banners on Main St. to the Town events only and asked if proposed regulations open those up to private entities as well? If so, would it restrict it only to non-profits?

David Ferraguzzi inquired on the proposed locations for the banners and expressed his objection to allowing private entities to promote their events on the main street banners.

Member Kristal stated that both proposed in the draft regulation locations were okayed.

No further public comment.

Member Rogers motioned to close public portion of the hearing. Member Kristal seconded. The motion was approved.

Member Kristal motioned to approve Main Street Banner Regulation with a restriction to the Town events only. Member Rogers seconded the motion. The motion was unanimously approved.

DEPARTMENTAL/COMMITTEE'S REPORTS

Harbormaster Update: Vineyard Haven Harbor Dredging, Harbor Operations

John Crocker introduced Leslie Field from Woods Hole Group that has been selected as the Town's consultant firm for the Vineyard Haven Harbor and Lake Tashmoo dredge permitting project. Woods Hole Group partnered with Vineyard Land Surveying to prepare the scope of work, budget and timeline to address the services requested in the March 13, 2019 Request for Qualifications and the subsequent request to include permitting for dredging at Lake Tashmoo. Based on the scope of work, the total for those services will not exceed \$179,120 without written authorization from the Town of Tisbury. Schedule for implementation of the project puts completion of the permitting by the February 2021.

Member Kristal asked to identify project management team.

Town Administrator stated that contract will be forwarded for review to the Town Council and returned to Board of Selectmen for final approval.

Nancy Weaver: Martha's Vineyard Land Bank

Nancy Weaver, Tisbury Elected representative to the MV Land Bank, was present at the meeting. Ms. Weaver wanted to introduce herself as new representative. Ms. Weaver then gave a brief update to the Board members and mentioned that all MV Land Bank agendas are now can be found online.

DISCUSSION SESSION

Martha's Vineyard Land Bank Correspondence: Hunting of Land Bank Property, Tashmoo MOU

Town Administrator informed Ms. Weaver and Board Members that Town Hunting bylaw was written with the intent to apply only to a locally owned town properties not community wide land. Further communication will be sent to the Land Bank to clarify the intend of bylaw.

Member Rogers motioned to support letter of clarification. Member Kristal seconded the motion. The motion was unanimously approved.

The MOU for Tashmoo property will be brought back at the future meeting.

Proposed Marijuana Business, 65 Mechanic's Street

Josh Silver(CEO and co-founder of Silver Therapeutic), Noah Eisendrath(Manager/Member of Main Street Medicinals, LLC "MSM") and Brandon McKee(, CFO and co-founder,) were present at the meeting.

Mr. Silver gave a brief background of each member of their team present at the meeting. The goal of the meeting is to present a plan to develop 65 Mechanic's Street, Tisbury into a Registered Marijuana Establishment and to outline the steps of obtaining the Host-Community Agreement.

The proposed Marijuana Establishment will be located at 65 Mechanic's Street, Tisbury. The property consists of approximately 4,900 square feet of interior space within a .59-acre parcel. The property is located with the B-2 zoning district that permits a marijuana use upon receipt of a Special Use Permit from the Planning Board. MSM proposes to develop a 2,500 square foot portion of the building for the purpose of cultivating marijuana. An additional 1,000 square foot portion of the building will be devoted to processing and testing marijuana products in a state-of-the art laboratory and commercial grade kitchen. The remainder of the building will be developed into a retail store front.

Member Loberg inquired on what are potential environmental effects of proposed production.

Mr. Silver stated that laboratory is designed to mitigate any potential effects.

The rules and regulations adopted by the Cannabis Control Commission stated that applicant has to enter into a Host Community agreement before they apply to State for a license.

Full operational plan will be provided at the later time. Regulations allow for a host community impact fee of 3% paid to municipality from business profit, as well as revenue from sales tax. Site visit with Board of Selectmen to be scheduled.

Member Kristal asked if a community outreach meeting has been scheduled.

Mr. Silver stated that it is his intention to coordinate community outreach meeting subsequent to this meeting.

ADMINISTRATIVE SESSION

Proposed Hunting Application

Town Administrator informed Board Members that they have received a copy of the Hunting Application for their review.

Dockage and Launching Fees

Review of the fee structure will be scheduled for future meeting.

Minutes Approval: May 20, 2019, May 21, 2019, June 1, 2019, June 11, 2019, June 22, 2019, June 25, 2019, July 9, 2019

Minutes approval postponed until future meeting.

Payroll	#08/08/19	\$136,136.20
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Payroll	#08/01/19	\$284,301.76
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Payroll	#07/25/19	\$137,580.65
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Payroll	#07/08/19	\$284,969.48
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Member Kristal motioned to approve payroll as stated above. Member Rogers seconded the motion. The motion was unanimously approved.

Bills Payable	#07/30/19	\$941,843.25
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Bills Payable	#07/29/19	\$71,314.14
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Bills Payable	#07/23/19	\$142,792.86
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Bills Payable	#07/22/19	\$92,728.63
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Bills Payable	#07/16/19	\$95,614.49
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Bills Payable	#07/15/19	\$173,023.83
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Member Kristal motioned to approve bills payables as stated above. Member Rogers seconded the motion. The motion was unanimously approved.

PROSPECTIVE MEETING AGENDA(S)

-Schedule a workshop meeting

Time reserved for the topics that the Chair did not reasonably anticipate for discussion:

EXECUTIVE SESSION

Vote to go into Executive Session pursuant to M.G.L. c. 30 A, Sec. 21(a) 3. To discuss strategy with respect to collective bargaining(general union) if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body; 6. To consider the purchase, exchange, lease or value of real property (20 Beach Street, 317 State Road, 9 Lagoon Pond Road, 47 Water Street, 75 Main Street) if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;

Not to Reconvene in Open Session

Roll call vote:

James Rogers - Aye

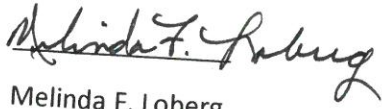
Melinda Loberg - Aye

Jeff Kristal - Aye

Meeting Adjourned at 7:50 pm.

Respectfully submitted by

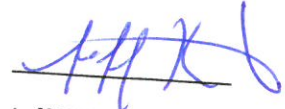
Alexandra Kral



Melinda F. Loberg
Chairmen



James J. Rogers
Vice Chairmen



Jeff Kristal
Clerk