

DRAFT MEETING MINUTES
Minutes
Tisbury Board of Selectmen
Meeting: Tuesday, March 7, 2017
Tisbury Town Hall, Katharine Cornell Theatre at 4:30PM

Note: Tristan Israel absent. Present: JG ML LG, KL , DH, JSchilling, Kirk MetellDeb Magnuson jenny W

Meeting called to order 4:31PM

DISCUSSION:

Mopeds – Ballot question, Warrant Article, and licensing update

Nicole Brission of MADAC is introduced. She gives presentation regarding moped safety issues, and some accident history on the Vineyard.

Blah was passed in 1988 and 85% were in favor of banning mopeds on MV

Reads list of accident victims since that time, all injured or killed riding rental mopeds.

Outlines lack of enforcement of safety regs and licensing irregularities by the licensing Towns.

Cites effects of accidents on victims, innocent auto drivers who have accidents with inexperienced moped drivers, first responders, and hospital staff. Cites road renters' unfamiliarity with local road conditions.

Loberg states that Selectmen take the complaint very seriously. Turns explanation over to Grande and Lampson for explanation on enforcement activities and licensing practices.

Grande gives overview of overall licensing updates and practice review, and Lampson gives detailed explanation of current licensing practice in Tisbury, and an update on the current license.

Brisson gives overview of history of irregularities in licensing practice by the Town. She questions the Town's stipulation in the bylaw that transfers were not allowed, and yet MADAC maintains that this was a transfer. (Note: record shows that prior license was relinquished and new license granted to Island Adventure, however wording in minutes refers to the word "transfer")

Loberg states that having read the files brings to the attention of the BOS the need to be much better and complete in the licensing practices with moped and overall.

Brisson reads excerpts from the minutes regarding the original granting of the license, and excerpt of the regulations stating the requirement for listing and numbering of vehicles, and questions whether this is being enforced. Brisson goes to explain the additional safety requirements derived from the community policing process engaged in by the Town of Oak Bluffs, which included Tisbury Police Lt. Eerik Meisner, the product of which was a series of additional safety requirements. Loberg states that she would recommend the additional safety be added to the existing license. Brisson asks for consistent approvals in both Towns.

Katherine Cavanaugh asks question ,states that she is a Tisbury resident and commercial driver who drives busses from down island to up island, and states that she has frequently seen moped drivers driving down the center of the road. She states that the renters, when interviewed by police, would state that they had been told by the moped rental agency that driving in the center of the road was the safest thing to do. Asks why owner of business is not being held accountable.

....Motorcycle rider states that he questions what he sees as a reluctance to enforce the safety regulations and calls for that approach to change. Loberg states that the Selectmen agree and see the need to review and change, Jeffery Canha states that he rented mopeds in the Union Street lot near the ferry. States that licenses have just been being renewed with no scrutiny. States that it is illegal to drive a moped on a state highway, but Loberg states that it is in fact illegal on a "limited access" state highway. Brisson states that the Motor Veh. Bylaws of the State of MA are very outdated. Diana Gilmore asks what consequences are for violating the bylaw. Loberg explains the penalty structure allowed by the bylaw. Brisson asks for the penalty structure to be read out (* Note, excerpt from Bylaw will be attached to minutes) Loberg states that the intent of the BOS is to review the bylaw prior to

Motion: to review and update the current regulations and attach any special conditions to the renewal of the current license as relate to safety. LG moves, sec. ML passes unanimously 2 ayes, Motion: to add the non binding ballot question to the ballot with the following wording: " **" LG moves, ML seconds, passes 2 ayes, 1 absent (Israel)

Brisson asks the Selectmen add the warrant article to Special Town Meeting regarding invalidating the current license. Asks if the BOS will approve putting article on the warrant, and Loberg states that the signatures would be a "help"

TOWN ADMINSTRATOR'S REPORT:

JG gives overview of generation of warrant articles for ATM and STM. Late filed articles, one is a budget request from Bldg inspector Ken Barwick for demolition and removal of derelict buildings. KB explains the process of suh removals. Loberg asks questions about the process for executing and billing such a process. KB explains that if the property owner does not pay the Town Motion file a late filed article for \$49, 000+ for the removal of derelict buildings

Late filed article to change position of Town Clerk to appointed rather than elected. JG explains that this would require a vote by the Town. LG asks what the advantage would be of this. JG explains that would be a board discussion. Loberg states that she has no objection to a placeholder for this on the warrant pending having a further discussion on the board

