

TISBURY SELECT BOARD MEETING MINUTES

Tuesday, January 7, 2020, at 4:00 PM

Jeff Kristal; Melinda F. Loberg, James Rogers

CALL TO ORDER

APPOINTMENTS

Creation of the Open Space and Recreation Committee

Member Loberg made a motion to create the Open Space and Recreation Committee. Member Kristal seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

Open Space and Recreation Committee members appointment

The following members were recommended for the committee by the Planning Board

Member Loberg made a motion to appoint Cheryl Doble, Gerard Hokanson, Henry Stephenson, Carolyn Wallis, David Welch as members of the Open Space and Recreation Committee. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

PUBLIC REQUESTS

Martha's Vineyard Shipyard Project Presentation

Member Loberg clarified that the public request is just a presentation of the project with opportunity for the Board to ask question and it is not a public hearing.

Philip and James Hale presented the project to the Select Board. They began by presenting some history of the Boat yard and continued with several environmental practices that they have implemented. They addressed some concerns about the environmental impact of the project. Over \$80,000 will be dedicated to town partnerships to improve shell fishing and water quality. The project will be a \$2.5 million investment in the waterfront. Mr. Hale stated they need to acquire nine permits for the project and the first one is from the Conservation Commission.

Member Kristal would like to recommend this project. He requested to have some more in dept conversation and for Mr. Hale to contact the board once they have a date with the Conservation Commission. Expressed wishes to be put on the February 4th, agenda of the Select Board.

Member Loberg agreed to spend more time talking about a letter to the commission from the Select Board and what their concerns would be. She suggested that the project be presented to the Lagoon Pond side association, Planning Board, Natural Resource Committee and Water Ways Committee.

DISCUSSION SESSION

Dukes County Health and Human Services Agreement- No action taken. Awaiting FinCom discussion.

Tisbury School Education Program

Members received a presentation of the plan prior to the meeting. The purpose for the discussion is for the Board to offer a symbol of support for the plan.

Member Rogers made a motion to endorse the education plan presented by the Tisbury School Committee and principal. Member Kristal second the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

PUBLIC HEARING

Continued Public Hearing to review and consider proposed amendments to the All-Alcohol Regulations regarding the addition of special, one-day license prevision

Executive Assistant Alex presented the changes- applications must be submitted 45 days prior to the event. Fees are \$100 for all alcohol one-day license and \$75 for beer and wine one-day license. She also pointed out

that all alcohol one-day license can only be issued to a non-profit organization. The licenses are valid for one day only. Members Rogers and Kristal suggested to have one fee for all one-day alcohol licenses- \$100. Members reviewed the application form. Members amended the language under number four to read conditions and restrictions. Member of the public asked what are the conditions and restrictions that can be opposed? Mr. Grande stated it could be hours, dates, time, service restriction.

Member Loberg made a motion to add a special one -day license provision to the All-Alcohol Regulations. Member Kristal seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

Public Hearing to review and consider proposed changes to the Tisbury Mooring Fee Schedule.

Harbormaster John Crocker stated mooring fees are on a sliding scale based on size of the vessel. Proposes to increase the mooring fees for by 7.5% 2021, 10% 2022 and 10% in 2024. He stated the National resource committee endorsed the 7.5 % increase. Mr. Crocker informed that the fees are established by the size of the vessel 136 vessels under 20 ft and 327 form 20-30 ft. This makes up the majority of private mooring holders. According to the presented changes a spreadsheet a mooring for a vessel under twenty feet will be \$117 in 2024 and \$98 in 2021, Our fees are well under, in comparison to Oak Bluffs and Edgartown. For comparison in 2013 the fees were increased by 10%, 2015 by 5%, 2017 by 10%, and last year he stated he requested 10% but was approved for 2.5%. He added that the town leased moorings will change with the same percentage. Member Loberg asked what the cost is the cost associated with the moorings and the harbor. Harbormaster stated that the staff spends many hours encouraging people to inspect their moorings and monitor the vessels during summertime, making sure the vessels correspond with the mooring they are on, no vessel is dredging water etc. Also included in the cost are dredging costs and costs to upkeep the pier. Mr. Crocker stated the estimated receipts will increase the waterways fund by \$9,000 and the general fund by \$8,000. Mr. Grande stated one of the goals of waterways fund is to offset personnel and expense. Will the increases achieve that offset? Mr. Crocker said he believed so.

Member Loberg opened the hearing for questions from the public.

A member of the public felt the changes are targeting the local people and there should be more rental moorings to target visitors.

Mr. Canha why can't look closer at the larger vessels? asked why there isn't a flat fee for all mooring no matter what size? as it is in the other island communities. He suggested the increase is too high over the four years. Member Loberg responded that the bigger vessels take more space therefore are charged more.

