



TISBURY SELECT BOARD MEETING MINUTES
Wednesday, November 9, 2022, at 4:00 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 4:00PM.

Member Cahill read the proclamation for Veterans Day.

COMMITTEE AND DEPARTMENTS REPORTS AND REQUESTS

Town Clerk- Special Town Election January 24, 2022, Vote by Mail

Hillary Conklin asked for the approval of special town election and opting out of vote by mail. She clarified that there is still going to be the absentee ballot option.

Member Cahill made a motion to opt out of vote by mail for a special town election on January 24, 2023. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

Department of Public Works- Main Street Project Update

Kirk Metell explained that Laurence lunch Corp has started the improvements on Main Street and are currently ahead of schedule. The Town is altering the current sidewalks to make them ADA compliant. He stated the project was voted on in 2018 and doesn't include the loss of any parking spaces after construction is complete.

Mr. Hall stated that he has spoken to a number of Main Street property owners. They were all amazed to see the work started and were not aware of the project. He claimed that the owners were not notified, and plans were only made available two days ago. Mr. Hall is concerned with the Vineyard Haven Business Association's planned events and the removal of parking spaces. He expressed that there is lack of communication.

Elaine Barse Vice President of the Vineyard Haven Business Association stated that the association is looking for more communication of the operational side. They would like to know more about the schedule particularly with the Holidays coming up. Ms. Barse stated the upcoming events

Elizabeth Sinnett a business owner on Main Street stated that she would like to be open for the holiday days and maybe be open on the Friday, Saturday and Sunday. She explained she had difficulties with scheduled work not being able to be completed due to lack of notice of the work performed in front of her store. Ms. Sinnett complained that the work on the sidewalk has affected her courtyard.

Mr. Metell stated that the curbing will not be arriving until January. The Holiday season should proceed as normal. There won't be a lot of construction in December.

Mr. Hall expressed his concern with the project plans calling for construction on private property without permission.

Ms. Barse requested to have information regarding construction schedule a few days ahead so business owners can prepare.

Mr. Grande explained that the project required votes by Town meeting and various boards and committees. He stated that Mr. Metell will work on filling the communication gaps and the Town will request from the engineers in the field to check the plans for work on personal property and require a temporary easements if needed.

PUBLIC HEARING:

4:30 PM Public Hearing to determine whether two dogs are a nuisance or dangerous dogs Massachusetts General Law Chapter 140, Section 157

Chair Cutrer read the public hearing notice and opened the public hearing.

Heather Maciel, Howie and Jennifer Marlin and Liz Taft took the oath.

There is no other legal counsel present except for town attorney David Doneski.

Ms. Maciel presented her report (Appendix A).

Member Cahill asked how many incidents have occurred?

Ms. Maciel responded that there were 3 incidents by two dogs in two separate houses. She also read an email statement from Maryann Haller (Appendix B).

Mr. Marlin stated that himself and his wife as owners did not understand the breed and what they are capable of. He explained that he has put a skunk fence, but the dogs still found a place to escape. Mr. Marlin proposed relocating the dogs as a solution.

Liz Taft who lives across the street believes the dogs need to be rehomed to a place that is away from chickens.

Member Cahill asked if Mr. Marlin has a time frame or an idea of where to rehome the dogs.

Mr. Marlin responded that the person who provided the dogs will be able to relocate them in the meantime they will have a steel wire and will not be allowed to run free.

Ms. Maciel recommended for the dogs to be rehomed within 30 days if possible and also that they are to be restrained even in the fenced area. If for a reason they have to go off the property to be with a leash with a collar and a muzzle. They should not be unattended.

Member Cahill made a motion that based on the discussion today that Junebug be considered a dangerous dog. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

Member Cahill made a motion that the dog Chicopee be considered a dangerous dog. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

Member Cahill made a motion to acknowledge the statement of the Marlin's as owners of the two dogs that they are in the process of having the dogs relocated through the provider from whom they purchased them and that this is anticipated sometime this calendar year. In pending their removal from the Marlin's property that the dogs should be restraint on the property, that the fencing on the property should be maintained to prevent the dogs from leaving the property and if the dogs do go off the property that they be on a leash with a collar and also a muzzle and that the run that is installed at the property be a metal one(that is the statement we have heard from the Marlin's). Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

Mr. Marlin stated the dogs have not been dangerous to humans and he will make full restitution to the Pinkhams.

4:45 PM Continued Public Hearing for Proposed amendments to the Tisbury Waterways Regulations (To Be Continued to December 14, 2022, at 4:45PM)

Member Cahill made a motion to continue the waterways regulations hearing to December 14, 2022, at 4:45PM which will allow the town attorney to provide a report. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

TOWN ADMINISTRATOR REPORT

License(s):

Common Victualler License Renewal-Nat's Nook, 38 Main Str

Member Cahill made a motion to approve the renewal of the Common Victualler License for Nat's Nook, 38 Main Street. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

Martha's Vineyard Museum Special Event- Martha's Vineyard Bank Holiday Party, December 10, 2022

Member Cahill made a motion to approve the special event for the Martha's Vineyard Museum. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

One Day Alcohol License- Martha's Vineyard Museum- Martha's Vineyard Bank Holiday Party, December 10, 2022

Member Cahill made a motion to approve the one-day alcohol for the Martha's Vineyard Museum. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

Emergency Service Facility Personnel Update

Greg Leland explained that Tracy Jones is leaving the Town with last day Thanksgiving. He is requesting permission from the board for the Town to enter into negotiations with the union to create a supervisor role to alleviate some of Tracy's duties.

Member Cahill made a motion to allow the Chief and Town Administrator to enter into negotiations with the union to discuss the paramedic supervisor position. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

Select Board Designee for Bills Approval under Massachusetts General Law Chapter 41, Section 52

Mr. Grande explained that this allows the board to designate the clerk of the board to review the bills payable and payroll and sign them periodically. At the time of the meeting there will be a document that list the those and the Clerk will just reference the document.

Member Cahill made a motion to designate the select board clerk to be the designee under MGL Ch 41, Section 52 to sign the documents. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

BILLS PAYABLE

Tisbury School Invoices

Daedalus CHA 39235-20 \$128,690.00

W.T. Rich \$781,483.00

Tappe \$48,125.00

Granite City Electric \$136.79

Member Cahill made a motion to approve the Tisbury School Project Invoices as read. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

6.30.22 \$987.43 10.25.22 \$1,470,377.35

Member Cahill made a motion to approve bills payable as presented. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

PAYROLL

10.20.22 \$366,090.00 10.27.22 \$155,515.41 11.3.22 \$488,095.07

Member Cahill made a motion to approve the payroll as presented. Vice-Chair Cutrer seconded. Roll Call Vote. The vote was 2 in favor, 0 opposed, and 0 abstained.

PROSPECTIVE MEETINGS SCHEDULE AND AGENDA ITEMS

December 7, 2022, Joint Meeting with Finance Committee

December 14, 2022, Regular Meeting

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 5:30PM

Meeting Minutes Recorded by Executive Assistant Elena De Foe

Meeting Minutes Approved 12/21/2022



Roy Cutrer
Vice Chair

John Cahill
Clerk