

TISBURY BOARD OF SELECTMEN MEETING AGENDA

Tuesday, March 3, 2015

Tisbury Town Hall – 5:30 PM

Jonathan V. Snyder, Chairman

Tristan R. Israel

Melinda F. Loberg, Clerk

MOMENT OF SILENCE FOR MEVERELL “MEV” L. GOOD AND JAMES WEISMAN DEPARTMENTAL and OTHER REPORTS

Finance & Advisory Committee Chairman re: Harbormaster’s Revised FY2016 Budget

Finance Director – 2016 Mooring Bills – 10% Rate Increase to be Implemented this Year (?)

Fire Chief re: Parking and the Tisbury School

Vision Project Report – Cheryl Doble et al

DISCUSSION SESSION

County Manager Martina Thornton re: County Articles – VNA Building Purchase and other Related Articles

Authorization - Participation in Cape Light Compact Contract Extension with NEXT ERA

Selectman Israel re: Fertilizer Certificate Cause Offered by Adult & Community Education of MV (ACE) for

Residents and Landscaping Services –March 21, 2015 at Martha’s Vineyard Regional High School

Ballot Questions

BOS APPOINTMENT

Larry Gomez to OPEB Committee until June 30, 2015

TOWN ADMINISTRATOR’S REPORT

Wayne Lamson, SSA General Manager and Chief Engineer re: SSA Terminal Traffic Circulation Changes

Selectmen’s Special Town Meeting Warrant Articles – Review

DPW Legislation to Amend or Repeal Chapter 599 of Acts of 1989

Establish the Position of Human Resource Coordinator/Administrative Secretary to the Board of Selectmen

Underground Utilities Study for Certain Downtown Areas with view to future Bylaw Adoption

Hear & Receive Reports (Traditional Article)

Compensating Balances (Treasurer)

Authorization to Borrow in Anticipation of Revenue (Treasurer)

Official Bonds (Treasurer)

Fish Committee (Treasurer - Traditional Article)

Maintain Spring Building Revolving Fund in FY2016 (Treasurer Traditional Article)

Establish the Position of Information Technology (IT) Director (Treasurer)

Amend Zoning Bylaws Section 05.13.01 adding new Sections 05.13.01 and 05.13.02 requiring Special

Permits for 3,000 or more sf of gross floor area, etc. (Planning Board and Board of Selectmen)

Establish new Paramedic Position

Sexual Harassment Policy

OLD BUSINESS

PUBLIC COMMENT

ADMINISTRATIVE SESSION

Approval of Treasury Warrants

Payroll Warrant #3-3-2015

\$286,938.90

Bills Payable Warrant #2-26-2015

\$196,680.55

Bills Payable Warrant #3-3-2015

\$503,897.05

Approval of Minutes

December 9, 2014 – Regular Session

December 9, 2014 – Executive Session

October 14, 2014 – Executive Session

October 28, 2014 – Regular Session

*February 17, 2015 – Special Session

Merit Review

Felicia Cheney, Children’s Librarian – Vineyard Haven Public Library

EXECUTIVE SESSION

Vote to go into Executive Session to discuss strategy with respect to contract negotiations and real estate, (not) to reconvene in Open Session.

Next Regular BOS Meeting – March 10, 2015 – 5:30 p.m. – Tisbury Town Hall

The Board of Selectmen met in Regular Session on Tuesday, March 3, 2015 in the Town Hall.

Present: Jonathan V. Snyder, Chairman, and Tristan R. Israel; John W. Grande, Town Administrator and Aase M. Jones, Assistant to the Town Administrator.

Selectman Melinda F. Loberg, Clerk, was available via telephone to take part in the discussion but did not vote.

Call to order: 5:30 p.m. by Chairman Jonathan Snyder.

Moment of Silence: At this time Mr. Snyder requested that those present observe a Moment of Silence recognizing the passing of two distinguished Tisbury residents: Meverell "Mev" L. Good and James "Jamie" Weisman.