Lynn Fraker stated that harbor management was adamant to stop the raise of the harbor mooring fees but the select board decided to raise the fees 2.5 % last year. According to L. Fraker The board promised to look at the structure of the fees which didn't happen. She asked what does it cost to maintain a mooring or to issue a permit? Where is the short fall in the harbor's budget? She would also like the Town to consider other sources of income. She suggested that after a study of the structure of the fees may be beneficial to adopt a flat fee. Really need to look at everyone who benefits from using the pier, transient users and who benefits from dredging. L. Fraker stated the Harbormaster can use waterways funds when needed.

Member Loberg stated that the Board has been provided with cost information. Member Kristal stated that many decisions are involved when requesting using waterways funds. The Harbormaster cannot just write an article and take it out of waterways fund. It goes to the Select Board, Fincom and town meeting for approval. Member Loberg stated the Natural resource committee has only met 3 times and is new so not sure they can address this issue at this time. Contracts increase every year so need to take that into consideration.

Member Loberg stated the Town is trying to find a reasonable balance between how much the taxpayers contributes to the cost of the harbor and how much the users. L. Fraker suggested also looking at a flat fee. Member Loberg said increased by percentage for all moorings.

Member Loberg made a motion to close the hearing to the public.

Member Rogers believes the board should consider researching the matter more and maybe a flat fee.

Member Loberg believes a flat fee would have unintended consequences for the smaller boats. Harbormaster stated there is a long waiting list for moorings. Member Kristal proposed to increase this year with 7.5 % and revisit the matter at a later date. He suggested adding more mooring spaces and comparing practices with

OTHER TOWNS. IVII. Kristal suggested to charge the natural resource committee with doing the research by Memorial Day.

Member Loberg made a motion to approve the proposed change in the Tisbury Mooring Fee by 7.5% this year and charge the Natural Resource Committee with studying the structure of the fee and looking at a flat rate and how it fits with the financial needs of the harbor by memorial day 2020. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

Public Hearing to consider a n application for change of ownership of the Common Victualler License #CV-4 from Jiri Pavelka d/b/a Porto Pizza to Breth Inc d/b/a Porto Pizza 36 Water Street Tisbury.

The new owner stated he would like to make the business year-round and keep the same business model.

Hearing was open to the public with no comments. **Member Loberg made a motion to close the hearing to the public. Member Kristal Motion to approve the change of ownership of the Common Victualler License #CV-4 from Jiri Pavelka d/b/a Porto Pizza to Breth Inc d/b/a Porto Pizza 36 Water Street Tisbury. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.**

Public Hearing to review and consider an application for Hawker and Paddler License by Chef Amy, 61 Beach Road, Vineyard Haven, MA, 02568

Town Administrator stated that the Town have not had a recent application of this kind and that he has received the special permit from the Zoning Board.

Chef Amy presented herself and her business. The hours of operations are 11-8 until Christmas then 11-6. She stated the goal is to keep it open longer. She has a lease to stay at the location until building on the property begins. Ms. Amy can provide a \$2 mil liability insurance. The truck is stationary not moving. The board understands that the special permit has a lot of conditions which were addressed and met.

Public hearing was open.

Member of the public stated he enjoys Chef Amy's truck.

Member Loberg made a motion to close the hearing to the public.

Member Rogers expressed concern the process was done backwards as the vendor opened and was working and we are discussing this license at a later date. He stated he is against food trucks in the Town of Tisbury in general and the Town should consider an adopting policy.

Town Administrator explained that this was an unusual path and new employees were not aware of the Hawker and Paddler licensing. He stated that it is a one-year license.

Member Kristal made a motion to approve the Hawker and Paddler License for Chef Amy. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

Member Kristal made a motion to have the staff compile some regulations and contact other boards. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

DEPATMENTAL COMITEES REPORT

Department of Public Works- Lambert's Cove update

DPW director Kirk Metell gave an update on the project. He is expecting the contractor to start work within the next week. He stated there is a pole situation for which there are a couple of remedies. It may take an additional week depending on which option the Town takes. He is working with Eversource and Conservation Commission as well. A pump has been working at the site trying to keep the water out.

Town Administrator stated the Town is moving forward with the procurement piece and have authorized Mr. Metell to contact the contractor.

Board members world like to have a public outreach session in which to give very definitive schedule on the repairs and explain the scope of work. The road will remain closed for the safety of residents.

Parking Task Force

Chiefery Dobbie explained that the parking lot by the old fire station has been under lease system where people pay to park there. There has been interest for several years to open the lot to the public, so parking task force has been looking to make that possible and still get revenue for the Town.

