

## **TISBURY BOARD OF SELECTMEN MEETING AGENDA REVISED**

**Tuesday, July 9, 2019 at 5:00 PM**

Tisbury Town Hall, Katherine Cornell Theater, 51 Spring Street, Vineyard Haven

Melinda F. Loberg; James Rogers; Jeff Kristal

**Members Present:** Melinda Loberg, James Rogers, Jeff Kristal

**Members Absent:**

**Others Present:** John Grande – Town Administrator, Alexandra Kral -Executive Assistant, John Schilling, Mark Saloio, Jon Snyder, Adam Epstein, Danielle Ewart, James Tilton,

### **CALL MEETING TO ORDER**

#### **TOWN ADMINISTRATOR**

Assistant Fire Chief: Gregory Leland

Fire Chief – John Schilling presented Assistant Fire Chief Candidate - Gregory Leland. Mr. Schilling described Mr. Leland experience and prior involvement with the Tisbury Fire Department and expressed his confidence in Mr. Leland's candidacy for the position.

***Member Kristal motioned to appoint Gregory Leland as an Assistant Fire Chief. Member Rogers seconded the motion. The motion was unanimously approved.***

Beach Road Weekend Festival Update

Town Administrator informed Board Members of the received proposed proposal for the sale of Beer and Wine at the Beach Road Weekend Festival from the applicant. Motion required to accept proposal in concept and schedule a public hearing for the approval of the sale of Beer and Wine. Member Kristal agreed that two motions would be required and suggested to schedule public hearing for the earliest date possible.

***Member Kristal motioned to accept proposal and schedule a public hearing for earliest possible date.***

Adam Epstein summarized the proposal for controlling alcohol consumption at the event: requiring food purchase, limiting number of drinks. Public Comment came in support of the beer and wine sales. ***Member Rogers seconded the motion. The motion was unanimously approved.***

Lagoon Pond Road Bridge

Town Administrator informed Board Members of the grant opportunity to replace or reconstruct Lagoon Pond Bridge. BETA group- Town's Consultant had indicated that it would be an eligible project. Town Administrator had not had a chance to further review the integrity of a current structure and would like to present Board with an update on the matter at the future meeting. Member Rogers spoke of need to have a comprehensive plan for Town's roads and that most improvements should result as a result of careful planning. Town Administrator stated he had not reviewed the final version of the pavement plan in detail but would like this plan to be presented to the Board at the future meeting.

***Member Rogers motioned to allow Town Administrator to further pursue stated grant opportunity.***

***Member Kristal seconded the motion with the comment stating that the latest report he had reviewed did not identify the bridge as an area needing immediate improvement. The motion was unanimously approved.***

The Town Administrator to update the Board at the future meeting.

### **APPOINTMENTS**

Assistant Shellfish Constable, Seasonal: Fred Benson

***Member Kristal motioned to appoint Fred Benson as an Assistant Shellfish Constable. Member Rogers seconded the motion. The motion was unanimously approved.***

Community Preservation Committee: David Ferraguzzi and Victor Capoccia

David Ferraguzzi and Victor Capoccia are present at the meeting. Member Kristal thanked both gentlemen for attending tonight's meeting. Member Rogers laid out his concerns regarding the public perception of the CPC funds as a "free money" and high level of affordable housing applications receiving funds from CPC. Mr. Ferraguzzi gave percentage breakdown for CPC funds allocation with about half of the funds dedicate to the housing as it is a State priority. Both appointees expressed their willingness to report to the Board on as needed bases and desire to continue serving on Tisbury Community Preservation Committee.

Member Kristal thanked Mr. Ferraguzzi and Mr. Capoccia for their work on the committee and expressed his interest in receiving report on quarterly basis. Member Kristal asked both candidates to confirm their residency. Confirmed.

***Member Rogers motioned to appoint David Ferraguzzi and Victor Capoccia to the Community Preservation Committee. Member Kristal seconded the motion. The motion was unanimously approved.***

**Martha's Vineyard Regional Transit Authority: Elaine Miller**

Ms. Miller stated she is relatively new to the VTA Advisory Board. Ms. Miller explained that generally Board meets 4 times a year and recognized need for the Board to meet more often and her goal is to engage Board to schedule meeting and address the situation on hand. Ms. Miller highlighted that it has been problematic for the Board to meet quorum requirements.

Katharine Kavanaugh spoke in support of Ms. Miller as Board's designee to the VTA Advisory Board. Member Rogers thanked Ms. Miller for her dedication to the position as a VTA Advisory Member and suggested Ms. Miller to inform other Town's Board of Selectmen of their designees' absence from the VTA Advisory Board meetings.

