

**TISBURY SELECT BOARD MEETING MINUTES**  
**Virtual Meeting Via ZOOM**  
**Wednesday, June 16, 2022, at 11:00 AM**  
**Larry Gomez, Roy Cutrer, John Cahill**

**Select Board Members Present:** Larry Gomez, Roy Cutrer, John Cahill

**Others Present:** John Grande, Town Administrator, Lorna Welch, Pam Bennett, Geoff Rose, Phil Silverman, Ben Robinson, Melinda Loberg, Rich Saltzberg, Elaine Miller

**CALL TO ORDER**

**TOWN ADMINISTRATOR REPORT**

Common Victualler License Renewal – Fish Tales, 80 Main Street

Common Victualler License Renewal - Garde East, 52 Beach Road

Common Victualler License Renewal - The Cove Golf & Grill, 386 State Road

*Member Cahill made a motion to approve the three Common Victualler License Renewals as stated above.*

*Member Cutrer seconded the motion. Roll Call Vote: Cahill- Aye; Cutrer - Aye, Gomez - Aye. The motion was approved.*

One Day Alcohol License – Martha's Vineyard Museum Annual Fundraising Gala – June 25<sup>th</sup>

One Day Alcohol License – Martha's Vineyard Museum Instillation of the Margot Datz' Hot Tin Roof panels- July 7<sup>th</sup>

One Day Alcohol License – Martha's Vineyard Museum Wedding Ceremony & Reception – July 9<sup>th</sup>

*Member Cahill made a motion to approve the three One Day Alcohol Licenses as stated above. Member Cutrer seconded the motion. Roll Call Vote: Cahill- Aye; Cutrer - Aye, Gomez - Aye. The motion was approved.*

Patient Centric, 505 State Road, Host Community Agreement Amendment

Mr. Grande explained that Patient Centric is the subject of a host community agreement and amendment, and today we have the beginning discussion regarding a second amendment to that agreement. Our attorney Jonathan Silverstein is not able to attend this meeting today and has been closely involved with the development of the host community agreement and the subsequent amendment and would obviously be advising us on the new amendment. He wanted to give the applicant, the owner, and their counsel an opportunity to explain why we're here, and further he would like, at the conclusion of this discussion, a select board member assigned to work on the host community agreement amendment with him, as has been done on a prior occasion. Mr. Grande turned it over to Mr. Rose to give an overview.

Mr. Rose stated that he opened in mid-August of last year with limited product as he is reliant on the island cultivator for product because they cannot transport it from the mainland. He struggled through the winter and is current with his impact fee payments. The host community agreement requires a significant voluntary payment and that's the reason for the second amendment. This would permit the payment to be made, one year after our first anniversary and I'm confident that I will be able to make that payment.

Mr. Silverman, attorney for Patient Centric, stated that he wanted to inform the board of what is going on at the state level with respect to host community agreements. In particular, the impact fees to be paid under them were really intended to reimburse cities and towns for actual impacts, to the cities and towns from these businesses. He stated that they turned into something different and thinks in a lot of cases they turned into a revenue source for cities and towns and that was really not the intent. He stated that Jonathan Silverstein who he works with quite a bit in these all over the state may have a slightly different opinion. There was a 3% limit on these impact fees but really that was supposed to be an upper limit it wasn't supposed to be that everybody automatically pays 3%. Nonetheless, that's what they agreed to, and they don't have a problem leaving that in.

They were hoping that the additional contribution to the housing trust of \$20,000 could be deferred until the second year after opening. He stated that the new legislation that's being proposed by the state is a lot stricter about these payments being based on actual impacts, which have been minimal, so there may be a need to amend this again.

Mr. Grande stated that we have the language in place that may prospectively address the State legislation as well if that comes to pass, but, other than that, he was not looking for a specific action today without further consultation with their attorney. Mr. Cutrer stated that he would like to work on the community host agreement amendment.

*Member Cahill made a motion to appoint Member Cutrer to this group. Member Gomez seconded the motion. Member Cutrer abstained. Roll Call Vote: Cahill- Aye; Gomez - Aye. The motion was approved.*

#### Martha's Vineyard Regional High School Formula

Mr. Grande stated that they did reach a resolution. The methodology was sent to the board in its rough form as well as in its final form. This is relative to the capital improvement funding for the high school and this formula is applicable to that future project which was necessary in order to move forward with the MSBA Program.

