

TISBURY BOARD OF SELECTMEN MEETING MINUTES

Tuesday, December 11, 2018 at 5:30 PM

Tisbury Town Hall, Katharine Cornell Theater, 51 Spring Street, Vineyard Haven, MA
Melinda F. Loberg; Tristan R. Israel; James Rogers

Members Present: Melinda Loberg, Tristan Israel, James Rogers

Others Present: John Grande- Town Administrator, Alexandra Kral, George Balco, Amy Ryan

APPOINTMENTS

Crossing Guard: Elizabeth A. Wilson

Member Loberg motioned to appoint Elizabeth A. Wilson as a Crossing Guard. Member Rogers seconded the motion the motion was unanimously approved.

Steamship Authority Port Council: George Balco

Mr. Balco described his duties as the Town representative to the council. Member Loberg expressed Board's appreciation for the work Mr. Balco had done as a Town representative.

Member Rogers motioned to appoint George Balco to the Steamship Authority Port Council. Member Loberg seconded the motion. The motion was unanimously approved.

DEPARTMENTAL/COMMITTEE REPORTS

Library Update: Ongoing Project

Amy Ryan, Vineyard Haven Library Director thanked building committee for their work on issuing an RFQ and all the research process involved in the project. Marion Thomson was selected as an architect for the project. Tisbury vision forum will hold a community forum on January 24th.

Energy Committee Mission Statement

Bill Straw presented a mission statement of the Energy committee. The main goal is to save money and make money for Tisbury and to protect the energy infrastructure. Member Loberg inquired on the mission of the committee and asked to include the official mission statement and structure on the website.

Jeff Kristal requested that ESF solar installation project be reviewed by the committee to identify how the energy will be directed.

Member Loberg motioned to approve presented mission statement with addition of the committee structure. Member Rogers seconded the motion. The motion was unanimously approved. Town administrator will submit updated document to the board.

DISCUSSION SESSION

Breth Inc: Proposed Full Service Livery and Tour Company

Bob Breth and Jeff Gore described operation plan for the proposed livery and tour company. Member Israel mentioned that applicant will need Steamship Authority's approval if picking up any clients on its property. Proposal scheduled for a Public Hearing on January 8th, 2019.

EMS Group 4 Retirement Classification

John Schilling, Fire Chief asked for Boards approval of a reclassification of the full time EMS employees' retirement into Group 4. Other Island Departments offer this packet and it puts the Town of Tisbury in unfavorable position.

Member Rogers motioned to accept Chapter 467 of the Acts of 2008, MGL c32, s3(2)(g) to allow reclassification of the full-time EMS employees from retirement Group 1 into retirement Group 4. Member Loberg seconded the motion. The motion was unanimously approved.

Board of Assessor Tax Exemption Process

Member Israel stated that the Board was not aware of the decisions made by BOA to deny tax exemption status to some Non-Profit organizations. Read out the explanation letter by BOA. Member Israel expressed that he is hoping for a stronger Public Outreach effort from the Board of Assessors. Town Administrator stated that Board of Selectmen does not have any statutory authority in the relief the tax payment requirement

Member Loberg asked that Board of Assessors and Board of Selectmen meet jointly to discuss tax exemption process.

Member Rogers encouraged nonprofits who are not satisfied with BOA decision to seek an appeal process that might be available since Board of Selectmen does not have any authority over tax relief procedures.

Mr. Munafo, artistic director of the playhouse, nonprofit organization located in Tisbury stated that they had no idea that their organization was being reviewed to be put back to the taxes. They plan to follow the appeal the process but have been very disappointed upset of how this matter was handled.

Member Rogers expressed his understanding of frustration among the Playhouse Staff. He asked to ensure that BOA have been following Open Meeting Law during the review process.

BUSINESS LICENSES RENEWALS

Lodging House:

- Greenwood House Bed and Breakfast, 404 Greenwood Avenue
- Nobnocket Boutique Inn, 60 Mount Aldworth Road
- Tisbury Inn d/b/a Mansion House, 9 Main Street

Member Loberg optioned to approve stated above Lodging House Licenses. Member Rogers seconded the motion. The motion was unanimously approved.

Common Victuallers:

- Cronigs Market, 357 State Road
- Black Dog Tavern Co, Inc, d/b/a Black Dog Tavern, 20 Beach Street Ext
- Black Dog Tavern Co, Inc, d/b/a Black Dog Cafe, State Road
- Black Dog Tavern Co, Inc, d/b/a Black Dog Water Street Bakery, 5 Water Street
- State Road Restaurant, LLC d/b/a Beach Road, 79 Beach Road
- La Sofita d/b/a Waterside, 82 Main Street
- Breth Inc. d/b/a Bernie's Ice Cream 22A Main Street
- Breth Inc. d/b/a Bobby B's Seafood and Pizza
- Nat's Nook, 38 Main Street

Member Loberg optioned to approve stated above Common Victuallers Licenses. Member Rogers seconded the motion. The motion was unanimously approved.

Beer and Wine:

- Black Dog Tavern Co, Inc, d/b/a Black Dog Cafe, State Road

Member Loberg optioned to approve stated above Beer and Wine Licenses. Member Rogers seconded the motion. The motion was unanimously approved.

All Alcohol:

- State Road Restaurant, LLC d/b/a Beach Road, 79 Beach Road
- La Sofita d/b/a Waterside, 82 Main Street
- Black Dog Tavern Co, Inc, d/b/a Black Dog Tavern, 20 Beach Street Ext

Member Loberg optioned to approve stated above All Alcohol Licenses. Member Rogers seconded the motion. The motion was unanimously approved.