The task force recommended purchasing parking meters. They believe this would be the easiest most efficient way. They suggested to have summer prices and off-season prices with different times of use. Doing this would alleviate the traffic on water street and let people come to town and know they may have a place to park. The meters will be only credit card operated. There will be changes in the curb cut and plantings on the front. The task force considered limiting the parking to four hours during the daytime.

Member Rogers suggested considering an electronic system without meters that implements the use of a cell phone.

Member Kristal stated the proposed meters are about a \$1,000 a meter. He supports the use of a simple meter system rather than electronic system.

Chief Saloio suggested to consider this parking lot as a first step in this direction which will allow us to evaluate the situation and potentially switch the system to a different one or implement it in other places in the Town.

Member Loberg made a motion to endorse the proposed plan. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

ADMINISTRATIVE SESSION

Martha's Vineyard Parking Clerk Fee Schedule Changes

Executive Assistant presented that the changes are due to parking clerk transferring to a self-funded department. Fees will be increased from \$2.00 to \$2.50 and from \$0.99 to \$1.50. **Member Kristal made a motion to endorse the proposed plan. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.**

Reserve Fund Transfer Request- 2016 Ford Econoline Ambulance repairs \$11,330

Tracy Jones appeared in front of the board. She requested the transfer of \$11,330 to repair an ambulance. The vehicle has significant corrosion which puts it out of service. She stated she is requesting the transfer so she can do the repairs prior to the summer so the ambulance can be used in the peak season.

Member Kristal made a motion to support the reserve fund transfer of \$11,330 for the repair of a 2016 Ford Econoline Ambulance. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

Cemetery Deeds Lots 90A&90B; 23C&23B

Member Kristal made a motion to approve. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

Payroll

#12/26/19	\$218,005.40
#12/19/19	\$343,462.89
#12/24/19	\$503,806.25

Member Kristal made a motion to approve the payroll. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

Bills Payable

#12/31/19	\$466,571.86
#12/17/19	\$385,472.41
#12/27/9R	\$1,515.49
#12/10/19	\$284,267.45

Member Kristal made a motion to approve the bills payable as presented. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

BUSINESS LICENSE RENEWALS

Common Victualler:

- State Road Restaurant LLC d/b/a Beach Road, 79 Beach Rd
- Little House Café, 339 State Rd
- Black Dog Water Street Bakery, 11A Water Str
- Black Dog Bakery Café, 509 State Rd
- Black Dog Tavern, 20 Beach Str Extension
- Rocco's Pizzeria, 79 Beach Rd
- Woodland Grill, 455 State Rd
- Breth Inc. d/b/a Bernies Ice Cream, 22 Main Str
- Breth Inc. d/b/a Bobby B's Seafood and Pizza, 22 Main Str
- Breth Inc. d/b/a Porto Pizza, 5 Martin Rd
- Cronig's Market, 357 State Rd
- Santoro Seafood Inc. d/b/a Net Result, 79 Beach Rd

Porto Pizza's Address was corrected to 36 Water Street. Administrative mistake.

Member Kristal made a motion to approve Common Victuallers Licenses as presented. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

All Alcohol:

- State Road Restaurant LLC d/b/a Beach Road, 79 Beach Rd (Request to close from February 2, 2020 through March 3, 2020)
- Black Dog Tavern, 20 Beach Str Extension

Member Kristal made a motion to approve All Alcohol Licenses as presented. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

Beer and Wine:

- Little House Café, 339 State Rd
- Black Dog Bakery Café, 509 State Rd
- Rocco's Pizzeria, 79 Beach Rd
- YU Asian Bistro LLC, 76 Main Str

Member Kristal made a motion to approve Beer and Wine Licenses as presented. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

Class II Licenses

- Autoeuropa of Martha's Vineyard, 356 State Rd

Member Kristal made a motion to approve the License as presented. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

- Barnes Truck Sales, 300 State Rd

No Action Taken. The applicant is not compliant for not payment.

- McCurdy Motorcars Inc., 15 Lyle Lane
- McCurdy Motorcars Inc., 199 Beach Rd

Member Kristal made a motion to approve the Licenses as presented. Member Rogers seconded the motion. Roll Call Vote: Kristal- Aye, Loberg- Aye, Rogers -Aye. The motion was approved.

PROSPECTIVE MEETING AGENDA(S)

January 14, 2020

January 28, 2020

January 29, 2020 (With FinCom)

February 4, 2020

February 18, 2020

MEETING ADJOURNMENT

Respectfully submitted by

Alexandra BenDavid

DocuSigned by:

Jeff Kristal

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Jeff Kristal

Chair

DocuSigned by:

Larry Gomez

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Larry Gomez

Vice Chair

Roy Cutrer

Clerk