

TISBURY BOARD OF SELECTMEN MEETING MINUTES

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

Tuesday, June 13, 2017 at 5:00 PM

Tisbury Town Hall (Katharine Cornell Theatre)

Melinda F. Loberg; Tristan R. Israel; Larry J. Gomez

Members Present: Larry Gomez, Melinda Loberg, Tristian Israel

Members Absent:

Others Present: Jay Grande- Town Administrator, Alexandra Kral- Executive Assistant, Jon Snyder- Town Treasurer, Daniel Hanavan- Tisbury Police Chief, Ken Barwick- Tisbury Building Inspector, John Shilling – Tisbury Fire Chief, Ray Tattersall- Tisbury DPW Director, Robin Silvia, James Rogers, Lori Beckman, Robert Douglas, Jack Rollins- Personnel Board Member, Bill McConnell- Personnel Board Member, Suzanne Kennedy- Town Accountant

Meeting called to order at 5:04 PM.

TOWN ADMINISTRATOR REPORT

Street Fair, Robin Silvia

Robin Silvia informed Board Members that Town Fair is going to be held as always on July 8th from 6:30-9:30 pm. Roads will be closed at 4:30pm. Deadline for vendor applications is June 15th.

Infrastructure Steering Committee

Town Administrator suggested considering consolidating parking, traffic and beach road committees by creating Infrastructure Steering Committee. Appointed Town Hall employees would serve as members of this committee. Main goal of Infrastructure Steering Committee would be to prioritize and coordinate infrastructure projects. Recommended to review more closely and finalize proposal.

Beach Regulations

Ray Tattersall presented updated Beach Regulations. (Please refer to [document # 1](#)). Town noticed high increase in Owen Park parking requests. Town Administrator mentioned that He is hoping to include parking section into the proposed regulation. Member Loberg expressed her support of the proposed regulation with the request to research the alternative methods of the disposal of coals more than described in proposed regulation. John Shilling agreed with Member Loberg. Town Administrator mentioned that in order to adopt Regulation BOS needs to hold a Public Hearing.

Member Loberg motioned to adopt proposed regulation as a temporary policy and schedule public hearing to adopt proposed Beach Regulation. Member Israel seconded the motion.

Motion was unanimously approved.

Personnel, Vacation Carry Over and Staffing

Jack Rollins informed Board of the existing issue concerning excessive amount of carry over time for some of the Town Employees. Per Town Personnel Policy maximum amount of carry over vacation time is set to 240 hours maximum with a deadline to use time that's not legible for carry-over on June 30th, 2017. Personnel Board agreed to issue a one-time pay out to cover unused vacation time. Suzanne Kennedy said the amount of payout is around \$25,500.000. Member Loberg mentioned that BOS Member should review how the vacation time is being

used. Member Israel suggested talking with other Island Towns in order to make existing vacation section of personnel policy more effective. Member Israel also mentioned the need for a third Member of Personnel Board to be appointed.

Member Israel motioned to support Personnel Board decision to make a one-time payout to cover unused vacation time that is eligible for a carry over into the next fiscal year.

Member Loberg seconded the motion and opened floor to discussion.

Town Administrator noted that the effort was made to use the excessive vacation time. Ken Barwick said that main reason why he was not able to take time off is lack of coverage. There is no one who can take on some of his key responsibilities while he is out of the office. Bill McConnell mentioned that Town Hall is under staffed and very limited in space. Member Loberg suggested creating quarterly vacation schedule and stated that it will be mandatory to take vacation in the future or lose it.

Motion stands. The motion was unanimously approved.

HEARINGS

5:30 PM Public hearing to consider an application for Hawkers & Peddler's License for a mobile food vending cart by Put An Egg On It LLC, d/b/a The Food Truck, to be located at 43 Main Street.

Town Administrator recommended continuing the meeting onto June 27th, 2017 at 5:30 PM to allow applicant enough time to obtain required inspection sign offs and finalize special permit application process with ZBA.

Member Loberg motioned to continue the meeting onto June 27th, 2017 at 5:30 PM.

Member Israel seconded the motion and opened floor to discussion.

Comment from public: Develop a section of Food Truck regulation that will cover special events specifically.

Motion stands. The motion was unanimously approved.

6:00 PM Public hearing to discuss and consider proposed amendments to the Tisbury Moped Regulations.(See [document #2](#))

Larry Gomez started the review of proposed amendments with recommended violation amount per incident. As per Town Council recommendation penalty should not exceed \$300. Town Administrator noted that specific guidelines on how the violations fee would be enforced should be added to regulation. Nicole Brisson raised a question of how the line of communication will be structured between Police Department and BOS and how the regulation will be enforced. She also asked after which violation would business license get revoked. Chief Hanavan noted that best way to help the Town enforce its bylaws is notifying Police Department of the observed violation. Town Administrator recommended continuing the hearing to July 11th, 2017 to provide enough time to address all questions within the regulation.

Member Israel motioned to continue public hearing to discuss and consider proposed amendments to the Tisbury Moped Regulations to the July 11th, 2017 at 5:00PM. Member Loberg seconded the motion.

The motion was unanimously approved.

6:15 PM Public hearing to discuss and consider proposed amendments to the Tisbury Beer & Wine Licensing Policies Rules & Regulations.

After thorough review of proposed changes to the Tisbury Beer & Wine Regulations (See [document # 3](#)), in his email, Town Council noted that Board of Selectmen may want to consider applying different fee amounts for only beer and wine license, and all alcohol license. Also he revised Removal of Alcohol from Licensed Premises Section in order to comply with existing Massachusetts Laws. (Section 12 of G.L. c. 138). To adjust Sunday hours to 10:00 AM, Board of Selectmen will be required to accept of G.L. c. 138, §33B. Acceptance requires a Town Meeting vote, so service during those hours may not be authorized until there is such an acceptance vote. Question from Public raised a concern of what would be new requirement for abutters notifications and Selectmen's authority to approve hours. Member Loberg noted that Board of Selectmen reserves the right to extend the requirement for abutters notifications based on submitted application.