***Member Kristal motioned to appoint Elaine Miller as Boards designee to VTA Advisory Board. Member Rogers seconded the motion. The motion was unanimously approved.***

Member Loberg spoke regarding two revolving appointments for rider's representative and ADA representative positions that are currently vacant. The letter informing the Town to appoint the rider position for FY17 dated July 2016 have been sent to wrong address therefore the seat for that year remained empty. Rider Appointment for FY 20 belongs to Chilmark, the ADA seat appointment to Edgartown, until those Towns will waive their respective right to appoint the Town of Tisbury won't be able to appoint their representative. Executive Assistant – Alexandra Kral stated that those appointments are made for a period of one year on rotating basis between participant communities as determined by the advisory board, provided, however, that the representative of the disabled commuter population and the representative of the rider community shall not be appointed by the same city or town in the region. According to the received letter the VTA Advisory Board voted to rotate Town's in alphabetical order.

***Member Rogers motioned to send a letter to the other Towns informing them of the need to make an appointment. Member Kristal seconded the motion. The motion was unanimously approved.***

Katharine Kavanaugh thanked Board for their time and assistance with this matter.

**Shellfish Assistants, Seasonal: George Smith and Nelson Siegelman**

***Member Kristal motioned to appoint George Smith and Nelson Siegelman as Seasonal Shellfish Assistants. Member Rogers seconded the motion. The motion was unanimously approved.***

**Town Cabinet: Sandra Johnson Pratt, Hillary Conklin, John W. Grande, Melinda Loberg, Mary Ellen Larsen, Jeff Pratt, Amy Houghton, David J. Schwab, Daniel J. Seidman, Jonathan V. Snyder**

***Member Kristal motioned to appoint stated above individual to Town Cabinet. Member Rogers seconded the motion. The motion was unanimously approved.***

Member Loberg stated that due to the Open Meeting Law Requirement Board members won't be able to discuss or appoint individuals who submitted letters of interest for a vacant positions on various Town Boards and Committee until next meeting. Meeting Scheduled for Tuesday, July 16th to interview and consider prospective candidates and appoint finalists to the vacant positions.

**Natural Resources Committee Mission Statement and Makeup**

James Tilton raised his concern that mission statement is too broad as presented. Lynne Fracker spoke in agreed with Mr. Tilton's statement.

Jeff Canha stated he was opposed to hiring natural resource director at first but with the further review is in support of hiring the director and establishing the committee. Mr. Canha suggested to include commercial representatives on the committee.

Question from the public whether committee would serve as an advisory to the Selectmen. Member Loberg confirmed.

Lynne Fraker inquired on how the addition of natural resource director impact existing department heads. Member Loberg stated that is still under review. Mission statement and makeup will be further reviewed and considered by the Board Members at future meetings.

## **PUBLIC HEARINGS**

5:00 PM Public Hearing to review and consider an application for change of ownership of the Common Victualler License # CV-18-19 from MV Seafood Group, Inc. d/b/a Net Result to Santoro Seafood Inc d/b/a Net Result, 79 Beach Road Tisbury.

Member Kristal read out public hearing notice. Member Loberg continued public hearing to 6PM per applicants request. Further continued to 6:30.

6:34 PM: Mr. Santoro was present at the meeting. No comment from the public.

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

***Member Kristal motioned to approve change of ownership application as presented. Member Rogers seconded the motion. The motion was unanimously approved.***

5:05 PM Public Hearing to review and consider an application for change of ownership of the Common Victualler License # CV-6-19 from Humphreys Inc. to Life at Humphreys, Inc., 455 State Road, Tisbury.

Member Kristal read out public hearing notice. Peter Smith and Donna Diaz are present at the meeting. Member Loberg invited public to comment. No comment.

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

***Member Rogers motioned to approve change of ownership application as presented. Member Kristal seconded the motion. The motion was unanimously approved.***

5:10 PM Public Hearing to review and consider proposed amendment to Tisbury Local Drop Off fee schedule.

***Member Kristal motioned to cancel public hearing for the proposed amendment to the Local Drop Off fee schedule due to receipt of new information. Member Rogers seconded the motion. The motion was unanimously approved.***

## **DEPARTMENTAL/COMMITTEE'S REPORTS**

Police Department: Police Recruitment Policy

Police Chief – Mark Saloio submitted a police recruitment policy for Board's review. Previous practice was inconsistent. This is in effort to establish clear guidelines and also bring department closer to receiving State accreditation. The policy would allow Town to make determination on the best fit for the position. Member Rogers stated his desire to see final candidates proposed by selection committee to be approved by the Board prior to extending of the offer of employment and to set guidelines for housing during attendance of the academy. Member Kristal spoke in support of providing the housing while attending the academy. Police Chief stated that two academies with dormitories availabilities will be considered first to mitigate financial impact on the Town. Member Loberg stated that housing component of the policy would have a direct impact on the operational budget. Police Chief is confident that monetary impacts of the policy are covered within existing operational budget. Member Rogers asked if all housing determinations could be determined at the Board discretion.

Town Administrator stated that this policy already provides candidates with tuition and salary while in attendance.

The policy changes was in part prompted by the policy change at MPTC, requiring candidates to be appointed to a full-time officer position prior to applying to the academy.

