



TISBURY SELECT BOARD MEETING MINUTES
Wednesday, May 24, 2023 at 4:00 PM
Roy Cutrer, John Cahill, Christina Colarusso

HYBRID MEETING

SELECT BOARD MEMBERS PRESENT: John Cahill, Roy Cutrer, Christina Colarusso
STAFF PRESENT: John Grande, Town Administrator, Elena De Foe, Executive Assistant

CALL TO ORDER

Chair Cutrer called the meeting to order at 4:00PM.

ANNOUNCEMENTS

Chair Cutrer announced the following:

March to the sea is on May 26th.

Town picknick 12-4pm at the Tisbury Spring Building

Memorial Day parade 10:30 am.

Chair Cutrer read the heroic action of Ray Gale and acknowledged his courage. Chair Cutrer officially commended Ray for his quick action and readiness to assist the boaters and the Harbor Department. The harbormaster would like to remind us of the importance of wearing personal flotation device when on the water.

Vice-Chair Cahill announced that Tisbury will receive a little over \$300,000 for new innovative sewage systems.

Martha's Vineyard Regional High School Budget Update

The town of Tisbury does not need to hold another special town meeting to approve the newly resubmitted budget since the Town was in support of the original MVRHS budget.

DISCUSSION SESSION AND POSSIBLE VOTES

Request for support to the Cape Light Compact's partnership with Vineyard Power

Maggie Downey asked for a vote in support of the cooperation of vineyard power and cape light compact so that the island can get a discounted rate for electricity.

Vice-Chair Cahill made a motion to approve participation in the initiative, in connection with the Resiliency and Affordability Program Implementation Agreement between Vineyard Wind and Vineyard Power, to deliver electricity bill savings in the form of a discounted power supply rate to all low-income customers taking service from the town's municipal aggregation power supply program on the R-2 and R-4 rates, for so long as the initiative is offered by Vineyard Power and to take any action relative thereto. Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Lake Tashmoo Overnight and Day use moorings, Exemptions from anchoring moratorium, Residential anchorage use area

John Crocker stated there was a recommendation by the Waterways committee to allow residents only to anchor in Tashmoo. He has had a conversation with the Department of Environmental Protection, and they stated a law that does not let the Town discriminate by residency.

Matt Hobart (chair of the Waterways Committee) stated that the recommendation of the committee contains two more sections: Up to six moorings in Northern Pine area for day use only and same amount on the Drew's Cove for overnight use only; all approved mooring inspectors with barges to be exempt from the anchorage moratorium.

Mr. Crocker recommended the usage of conservation moorings in the Dew's Cove because there is eel grass there and use traditional mooring in Northern Pines. He also stated that the current web system used at the Harbormaster's Office have the capability of doing reservations with no charge from the vendor for this season.

Mr. Cahill asked if there is a way to have certain vessels of a certain size anchor in a designated area. Maybe this will promote Tisbury residents to use the water and beach since they predominantly will have this type of vessel.

Matt Hobart agrees and stated it will be hard to enforce boat anchoring based on size.

Vice-Chair Cahill made a motion to approve the Waterways recommendation of placing up to six moorings in Drews Cove for overnight use only and up to six moorings in Northern Pines area for

day use only by reservation. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Vice-Chair Cahill made a motion to exempt all approved mooring inspectors barges, based on the determination of the Harbormaster that can use an alternative method of securing, from the anchorage moratorium. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Police Marine Unit

Chief Habekost explained that the Police are proposing a pilot program using the Massachusetts Environmental Police boat.

Member Cahill asked how many times there have been incidents that involved the police on the water. John Crocker stated he has requested assistance about five times and the Police have requested Harbormaster's assistance about the same time.

Cahill asked if the Fire Department has a vessel.

Mr. Crocker stated the Fire Department has a hard bottom inflatable.

Chief Habekost pointed out that sometimes there are night call, and the Harbormaster is not on duty. According to the community the Police will have a calming presence on the water.

Member Colarusso believes another asset in Town will be great. She asked how the vessel and Police would be insured.

Jon Snyder stated the boat was insured until we turned it back, we can insure it again.

Mr. Grande asked if this was considered during the budget preparation in terms of fuel maintenance.

Jon Snyder responded that from the insurance standpoint no it was not considered.

Chief Habekost explained that the Police requested funds from embarkation but was denied. The proposed pilot program was not written into the budget but mentioned it to the Finance Committee.

Ben Robinson asked if there would be training provided to all the officers. He is concerned if there will be any anticipated increases in staff.

Chief Habekost explained they have received some training from the Menemsha Coastguard and will have more training from the Environmental police on the specific boat. He is offering this as a special duty and not hiring more officers.

Mac Schilcher voiced a concern of the growing budget and would the officers receive enough training.

Jeffrey Canha stated he has assisted the Police when they needed water access. He is in support of the initiative.

John Packer doesn't believe there is a need for a Police vessel.