Motion for ballot question to be added to the warrant , 2 ayes

Motion to submit to the finance comm for consideration as a late-filed article , 2ayes

Beach Road Project is at the 75 % point in the design, explains that a large portion of the utilities will go underground. sTates that state will install conduit for later underground utility installations with hand holds to the property owners. This does not include locations for transformers in the future. JG asks for a place holder article for 1.8 million dollars to place the remainder of the utilities underground along Beach Road, and that this would require a borrowing article. Loberg explains that this topic has come up before multibple times and the Town has not moved forward, states further that there is an opportunity for enough cost savings from the State participation I nthe project that she would like to see it put before the will of the Town. Suggests that it might be an opportunity for grant to help with the cost. LG states that this is a lot of money and will be quite a debate on the Town meeting floor.

Motion to submit a late filed article to the finance committee before the Finance Committee Harbormaster search committee, JG says search committee has come up with finalists nd intros Kim Lucas, personnel manager: intros

Christina colarusso, Andrew chase, john crocker. Loberg suggests moving forward with interviews of the finalsits.

MassDOT Beach Road Project Workshop, March 9th JG intros this regarding a meeting to present the current state of the project on March 9.

Firearms: JG states that DH **

Proposed 5K run: mV hurricanes youth running club: 3 coaches introduced Kimberly Kirk gives overview of the route and explanation of the event, which is a youth running club. Saturday 10 am Motion LG moves to approve the 5K race April 29 10 am

DEPARTMENT REPORTS

Ken Barwick Building Inspector is introduced, and presents the documentation from the recent building removal as an update to the Selectmen. JG thanks KB for forwarding the monthly permits to the Selectmens department.

DPW director requests a reserve fund transfer to cover unforeseen expenses to remove the derelict building, RT gives overview of the building removal, equipment needed, some rental, and disposal costs, which accounts for the amount listed the request for a reserve fund transfer.

Motion to approve the Reserve Fund transfer for \$11,818.97 to be transferred to Highway Maintenance account 5254 in the Dept . of Public Works.

RT gives overview of proposed beach and park regs, says t

hat they have been largely adapted from the existing County Regulations for the same purpose.

States that any permitting processes that arise out of this will be a separate issue.

KB re the previous discussion he states that he intends to attend he fin comm mtg with RT

Finance Director is introduced. JS explains the need the need for the BOS to vote to change

LG the town of Tisbury elects to engage in the process to change health insurcnd

LG moves to approve the W/ HM commi mission and charge, 2 ayes

ML States

Energy comm JG states that they have requested the BOS approve that they be able to work on an energy master plan, with no expenditure on behalf of the Town.

Energy Manager and DPW director and Facilities manager will work on that project together.

Kirk states the intent to do more to educate the public regarding environmental concerns in the Town

LG asks what timeline is for delivery of a first draft. Mr. metell states that approval is the first step.

General discussion ensues and covers topics of street lighting , energy improvements at various town buildings.

Motion: to endorse the Energy Committee to engage in producing an Energy Master plan for the Town.

Prospective Agenda JG goes over the prospective agenda for future meetings.

Motion to approve the Crocker house d/b/a on the cond that the fire bldg. & health insp by April 30.

BOS decides to take no action on the license. Chief Schilling states that the bylaws contain no consequence for not being licensed. Meeting next meeting have recd for adjustments to licensing ro rbeetter process.

Motion to approve signing the cemetery deed 2 ayes,

Electronic policies JG gives explanation of the proposed policy. ML

Motion to approve the Food and Refreshments policy 2 ayes,

Electronic Policy, move to accept as is, 2 ayes

Complete Streets policy Jg states the need for authorization to have ML chair to sign the Complete streets Policy as amended thru march 7. 2 ayes. LG/ML

BOS add Public Comment to agenda.

Administrative: James Stinemire, motion to approve the Step increase of JS effect. Jan 2017 so moved, LG/ ML 2 ayes

Minutes move to approve Dec. 2 Dec. 20 2 ayes,

Move to approve the warrants payable as follows: 2 ayes
Move to approve the payroll warrants as follows: 2 ayes

Move to adjourn 6:30
ML reads to enter into Exec Session re: ***
Roll call vote: LG yes, ML yes.

8:09 meeting adjourns

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