

TISBURY BOARD OF SELECTMEN MEETING MINUTES

Tuesday, August 27, 2019 at 5:00 PM

Tisbury Town Hall, Emergency Services Facility, 215 Spring Street, Vineyard Haven, MA

Melinda F. Loberg; James Rogers; Jeff Kristal

Members Present: Melinda Loberg, Jeff Kristal and James Rogers was remote participating by phone

Others Present: John Grande- Town Administrator, Pam Bennett, Chief Saloio, Kirk Metell

TOWN ADMINISTRATORS REPORT

The Library's Annual 5k Race and Fun Run

Karen McCain with Friends of the Library stated the 5k would take place on September 22nd, 2019. A 9:00 children's start time and 10:00 for the adults to the lighthouse and back. There are no changes from previous year. **Member Kristal motioned to approve the run. Member Loberg seconded the motion.**

61 Beach Road comprehensive Permit Response

Jay Grande, Town Administrator stated we have a response drafted to the comprehensive 40B permit on the former Hinckley property. He would like to submit it by the end of the week to the Mass Housing Department of the State. Town counsel has already reviewed it. Jim can't vote since he is remote. Member Kristal can't vote due to ZBA. I did receive Jim's feedback prior to the meeting. Member Loberg sent a document given at a recent Cape Conference about recommendations for floodlands in relation to inclement weather and would like to include that. This letter is in regard to the letter of eligibility issued by the state for a 40B project. Mr. Grande asked if they wanted the planning board letter enclosed? Member Loberg stated, yes. Member Kristal asked if that we email to the ZBA. Mr. Grande agreed. **Member Loberg Authorized Mr. Grande to move forward to get the letter in by September.**

APPOINTMENTS

Special Police Officer: Michael Cutrer

Member Kristal made motion to appoint Michael Cutrer to Special Police officer. Member Loberg seconded the motion

Crossing Guards: Elizabeth Wilson, Rosemary Littlefield, Stephen Nichols, Rita Reynolds, Cheryl Pinkham. Chief Saloio explained E. Wilson had a conflict and cannot be appointed at this time. He would like to offer the name of Jack Rollins in her place. **Member Kristal made the motion to appoint Rosemary Littlefield, Stephen Nichols, Rita Reynolds, Cheryl Pinkham, Jack Rollins. Member Loberg Seconded the motion.**

Public hearing aquaculture Regulations

5:30 Lynn Fraker sent in correspondence in relation to changes in the regulations. Danielle Ewart, Shellfish Warden, highlighted the line under "application": along with a detailed business plan. Applicants must meet with the shellfish constable beforehand. Also, she handed out a map for areas not suitable. Lagoon: The Lagoon map there is conflict with other uses, the grey is where unsuitable. By the hatchery and the run there is some potential in deeper water for private aquaculture. Tashmoo: The gray is not suitable but there is only a small area. The head

is prohibited. Member Loberg stated we received a letter from Mr. Bagnal regarding legislation. The fee is \$25 due to the State Regulations. Open for comments on written document only. Lynn Fraker said concerned about areas for licensing they should be figured by shellfish department not applicant and area for grants available for lease would be under total control of the town not the applicant. Member Loberg stated she agrees. Fraker Suggested the town look at Wellfleet and how they are set up. Also, they should not interfere with recreational uses. And added increase application fee since cannot charge more than the \$25 per acre fee set by state. It should state the Licensee should obtain and or be provided copies of State and Federal licenses information. In annual report would like to eliminate the line 'upon request by shellfish dept' because it is required by state law. Production clause- during 3rd year and after min. production of 1500 per yr. per acre. Would suggest including information on vibrio. There are no definitions in application and there should be. Member Loberg suggested we hear from Chris Schillaci who is here with Massachusetts DMF and is the Aquaculture and Vibrio Specialist. He stated the Shellfish Constable enforces all state statutes. They update vibrio regulations and information often so it would need to be provided or directed as to where they need to obtain the information but should not be in the regulation. Member Loberg asked the regulations state that the shellfish constable and enforcing authority is included. Member Loberg would like to consult with DMF to make sure verbiage is in accurate. She also stated they should take a couple weeks to review with Danielle Ewart. **Member Kristal made the motion to close hearing and Member Loberg seconded.**

Chris Schillaci stated that one section should be a license to plant seed, found in chapter 130 section 57. This section gives the board incredible authority over shellfish aquaculture and your right to deny at your leisure or preference. You can identify areas and conditionally approve applicants depending on DMF certification and if you look at application and say it is consistent with the regulations, you can still deny a license, or renewal at your leisure. If a site does not fit with the regulations, you can deny and tell them to find another site. You can identify areas, but the Selectmen hold a hearing and then can ask DMF to do a site survey. He can share with the board how they do the site survey. Harbor master and conservation would also be consulted for all permitting. **Member Kristal made a motion for Danielle Ewart to put a streamlined document together in the next couple weeks. Member Loberg seconded.**

ADMINISTRATIVE SESSION

Bruno's Rate Increase

Bruno's is raising rates for trash and recycling reflecting of what the industry is and the rates of taking off island. Member Loberg asked if this impacts sticker price to residents? No. It is for the Transfer station only. Bruno's said it has no bearing on curbside. **Member Kristal made the motion to approve MSW raise from 177.45 to 191.40 per ton. And singles stream from 153.05 to 155.30 per ton. Member Loberg seconded.**

Minutes passed by since Member Rogers is not present and Member Kristal has comments. Payroll approved both and bills payable.

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| Payroll #08/15/19 | \$347,847.45 |
| Payroll #08/22/19 | \$136,264.64 |

Bills Payable #08/13/19

\$205,472.29

PROSPECTIVE AGENDA

Special Town Meeting

Deborah Medders the Town Moderator met with the Town Administrator and the Town Clerk to talk about STM. Mr. Grande stated the date which would allow for cost estimate would be recommended as September 24 and a closing of the Warrant this Friday at noon. We have a draft article ready. This date would allow the school to submit any articles. Mr. Grande stated he does not have a proposal but has an email of prices from a portable classroom vendor for 9-18 units from the superintendent office, however he has yet to receive the exact number of units needed. Ms. Medders stated that once the warrant is posted it cannot be changed except on the floor. It was decided to close Warrant on the 5th by noon.

Member Kristal made the motion that the board of selectmen vote to call a STM for Sept 24 at 7:00 pm, to be held at the Gym and that the board place on the warrant for the meeting an article to proposing an appropriation in the amount of one million five hundred thousand dollars (1,500,000.00) to pay for the lease and/or purchase of modular classroom and office units and associated facilities and structures for the Tisbury school and including related site construction activity, and for environmental remediation work at the Tisbury school. Including related professional consulting and design services. With the wording of the article and the proposed funding sources to be finalized by the Town administrator in consultation with Town counsel. Seconded by Member Loberg.

Member Kristal made motion that the board of Selectmen vote to close the warrant for the September 24 special town meeting at noontime on the 5th of September. Seconded by Member Loberg.

Beach Road Review

Scheduled for September 3, 2019 to hear from all staff and public comment.