Danielle Ewart stated that all departments can work together as it has been until now and her boat can go into a lot of shallow areas. She is happy to assist the Police.

Mr. Grande has concerns about overtime. He suggested a discussion with the Finance Committee.

Rachel Orr stated that the finance committee did not discuss this project as part of this fiscal year or being funded from overtime.

Vice-Chair Cahill made a motion to support the police marine unit subject to discussion. Member Colarusso seconded the motion.

Vice-Chair Cahill was concerned that there is no contract with the Environmental Police and it has not been budgeted for. Mr. Cahill stated he is not in support of the initiative at this time.

Member Colarusso believes this program would make our town safer and will decrease the response time. We are talking about \$20,000. She is supportive of the program.

Roll Call Vote. Cahill Ney. Colarusso Yea. Cutrer Abstained. The vote was 1 in favor, 1 opposed, and 1 abstained.

Cost of Living Adjustment- Local Retirement Option

Kelly McKacken stated that the State has provided some relief to allow larger Cost of Living Adjustment. This will give \$35 extra dollars to retirees. The state increased the COLA to 5%. This is a onetime change that needs approval from towns, county commissioners and retirement board. The Town of Tisbury has 84 retirees. It will cost \$204,000 in the fiscal year 2026.

Member Colarusso made a motion to approve the local retirement option COLA adjustment as presented. Vice-Chair Cahill seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

First Friday Rental of the Katharine Cornell Theater

Andy Herr, First Friday representative explained that the events have no rain date. A lot of our expenses are hiring the musicians and they are non-refundable. It seems like a good idea to utilize the theater. We have 6-8 volunteers which can monitor the capacity and secure the elevator operation. We will put tables to protect the murals.

Vice-Chair Cahill made a motion to provide First Friday the rental of Katharine Cornell Theater. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Vice-Chair Cahill made a motion to wave the rental fee for the First Friday Events. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

PUBLIC HEARING

4:15PM- Public Hearing to review and consider an All-Alcohol License request by La Strada LLC, 65 Main Street

Chair Cutrer read the public hearing notice and opened the hearing at 4:23PM.

Dusan Veselinovich explained that it will be a small restaurant, lunch place with 30 seat capacity. It will have some good Italian products and a lot of to go items. All the food will be prepared at Salvatore's and delivered to La Strads in a safe manner. He stated the restaurant would like to open in a month and a half. The alcohol will be served by waitstaff to the table. Service area is separate from the food area.

Mac Shilcher spoke in support of the new restaurant.

Vice-Chair Cahill made a motion to approve the application with the condition of approval that the alcohol license will not be issued and therefore not used until the applicant has obtained a common victualler license for the proposed restaurant. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

4:20 PM Continued Public Hearing to consider proposed amendments to the Tisbury Waterways Regulations

Chair Cutrer continued the hearing at 4:37PM.

John Crocker stated there was a vote by the Waterways Committee to recommend approval of Chapter one as presented. He would also recommend approval of Chapter one as presented.

Matt Hobart confirmed the recommendation subject to final changes from the Town Attorney.

Mac Shilcher proposed a review of the definition for Inoperable Vessel. He believes the phrase "being operated under its intended mode of power" is not clear. A sailboat for example can operate with sails or a motor so what would the intended mode of power be.

Matt Hobart suggested replacing "intended power" with "its own power".

Vice-Chair Cahill made a motion to approve Chapter one of the Waterways Regulations as amended subject to final corrections to form and grammar. Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Amendment:

Inoperable Vessel: Vessel which is incapable of being operated under its own mode of power, and which has been in such condition for more than 30 days.

Lynne Fraker would like the board to consider instructing the committee to move the discussion regarding moorings to a separate discussion in the fall. She believes it is a lot to ask from the committee at this time. She would like vacant private moorings to be addressed in a different way. There are a lot of reasons for them to be vacant. Ms. Fraker believes the 2-year rule and the waitlist need to be tightened up. She recommended that the Waterways committee look at public comments from the Select Board hearing and allow public comment.

Mac Schilcher agrees the mooring list needs to be tightened up which he believes will help island residents as most of the list is island residents.

Jeffrey Canha supports the request to put aside certain sections when reviewing Chapter two.

John Crocker chapter two has not been reviewed by the Waterways Committee. The Harbor department has made some changes which may or may not be accepted.

Matt Hobart I do recommend the committee to review Chapter two.

Mr. Grande recommended to the Select Board to close the Public Hearing and allow the Waterways Committee enough time to review Chapter two and make recommendations. Once they are ready the Hearing can be readvertised.

Cutrer what are the implications of us closing the hearing and letting you work on Chapter two.

Hobart we have regulations in place and this will give us enough time to review and make recommendations. John Crocker agrees.

John Packer asked if Chapter one will be in effect even though the whole regulations are not ready.

Mr. Grande stated that Chapter one will be signed and sent to the Department of Environmental Protection.

Colausso would like to see a review after the summer and set some goals.