Following this, Selectmen Israel spoke about Mev Good's many contributions to the Town and Town government, describing him as a great and unique individual, citing his ability to tell a story and regaling Town Meetings with his wit and comments. Mr. Israel also noted Jamie Weisman as a fixture in the Harbor and his sailing skills. The Selectmen agreed that the passing of these men marks a great loss for the community.

Mr. Snyder then announced that he would take out of order a brief presentation of the Steamship Authority's plans to re-design the entry and the area at the SSA Terminal on Water Street.

Mr. Lamson introduced his Facilities Engineer Bill Klutie and presented a schematic design showing the proposed improvements to alleviate traffic congestion at the entrance and exits at the SSA terminal, to include the following:

- Easier access at the check-in booth;
- Improved and larger area for pick-up and drop-off;
- Removal of the shelter on Water Street; and
- Adding another lane for parking in the pick-up and drop-off area off Water Street.

Mr. Lamson noted that the estimated cost will be around \$150,000, with bid opening in 3-4 weeks awarding of the bid immediately thereafter, and construction to begin early April with completion by Memorial Day.

At this point Harbormaster Jay Wilbur suggested that the Steamship Authority at some point consider accommodation for commercial fishermen at the SSA property, noting that these vessels were displaced from the Union Wharf many years ago. He pointed out that the Town tries to accommodate the commercial fishermen at Owen Park but they need their own dock space, and then reiterated his request that the Steamship Authority consider making a place for such dockage on the southern side of the SSA docks with a perpendicular pier adjacent to the SSA's two slips. He concluded by suggesting that this might be a project that the SSA might consider some time in the future.

Mr. Israel stated that this would be something to be taken up later and that accommodation for commercial fishermen needs to wait until another time.

General Manager Wayne Lamson described the proposed improvements at the terminal as providing a second lane with parking on either side at the entrance to the pick-up and drop-off and pointed out that all of this will be on Steamship property.

At this point Messrs. Lamson and Klutie left the meeting.

Harbormaster FY2016 Budget: was taken up for review again at the request of Larry Gomez, the Chairman of the Finance & Advisory Committee.

Mr. Gomez reported that the Harbormaster came before the Finance & Advisory Committee last week to justify his \$15,000 budget increase for seasonal and part-time personnel. Mr. Gomez stated that the FinCom looked at the staffing plan which has 1048 hours allocated for the Administrative Assistant Harbormaster, (20 hrs./week year round) and 984 hours allocated for a seasonal Assistant Harbormaster, with 40 hours/week for that position throughout the summer season for 8-9 weeks and then funded for 20 hours/week for the remaining time. Mr. Gomez commented that it seems like the Harbormaster is funding another new position and added that the Finance & Advisory Committee wants to see the Harbormaster's budget reduced accordingly.

Mr. Snyder suggested that the Finance & Advisory Committee vote a "pass" at Town Meeting when the budget of the Harbormaster is read, and then move to reduce the appropriation. He then added that the Board might consider seeking an adjustment to the Harbormaster's budget, and might want to see a reduced budget for the Harbor.

Mr. Wilbur then stated that there is some engine work involved, adding that although he gets some help from the Department of Public Works, he is not given much priority. He then pointed out that he has one person on staff that can change the oil, and added that the Administrative Assistant Harbormaster is not capable of doing these tasks.

Mr. Gomez commented that this is not the role of the Assistant Harbormaster.

At this point Mr. Wilbur asked if this conversation could at some point be with Larry Gomez, Town Administrator Jay Grande and himself. Mr. Snyder agreed, adding that he was just about to make that suggestion.

Mr. Israel commented that he would like to see the time spent on vessel maintenance quantified.

Mr. Gomez stated at this point that he would not recommend approval of a Reserve Fund Transfer Request from the Harbormaster's department for additional funds this year if he seeks additional funds for his department.

Mr. Wilbur then stated that he needs the help to keep his boats running.

Mr. Gomez then stated that the parties will sit down to discuss this next week.

