



**TISBURY SELECT BOARD MEETING MINUTES**  
**Wednesday, December 14, 2022, at 3:00 PM**  
**Roy Cutrer, John Cahill**  
**VIRTUAL MEETING**

**SELECT BOARD MEMBERS PRESENT:** John Cahill, Roy Cutrer

**STAFF PRESENT:** John Grande, Town Administrator, Elena De Foe, Executive Assistant

**CALL TO ORDER**

Chair Cutrer called the meeting to order at 3:00PM.

**COMMITTEE AND DEPARTMENTS REPORTS AND REQUESTS**

*Town Clerk- Special Town Election Warrant January 24, 2022*

Hillary Conklin clarified that the term of the newly appointed member will be until the regular election May 9, 2023.

**Member Cahill made a motion to approve the warrant for the special town election on Tuesday, January 24, 2023 to be held between the hours of noon and eight PM. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.**

**TOWN ADMINISTRATOR'S REPORT**

*Fiscal Year 2024 Departmental Budgets Reviews and Annual Town Meeting Warrant Articles*

Kirk Metell explained the major changes in the Department of Public Works Budget. He stated that increases are mostly recurring contracts. Money was shifted from payroll to professional services as the department is having trouble filling positions, they are hoping to outsource some of those duties. The budget is not increasing overall. The Department of Public Works has five warrant articles: to paint town hall, senior center and police station; EMS building repairs; DPW equipment; snow removal machine for sidewalks; pavement and replacing sidewalks around the school.

Chris Habekost stated that the overall increase in the operating budget is 3.4%. The police vehicle budget has an increase of \$10,000 to cover the increased cost of new vehicles. Training budget is increasing \$6,000 so the Police Department can reimburse people for housing expenses when at the police academy. They are having trouble filling positions and this extra concession may help. No warrant articles.

Greg Leland explained the changes in the Emergency Services budget. He stated that the largest increases are in salaries with the step increases and the cost of living adjustment. The Town is looking to fill the position of the Emergency services supervisor which will be less than the previously employed person. The salaries budget is up 16.3% because of the need to use per diem paramedics because we are short staffed. Increase in the contracting of different consultants. Major increases in medical supplies as well. The total budget increase is 15.2%.

Greg continued with Fire budget: the increase in salaries is because of cost-of-living increases and steps and also the administrative position held by Aliyah Lucas is now in the budget opposed to last year when it was a warrant article. The department is looking hire an assistant fire chief which will be a shift coverage position and will be paid as a stipend. Lifeguards are shifted to the fire department this year from Department of Public Works The overall budget increase is 1.9%. Patrick Rolston explained the overall increase of the Emergency Management budget of 2.7%. Stipends and cost of living are up but the travel and gasoline lines went down.

Joyce Stiles-Tucker presented the Council on Aging's budget. She stated an increase in salary as the director position will be moved to Management scale. Other increases are electricity, heating and new equipment (for purchasing a new copier). The overall operating budget is \$36,250 without salaries.

Heidi Rydzewski presented the Technologies budget. There are two categories with increase: communication and computer software and some additional licensing for new positions. One warrant article to update Department of Public Works server system.

Ross Seavey presented the budget for the Building Department. He stated most of the increase are in salaries. The professional services line is increased because of Mr. Seavey's continued involvement with the department after he leaves. A new code release is reflected in the books line increase. The overall increase is 9.7%.

Dannielle Ewart stated the Shellfish budget is increasing 6.8% due to cost-of-living adjustment and step increases. She increased the boat repairs line with \$500.

John Crocker presented the budget for Harbormaster. He explained that Lagoon Pond Association had a portable toilet that now the department is taking over and is going to do the same at the lake street landing. Added a line for overtime. Vehicle maintenance is reduced. Warrant articles for the waterways fund: maintenance and installation of town moorings; Owen Park pier; refurbishing of Tashmoo Skiff.

Heather Maciel presented the Animal Control Office budget. Increases are in the heating and electrical lines. Overall, the budget has decreased \$2,800. Ms. Maciel would like to install a dog run on the outside of the building. One warrant article for upgrading the heating and cooling system.

John Grande gave an overview of Select Board Budget. Budget 122 in the salaries lines is still carrying the Human Resource Coordinator's position. The new position of Human Resource Director is being carried in the Human Resource budget. One will be eliminated. The other assignments line related to the work of Ross Seavey is no longer needed. The budget involving insurance has a significant increase because of the school. We have a request for a copy machine and an increase in utilities. Warrant article for the design engineering and planning of town hall. Other articles: Undergrounding utilities on Union Street and Veterans Park operations and maintenance.

#### *Fire Chief Emergency Medical Services Department*

Mr. Grande stated that it was decided that the Select Board as an employer can put the Emergency Medical Services under the supervision of the Fire Chief with a separate agreement which the Personnel Board approved. This way Fire Chief has oversight of all personnel within the facility he is responsible for. **Member Cahill made a motion to have an employment agreement with the Fire Chief focused on his management oversight of the Emergency Medical Services department. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.**

#### *Letter of Support Navigator Homes of Martha's Vineyard*

Melinda Loberg a board member of the Navigator Homes of Martha's Vineyard. She stated that this project is for a skilled nursing center to replace Windermere as the hospital is looking to close it. Currently the project is awaiting permitting from the Town of Edgartown. She explained that the project will implement a new model (green model) which provides high quality nursing care in home like atmosphere with community involvement to fight the problems of isolation. The hospital and navigator homes are working very closely to make the project happen. Navigator Homes is asking the communities to send support letters to the Massachusetts Division of Public Health showing the need of such project on the Island. **Member Cahill made a motion to write a letter of support in favor of Navigator Homes. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.**

#### *Department of Agricultural recourses Eversource vegetation management plan*

Roy Cutrer stated that last year a large portion of the powerlines was mowed, and he would like to continue doing so. He is concerned about the large amount of people and animals walking in the area.