Chair Cutrer asked if a compliance project can be done for all moorings?

Mr. Hobart responded that it will be really hard with the current regulations and documentation to do a compliance project.

Mr. Crosker stated that the 3-year rule is very difficult to enforce. It is hard to know if someone's boat has been on their mooring in the last three years. Every time there is a signal it is being thoroughly checked and moorings do get taken away. We probably reassign about 20 moorings a year.

Jeffrey Canha the suggestion for the new regulations is for a mooring to be used 30 consecutive days within 2 years. The current regulations say 30 days within 3 years, the days are not consecutive.

Vice-Chair Cahill made a motion to close the public hearing. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

ADMINISTRATIVE SESSION

Aquaculture License Renewal

Noah Mayrand

Mr. Mayrand requested if the renewed license can be for 5 years.

Both Danielle Ewart and John Crocker has nodded their heads in agreement of the renewal.

Vice-Chair Cahill made a motion to approve the aquaculture license renewal for Noah Mayrand for 5 years. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Seasonal Common Victualler License Renewals

John's Fish Market, 5 Martin Road

Fish Tales MV, 80 Main Street

S&S Kitchenette, 48 Main Street

Vineyard Haven Yacht Club, 45 Owen Little Way

Member Colarusso made a motion to approve the Seasonal Common Victualler Licenses as stated. Vice-Chair Cahill seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Year-round Common Victualler License Renewals

Mikado Asian Bistro, 76 Main Street

Little House Café, 339 State Road

Waterside/ La Soffitta, 82 Main Street

Wolf Gang Inc, 45 Beach Road

Island Fresh Pizza and Subs, 395 State Road

Copper Wok, 9 Main Street

Garde East, 52 Beach Road

Vice-Chair Cahill made a motion to approve the Year-Round Common Victualler Licenses as stated. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Seasonal Lodging House License Renewals

Charles and Charles, 85 Summer Street

The Look Inn, 25 Look Street

Member Colarusso made a motion to approve the Seasonal Lodging House Licenses as stated. Vice-Chair Cahill seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Special Event

Martha's Vineyard Museum, 151 Lagoon Pond Road-6.2.23 Martha's Vineyard Flavors

One-Day Alcohol License

Martha's Vineyard Museum, 151 Lagoon Pond Road-6.2.23 Martha's Vineyard Flavors

Member Colarusso made a motion to approve the One-Day Alcohol License as stated. Vice-Chair Cahill seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

APPOINTMENTS

APPOINTMENTS FY24

One-year terms

Animal Control Officer: Heather Maciel

Assistant Treasurer/Collector: Kim Serpa

Dukes County Parking Clerk: Beth Kaeka

Dukes county Advisory Board: John Cahill

Municipal census supervisor: Hillary Conklin

Municipal Hearing officer: John Schilling

Tree Warden: Kirk Metell

Veterans Grave officer: Bruce Montrose

Vice-Chair Cahill made a motion to appoint the One-Year Terms as stated. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

Committee and Board One-year terms

Beautification Committee: Jynell Kristal, Dawn Braasch, Caroline Gagliardi

Board of Registrar: Catherine Mayhew

Cape Light Compact: Russel Hartenstein

Cape & Vineyard Electric Cooperative: Bill Straw

Center For Living: Christine Burke

Community Preservation Commission: John Best, Carolyn Wallis

Council on Aging: Eleanor Morad

Land Bank Advisory Board: Lillian Robinson, Gerard Hokanson, Henry Nieder

MV Community Television: Robert Tankard

MVC Joint Transportation Committee: Kirk Metell and John Grande, Alternate

MV Regional Transit Authority Board: Elaine Miller

Open Space and Recreation Committee: Cheryl Doble (Planning bd.), Gerard Hokanson, Henry Stephenson, Carolyn Wallis, James Burrows

Picnic Committee: Patricia Carlet, Lorraine Wells, Harriet Burrow, Danielle Ewart, Aase Jones, Jonathan Snyder

Vineyard Healthcare Access Program: Alan Hirshberg

Member Colarusso made a motion to appoint One-Year Term Boards and Committee Members as stated. Vice-Chair Cahill seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

3-year appointments:

Department of Public works Director: Kirk Metell

MV Shellfish Group: Sally Rizzo

Zoning Board of Appeals: Michael Ciancio

Vice-Chair Cahill made a motion to appoint the Three-Year Terms as stated. Member Colarusso seconded the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

MEETING ADJOURNMENT

Member Colarusso made a motion to adjourn the meeting. Vice-Chair Cahill second the motion. Roll Call Vote. The vote was 3 in favor, 0 opposed, and 0 abstained.

The Meeting was adjourned at 6:25PM.

Meeting Minutes Recorded by Executive Assistant Elena De Foe,

Meeting Minutes Approved June 28, 2023


Roy Cutrer
Chair


John Cahill
Vice Chair


Christina Colarusso
Clerk