2015 Mooring Fee Increases: was addressed next by Finance Director Tim McLean, who asked if the Selectmen plan to increase the mooring fees across the board this year as had been discussed in 2013, noting that this must be settled soon so that the mooring bills can be issued in a timely manner.

Ms. Loberg commented via phone that she recalls that the HMC had recommended skipping one year and then implement another increase, which she recalled would be 10% in 2015.

A brief summary of the events of 2013 when a 20% proposed increase led to a review of the legality of charging non-residents a higher fee for moorings, and a legal opinion that privately owned moorings must have a uniform rate, i.e. the same rate as that of residents. This led to continuation of the first hearing and a new hearing scheduled to come up with a revised fee schedule based on equality in fees for residents and non-resident with a 10% increase voted in 2013.

After a brief discussion, the Selectmen agreed to the following,

Motion: That the Selectmen schedule a public hearing to amend the Waterways Regulations to include a discussion of increasing across the board all fees for private, commercial and Town lease moorings and also consider recent recommendations from the Harbor Management Committee to amend the regulations for use of the Lake Street Landing Pier, as discussed at the meeting of the Board on February 3, 2015, with a hearing date in two weeks, March 17, 2015 at 6:00 p.m. M/s/c.

Ms. Loberg commented that the Harbor Management Committee recommendation was to increase across the Board 10% in 2013 and 5% and 5% in subsequent years.

Aase Jones was instructed to advertise the hearing (for two weeks, according to the Waterways Bylaw,) with a proposed 10% increase to allow that the number could be reduced but not increased at the time of the hearing.

Use of School Parking Lot @ former DPW Barn on Spring Street: was addressed next by Fire Chief John Schilling, who brought to the attention to the Selectmen that plans to finish the lot remain incomplete, despite available remaining funds in an earlier appropriation of \$16,204 for improvements to the lot. The Fire Chief suggested that some of the funds could be used to clean up the lot and clean debris from the area. He stated further that parents are using the lot as a drop-off for their kids, which was never the intent when it was agreed to clean up the area and allow use for school employee parking and other municipal use/parking. He concluded his comments by suggesting that the Selectmen jump-start the effort to finish the project now.

Mr. Israel commented that the Selectmen and the School Committee has a Memorandum of Understanding for use of the lot, which essentially grants its use for school parking but subject to occasional review

if other Town needs prevail. The Selectmen agreed that the lot was never intended as a drop-off location by parents.

Vision Project Prioritization Summary Report Document from February 12, 2015 Vision Workshop: was presented by Planning Board members Cheryl Doble and Ben Robinson. A discussion followed on what next steps will be taken.

The summary document lists several categories of activities and options as follows: Goals; Actions; Stewards of environment; Sustain a beautiful and lasting built environment; Reduced traffic and create better parking solutions; Create a welcoming gateway and vibrant Town center; Create an accessible waterfront; Create a public realm that connects and integrates neighborhoods, parks, recreation and open spaces; and Build a network of safe walking and biking routes.

Ms. Doble noted that the areas listed represent a consensus of opinions made by participants.

Mr. Israel asked if the group plans to make a presentation to Town Meeting.

Town Administrator Jay Grande pointed out that such reports are traditionally taken up with the consent of the Moderator under Article 1 at the Annual Town Meeting.

Mr. Robinson suggested that the next step should include establishing a sub-group under the Planning Board to look into the implementation of some of the concepts and proposals.

Mr. Israel thought this was a great idea and a discussion followed on how such a group should be constituted to initiate action on some of the vision project's ideas and concepts.

Ms. Doble commented that the vision process had about 32 people participating - volunteering and contributing to the group.

County Purchase of VNA Building for Center for Living Programs and other County-sponsored Articles: were taken up for discussion next.

County Manager Martina Thornton and Leslie Clapp, the Executive Director of the *Center for Living*, a private non-profit organization which provides services for the elderly and is currently funded though the budgets of the Towns' Island Councils on Aging, were present to explain and respond to questions regarding the proposed purchase of the VNA building and other related Articles.