John Cahill is in support of mowing as well rather than using chemicals.

**Member Cahill made a motion to approve drafting a letter to Eversource to not use herbicides and continue to mow. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.**

#### **PUBLIC HEARING:**

*3:30 PM Continued Public Hearing to discuss the classification of the tax rate and the allocation of local property classes for Fiscal Year 2023*

**Cahill made a motion to continue the public hearing to discuss the tax rate classification to December 21, 2022 at 4:15PM. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.**

#### **PUBLIC HEARINGS:**

*4:15 PM Public Hearing to review and consider a request by NSTAR Electric Company D/B/A Eversource Energy to install 45'+ of 2-4" conduit under town road from pole 100/20-Spring Street*

Member Cahill read the public hearing notice.

Marissa Jackson stated that this would accommodate bringing power to the school. The work will begin in February. There will be a traffic management plan. The installation will take one to two days. **Cahill made a motion to approve NSTAR d\b\ a Eversource's request for permission to locate underground cables, conduits and manholes including necessary sustaining and protecting fixtures. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.**

*4:45 PM Continued Public Hearing for Select Board review of proposed amendments to the Tisbury Waterways Regulations*

Roy Cutrer continued the public hearing at 4:45PM. Public comment portion has been closed.

Mr. Grande stated that a complete review of the document from town attorney and the proposed changes from Harbormaster was received. All previous language is still in the document. He believes there are enough changes to the document to warrant sending it back to the Waterways committee for full review. Mr. Grande would like to enhance the enforcement section with input from Town Attorney and to be more open to different types of conservation moorings. He

pointed that Tisbury harbor is developed around recreational boating in seasonal basis. Mr. Grande explained that the hearing will be readvertise and open in the event of significant changes from the waterways committee so that the public can comment as well.

Matt Hobart chair of the Waterways Committee believes the committee will need to revisit the mooring section of the regulations.

Attorney Hewig has reviewed all documents and he recommended one legal change: Section XXII paragraph one the harbormaster shall maintain a waiting list open to everyone. He added federal regulation to the language due to the federal funding that the town benefits from. The list must be open to all and can not be restricted to Tisbury residents only. If restricted the Town could lose future federal funding. Mr. Hewig stated that the presented regulations are all lawful. He clarified that there is no issue with giving preference to property owners getting a mooring off of their property.

Harbormaster John Crocker recommended for the draft to be send back to the waterways committee for further review.

**Member Cahill made a motion to pass the waterways regulations back to the waterways committee. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.**

#### **COMMITTEE AND DEPARTMENTS REPORTS AND REQUESTS**

*Housing Bank Review Committee-Update, Rachel Orr*

Rachel Orr stated the housing bank review committee has recommended three amendments to the Towns. Ms. Orr stated the senator has suggested drastic changes to the bill. To have the transfer fees removed as they believe there will be state legislation covering this portion. Also removing specific regulatory language to be decided at local level. This makes the bill different then what was filed with town clerks. **Member Cahill made a motion to approve sending the warrant article and "Act" to the State with only the three proposed amendments from the November 9, 2022 letter as follows:**

**1. Amend composition of the Town Advisory Boards ("TABs") (lines 62-66) as follows:**

**"Town advisory board", a town board created in each member town to assist the commission in administering this act, each to consist of 1 representative duly appointed, either from its membership or otherwise, by each of the following town boards: select board, conservation commission, planning board, zoning board, board of assessors, housing committee, board of health and, if one exists, wastewater committee. and 2 appointed by the housing committee.**

**2. Editorially change Chapter 183 to Chapter 183A (line 56) and editorially change 2022 to 2024 (line 108) as follows:**

**The interest of a buyer or seller under a contract for purchase and sale of real property, the transferable development rights created under chapter 183A of the General Laws; the dominant estate in any easement or right of way, the right to enforce any restriction, an estate at will or at sufferance, or an estate for years or leasehold interest.**

**The election of the at large member of the commission shall be conducted at the biennial state election in 2022 2024 and succeeding elections of the at-large member shall take place at the biennial state election.**

**3. Amend Section 13 related to gifts (line 337) as follows:**

**Grants or gifts of money or other assets to the housing bank shall be expended only for the purposes of the grant or gift and subject to any restrictions or limitations imposed thereon by the grantor or donor thereof, and to all the restrictions, limitations, and guidelines laid out elsewhere in the Act.**

**Vice-Chair Cutrer seconded the motion. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.**

#### **PROSPECTIVE MEETINGS SCHEDULE AND AGENDA ITEMS**

December 21, 2022

January 11, 2023

#### **MEETING ADJOURNMENT**

**Member Cahill motion to adjourn the meeting. Vice-Chair Cutrer seconded the motion. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.**

**Meeting was adjourned at 5:17PM**

Meeting Minutes Recorded by Executive Assistant Elena De Foe

Meeting Minutes Approved January 11, 2023

  
Roy Cutrer  
Vice Chair

  
John Cahill  
Clerk