Class II License:

- McCurdy Motorcars Inc., 199 Beach Road, 15 Lyle Lane
- Auto Europa of Martha's Vineyard Inc., 356 State Road

Member Loberg optioned to approve stated above Class II Licenses. Member Rogers seconded the motion. The motion was unanimously approved.

PROSPECTIVE MEETING AGENDA(S)

Following items to be placed on the agenda for future meetings:

Proposed changes to the Waterways Regulations

Joint Meeting with School Committee

Joint Meeting with Oak Bluffs

Goals

Meeting with Board of Assessors

CORRESPONDENCE RECEIVED

ADMINISTRATIVE SESSION

Reserve Fund Transfer Request: Equipment Maintenance, \$20,000

Approved by the Finance and Advisory committee for \$15,000.

Member Rogers motioned to approve the reserve fund transfer request. Member Loberg proposed amendment to the motion to approve the reserve fund transfer request in amount of \$15,000. Member Rogers seconded the amended motion. The motion was unanimously approved.

Shellfish Trust Transfer, \$2500 Spat Bag Purchase

Member Loberg motioned to approve reserve fund transfer request as stated above. Member Rogers seconded the motion. The motion was unanimously approved.

Sewer Flow Increase: 30 Main Street; 35 Main Street

Per recommendation of Sewer Advisory Board, **Member Rogers motioned to approve additional flow of 4300 gpd in addition to the current flow amount of 250gpb for 35 Main Street on the condition that signed lease be submitted within 60 days and that extra flow be surrendered on August 1st, 2019 should the restaurant fail to open. Member Loberg seconded the motion. The motion was unanimously approved.**

30 Main street is currently leased to an applicant intending to build a 36-seat restaurant with take-out. Currently the entire building (including 7 bedrooms) is on a septic system with an assigned flow of 883 gpd. They have paid a betterment but never tied into the sewer, although there is a stub provided from Spring St. The approved increase in flow is 1210 gpd. Per recommendation Sewer advisory Board **Member Rogers motioned to approve increased flow of 1210gpd for 30 Main Street based on the conditions that signed lease be submitted within 60 days and flow be surrendered on October 1st, 2019 should restaurant fail to open. Member Loberg seconded the motion. The motion was unanimously approved.**

Boch Property Sewer License

Town Administrator stated that Board already approved creation of the draft license agreement to be executed between Town and property owner. The sewer line has been installed in the area of relocation. Town requested that Property owner enters into the agreement with the abutters who are currently tied into the old sewer line to reconnect them to the newly installed line. The Town would be responsible of conducting the inspection while Boch property owner will be responsible to do reconnection work from old sewer line to the new one. The recommendation from the Town Council would be to sign an agreement contingent on final review and approval by Town Council.

Member Loberg motioned to authorize Board of Selectmen chair to sign the agreement pending Town Council review and affirmative communication from the abutters regarding an executed agreement between the property owners and the abutters who are currently tied into the old sewer line. Member Rogers seconded the motion. Member Israel stated his disappointment over lack of public access to the park and stated he was against entering the easement in the first place. The motion was approved. Member Israel abstained.

Signing of the Building Services MOU with Town of Oak Bluffs

The MOU still under Town Council Review. No action taken, deferred to future meeting.

Signing of the Beach Road Easement

No action taken.

Minutes Approval: 8.14.2018/ 8.20.2018/ 8.30.2018/ 9.6.2018/ 9.13.2018.

Member Loberg motioned to approve stated above minutes. Member Rogers seconded the motion. The motion was unanimously approved.

Cemetery Deed #50, #6

Member Rogers motioned to approve cemetery deed #50 and #6. Member Loberg seconded the motion. The motion was unanimously approved.

Payroll	#11/21/18	\$334,896.84
Payroll	#11/29/18	\$131,760.38

Member Rogers motioned to approve the Payroll as stated above Member Loberg seconded the motion the motion was unanimously approved.

Bills Payable #11/20/18 \$177,968.65

Bills Payable #11/09/8R \$18,878.24

Bills Payable #12/04/18 \$836,531.93

Bills Payable #11/27/18 \$295,643.65

Member Rogers motioned to approve the Bills Payable as stated above. Member Loberg seconded the motion the motion was unanimously approved.

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

- Tisbury School Update: Survey, Proposed Warrant Articles

EXECUTIVE SESSION

Vote to go into Executive Session pursuant to M.G.L. c. 30 A, Sec. 21(a), 6. To consider the purchase, exchange, lease or value of real property 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 an Open Session

Rollcall Vote: James Rogers – Aye

Tristan Israel – Aye

Melinda Loberg – Aye

Executive Session Minutes.

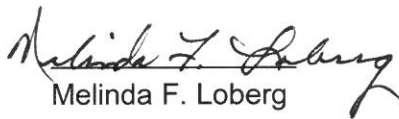
The meeting adjourned at 7:30pm.

Respectfully submitted by

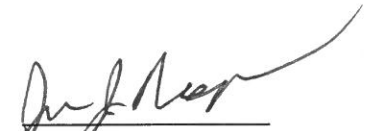
Alexandra Kral



Tristan R. Israel
Chairmen



Melinda F. Loberg
Vice Chairmen



James J. Rogers
Clerk