Tisbury and other communities agreed to percentages, and it was based on enrollment, the equalized value of property, and also there was a 1% reduction for the town of Oak Bluffs in order to acknowledge that they are the host community in terms of providing direct services. Also, there was a Memorandum of Understanding language relative to putting boundaries on budget increases and that was based on the 2 ½ percent threshold that we have in our annual budgets. The final percentages calculated were Aquinnah - 2.4, Chilmark - 8.26, Edgartown – 30.13, Oak Bluffs - 22.89, Tisbury - 22.9, and West Tisbury - 13.42.

Mr. Cutrer stated that the most significant thing that occurred in that meeting was that we started with a 75/25 agreement and, by the time the voting occurred we went to a 70/30 agreement which is better for Tisbury. He believes this is the best formula that's going to come out of that committee and believes that we need to support it.

*Member Cutrer made a motion to support the school funding formula as currently presented. Member Cahill seconded the motion. Roll Call Vote: Cutrer – Aye; Cahill- Aye; Gomez - Aye. The motion was approved.*

#### Tisbury School Project – Special Town Meeting

Mr. Grande stated that the renovation and addition project is out for bid. We will get the bids returned by the second week in July. At that point, we will have costs for the project to review and assess. The structure of the bid was for the base project which is the so-called option three with two alternate items to price within that bid package. The alternates relate to the windows and the masonry work. He will be providing the board with potential dates for a special town meeting as may be warranted to address unbudgeted cost increases. We will have that schedule available if we need to set it into motion.

Ben Robinson requested that the town release all the design changes made to the project in an effort to cut costs and have those plans available to the public on the town website. Member Cahill made the same request and also asked that the chair of the building committee be present at future meetings when this topic is on the agenda.

#### Prospective Agendas and Meeting Schedule

Mr. Grande stated that the meeting agenda for June 22<sup>nd</sup> is filling in quickly. The proposal is that meetings are at held at 4:00 and the hearings will be held at 4:30. Executive sessions will be held at 3:30. The meetings will be held on the second and fourth Wednesday of the month. He wanted to make sure those times and dates will work for the current board.

## **BILLS PAYABLE**

Tappe' Invoice #220501 \$128,333.18

Daedalus Invoice #39235-15 \$9000.00

Environmental Partners Invoice #751 \$6,719.40 and Invoice #959 \$746.60

*Member Cutrer motioned to approve bills payable as stated above. Member Cahill seconded the motion. Roll Call Vote: Cutrer – Aye; Cahill – Aye; Gomez -Aye. The motion was unanimously approved.*

Mooring Bill Commitments # 1 & 2 for the fiscal year 2022

4/29/2022 \$30,344.62 4/29/2022 \$467,616.97 5/6/2022 \$405,614.23 5/13/2022 \$452,681.90

*Member Cutrer motioned to authorize Chair Gomez to approve and sign the mooring commitments. Member Cahill seconded the motion. Roll Call Vote: Cutrer – Aye; Cahill – Aye; Gomez -Aye. The motion was unanimously approved.*

## **PAYROLL**

4/28/2022 \$151,078.54 5/5/2022 \$374,071.76 5/12/2022 \$165,939.68 5/19/2022 \$371,686.65

*Member Cutrer motioned to approve the payrolls as stated above. Member Cahill seconded the motion. Roll Call Vote: Cutrer – Aye; Cahill – Aye; Gomez -Aye. The motion was unanimously approved.*

## **APPROVAL OF CEMETERY PLOTS**

90F 28 27 85 9 11 41 202 203 20C


*Member Cutrer motioned to approve the cemetery plots as stated above. Member Cahill seconded the motion. Roll Call Vote: Cutrer – Aye; Cahill – Aye; Gomez -Aye. The motion was unanimously approved.*

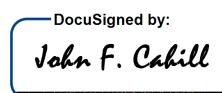
*Member Cahill motioned to adjourn. Member Cutrer seconded the motion. Roll Call Vote: Cahill – Aye; Cutrer – Aye; Gomez -Aye. The motion was unanimously approved.*

## **MEETING WAS ADJOURNED**

Respectfully submitted by  
Lorna Welch, Executive Assistant

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Larry Gomez  
Chair

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Roy Cutrer  
Vice-Chair

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John Cahill  
Clerk