Member Loberg raised concern over the further commitment of the applicant to the Town of Tisbury.

Police Chief suggested to bring policy back to the Town Council for the further comment regarding housing stipulations and repayment of the tuition should applicant not fulfil promised commitment to the town.

***Member Rogers motioned to accept the policy excluding lodging portion while awaiting further review by the Town Council. Member Kristal seconded the motion. The motion was unanimously approved.***

## **DISCUSSION SESSION**

### Downtown Parking Regulations Proposed Amendment

Town Administrator presented two approaches for a possible solution of the downtown parking issues. First, would be a comprehensive review of the downtown parking needs with department heads. This would be more time consuming and not necessary address requests that have been submitted to the Board.

The second approach would be to amend current regulations to specifically address the issue of the houses that are tangent to the William street but with a legal address of Main Street. That would provide about 3 properties owners who are not eligible at the moment to receive a downtown parking sticker. However, it still won't solve the requirement for having maximum one off street parking space in order to qualify for the permit. Town Administrator suggested to schedule a walk through with police chief and Selectmen's office staff to assess possible impact of the proposed amendment to the regulations.

***Member Kristal motioned to ask for a final staff recommendation by the end of July. Member Rogers seconded the motion. The motion was unanimously approved.***

### Aquaculture Regulations: Set Public Hearing

James Tilton ex-member of shellfish committee stated that regulations took over a year to be developed.

***Member Rogers motioned to extract aquaculture regulations from waterways regulation and schedule a public hearing to consider proposed regulation for August 13<sup>th</sup> at 5:30pm.***

Lynne Fraker expressed her opinion that proposed regulations should not be reviewed before the establishment and review by the Natural Resource Committee.

***Member Kristal seconded the motion. The motion was unanimously approved.***

### Main Street Banner Regulations

Board Member received proposed main street banner regulations.

***Member Kristal motioned to schedule a public hearing for August 13<sup>th</sup>, 2019 at 6PM. Member Rogers seconded the motion. The motion was unanimously approved.***

## **ADMINISTRATIVE SESSION**

### Minutes Approval: April 2, 2019

***Member Loberg approved minutes for April 2, 2019 as presented in her capacity as the Board's Chair.***

### Minutes Approval: April 9, 2019;

***Member Rogers motioned to approve minutes for April 9, 2019 with edits. Member Loberg seconded the motion. The motion was approved.***

### Minutes Approval May 2, 2019

***Member Rogers motioned to approve minutes for May 2, 2019. Member Kristal seconded the motion. The motion was unanimously approved.***

### Cemetery Deed: Lot No. 90

***Member Rogers motioned to approve cemetery deed lot #90. Member Kristal seconded the motion. The motion was unanimously approved.***

### **Common Victuallers Renewals:**

-Vineyard Haven Yacht Club, 45 Owen Little Way

***Member Kristal motioned to approve Common Victuallers licenses as stated above. Member Rogers seconded the motion. The motion was unanimously approved.***

### **Lodging House Renewals:**

-The 1720 House, 152 Main Street – tabled, expired special permit

**Buskers License:**

-Stephanie Burke, Island Theater Workshop

Ms. Burke was present at the meeting. Allow participants of the workshop to practice for the upcoming performances.

-Dawna J. Hammers

Ms. Hammers was present at the meeting.

***Member Kristal motioned to approve Buskers License as stated above. Member Rogers seconded the motion. The motion was unanimously approved.***

Special Purpose Stabilization Funds

***Jon Snyder stated each year with authorization of the Town Meeting to allocate certain amount to three of the existing stabilization funds.***

***Member Kristal motioned to approve special purpose stabilization funds as presented. Member Rogers seconded the motion. The motion was unanimously approved.***

Payroll                    #06/20/19                    \$359,496.89

***Member Kristal motioned to approve payroll as stated above. Member Rogers seconded the motion. The motion was unanimously approved.***

Bills Payable        #06/24/19                    \$72,280.16

Bills Payable        #06/18/19                    \$369,159.16

Bills Payable        #06/28/9R                    \$9,862.04

Bills Payable        #06/25/19                    \$172,257.25

***Member Kristal motioned to approve bills payables as stated above. Member Rogers seconded the motion. The motion was unanimously approved.***

**PROSPECTIVE MEETING AGENDA(S)**

**July 11<sup>th</sup> 10 AM.**

**July 12<sup>th</sup> 8:30 AM**

**July 16<sup>th</sup> 5PM.**

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

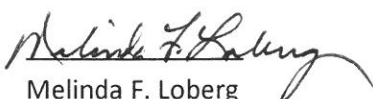
Member Rogers expressed his concern over the overgrowth on the sidewalk around Town that has reached critical level.

**MEETING ADJOURNMENT**

The meeting adjourned at 7:30pm.

Respectfully submitted by

Alexandra Kral



Melinda F. Loberg  
Chairmen



James J. Rogers  
Vice Chairmen



Jeff Kristal  
Clerk