Member Israel motioned to continue public hearing to discuss and consider proposed amendments to the Tisbury Beer & Wine Licensing Policies Rules & Regulations to June 20th, 2017. Member Loberg seconded the motion. Motion was unanimously approved.

6:30 PM Continued Public Hearing for application for conversion of an existing Beer & Wine License held by Black Dog Bakery Cafe, license number 127800004, for exercise at 509 State Road, to an All Alcohol License.

Member Israel opened a discussion by stating that the existing business model and image of the establishment is very different from other businesses that got approved for All Alcohol License. Member Israel would like to avoid a bar like style of business in Tisbury. He also expressed his concern regarding the fact that customers would be ordering alcohol beverages at the counter instead of standard sit-down service.

Robert Douglas, the owner of the business, noted that Alcohol Beverages would still be delivered to the table as in regular restaurant model. Member Gomez stated that the proposed business model is still different than others restaurants in Town and he is not prepared to approve this license. Member Loberg inquired about current hours of operation. Robert Douglas responded that café is open 6:30 AM to 6:00PM. Member Loberg stated that the establishment is not opened during prime-dinner hours when alcohol demand usually increases and questioned the utility of a spirit license for essentially a breakfast and lunch eatery. Town Administrator recommended continuing the hearing to allow more time to review the details of this case.

Member Israel motioned to continue Public Hearing for application for conversion of an existing Beer & Wine License held by Black Dog Bakery Cafe, license number 127800004, for exercise at 509 State Road, to an All Alcohol License to the June 27th, 2017 at 5:45PM. Member Loberg seconded the motion. The motion was unanimously approved.

DISCUSSION SESSION

VHBA, First Fridays

1st First Friday was successful. Event hosts received a lot of positive feedback from attendees. In the future they are hoping to add food component to the event. Vineyard Haven Business Association representative asked for BOS approval to change start time to 4pm in order to add children's music in Owen Park.

Member Israel motion to allow the start time for First Friday to be changed to 4PM. Member Loberg seconded the motion. Motion was unanimously approved.

DEPARTMENTAL/COMMITTEE REPORTS

PROSPECTIVE MEETING AGENDA(S)

APPOINTMENT

Building Inspector

Ken Barwick updated Board Members on the results of search for short term or long term inspectional services for the Martha's Vineyard Museum Project. Lenny Jason expressed his willingness to oversee this project. Mr. Jason feels confident that he will be able to provide coverage for at least the demolition part of the project. Mr. Barwick is still negotiating with an Acting Building Commissioner for the Town of Oak Bluffs, hoping to involve him as well. Member Gomez asked if the project was cleared by the MVC. Mr. Barwick confirmed that MV Museum project was approved by the MVC. Town Administrator suggested that Board of Selectmen accepts Mr. Jason's candidacy.

Member Israel made a motion to accept inspectional services from Lenny Janson for the Martha's Vineyard Museum Project. Member Loberg seconded the motion. The motion was unanimously approved.

Comment from Public: James Rogers suggested that Island Towns should work together to develop a salary schedule that will attract fully qualified specialists since the process of obtaining the qualifications for Building Inspector positions is a very complicate process.

PUBLIC COMMENT

ADMINISTRATIVE SESSION

Pump Out Donation, Coastwise Wharf Company LLC

Town Administrator informed BOS of the received pump out donation.

Member Loberg motioned to except the donation and send a thank you note to the sponsor.

Member Israel seconded the motion. Motion unanimously approved.

Donation of Beach Chair

Town Administrator informed BOS of receiving a Beach Chair. Member Gomez mentioned that although this year we received only one unit, we hope to receive three more next year. The Floating Beach Chair will allow residents and guests with disabilities to safely enjoy the Town Beach.

Member Loberg motioned to except the donation and send a thank you note to the sponsor.

Member Israel seconded the motion. The motion unanimously approved.

Busker Permit, Michael Grassing,

Town Administrator mentioned that the fee of \$10 needs to be paid prior to issuance of the permit.

Member Israel motioned to approve Busker Permit for Michael Grassing

Member Loberg seconded the motion. Motion unanimously approved.

Busker Permit, Bob Breth

Member Israel motioned to approve Busker Permit for non-amplified sound for Bob Breth.

Member Loberg seconded the motion. Motion unanimously approved.

Common Victuallers West Chop Club, Inc. 162 Iroquois Way

Town Administrator noted that licensee obtained all necessary sign offs.

Member Israel motioned to approve Common Victuallers License for West Chop Beach Club.

Member Loberg seconded the motion. Motion unanimously approved.

Common Victuallers Vineyard Haven Yacht Club, Inc. 45 Owen Little Way

Town Administrator noted that licensee obtained all necessary sign offs.

Member Israel motioned to approve Common Victuallers License for Vineyard Haven Yacht Club.

Member Loberg seconded the motion. Motion unanimously approved.

Bills Payable #53017 \$620,144.12

Board of Selectman Members reviewed Bills Payable.

Member Israel motioned to approve Bills Payable #53017

Member Loberg seconded the motion. Motion unanimously approved.

Payroll #06082017 \$351,986.26

Board of Selectman Members reviewed Payroll.

Member Israel motioned to approve Payroll #06082017

Member Loberg seconded the motion. Motion unanimously approved.

Meeting Adjourned at 7:42 PM.

Respectfully submitted:
Alexandra Kral

DRAFT