Finance & Advisory Committee Chairman Larry Gomez reported that Ms. Thornton came before the FinCom last week regarding these proposals, noting that he scheduled a viewing of the building earlier in the day to see what it is like, adding that he invited interested parties to come and view the building. Mr. Gomez noted that many, (about 20) came, asking questions regarding the *Center for Living* program, staffing, space needs, actual square feet of building and use, the number of persons currently served, project costs and future plans.

Mr. Gomez informed the Board that according to Building and Zoning Inspector Ken Barwick, the sewer line connecting the VNA building to the Town's wastewater collection system has been disconnected and

the VNA building's allocated flow capacity to the wastewater collection plant transferred to the adjacent Vineyard House.

Mr. Gomez continued by informing the Selectmen that the Finance & Advisory Committee voted [4-0-(2 abstain)] not to recommend the Article to fund the borrowing costs of the Town's share of the purchase of the VNA building for the stated purpose, adding that the FinCom felt that the \$307,000 cost for Tisbury should go to support Town departments that have been held to 0% increases during the past several years, which he stated the FinCom considers a better use of Town funds. Mr. Gomez concluded his comments by stating that this is not against the *Center for Living Social Day* program, which he described as "great".

Mr. Snyder commented that one issue is the large number of square feet in the building that cannot be used for the current Social Day program service offered, and asked if another smaller building, more suitable were available, would the Finance & Advisory Committee be in favor of that?

Mr. Gomez responded to that question by stating that an 8,000 square foot building is far too big for this organization's program, and added that he cannot respond directly to the question asked at this time on behalf of the FinCom.

Mr. Israel commented that the Selectmen have been discussing and spending much time and energy to seek a location for the Senior Social Day program, particularly in view of a projected growing senior Island population, adding that he feels this is a good opportunity to purchase this building.

Mr. Gomez also noted that there is a question of services, with so many different agencies pulling for a share of Town funds for their services through our budgets.

Mr. Israel then stated that he does not think the Town(s) will find a property that will be exactly what we need (for the *Center for Living* program).

Mr. Gomez then questioned why the County is taking on this issue, adding that he thinks the townspeople will pay attention to the Finance & Advisory Committee's vote not to recommend this Article.

Ms. Thornton then stated that the County was asked to help out by the Town and added that that is what the County did. She stated further that for the price this is an added value as the needs for extra space for the *Center for Living* program, will grow according to a growing elder population.

Mr. Israel stated that the All Island Board of Selectmen group as well as the County Advisory Board supported this concept.

Ms. Thornton concurred.

At this point Mr. Gomez reiterated that he is not in any way against the Senior Day Program offered by the *Center for Living*.

In conclusion Ms. Thornton pointed out that this Article will require an override/debt exclusion, which it will be in Tisbury and Oak Bluffs, is a borrowing Article, requiring a 2/3 vote for bonding approval.

The Selectmen thanked Ms. Thornton for coming and she left the meeting at about 6:15 p.m.

Authorization for Town Participation in Cape Light Compact Contract Extension with NEXT ERA for Electric Power Supply (after June 30, 2015): was discussed next.

Mr. Grande noted that the Town was not able to meet the deadline for signing on to the extension within the time-limit allocated by the Cape Light Compact's deadline of Monday, February 9th, to agree to and therefore Tisbury was not included among the Towns that were approved to participate in the extended contract at the proposed rate. Mr. Grande stated that the Town must now await another opportunity to participate, but according to Mr. Wollenburg of the CLC, it may perhaps be at a higher cost.

Mr. Grande commented on the short notification to authorize the proxy to allow Ms. Downey of the CLC to vote on behalf of the Town which was not possible with the Selectmen scheduled to meet the following day (February 10th - which incidentally was a meeting that was cancelled due to snow).

Mr. Grande then asked the Board to authorize him at this time to sign an extension contract with an electric generation supplier through the Cape Light Compact when such becomes available later.

The Selectmen agreed to do so without further discussion. M/s/c.

Mr. Grade then pointed out that in the future a more timely notification in advance of the deadline for the participation vote is desirable, as well as meetings of the organization, including prospective agenda items, adding that we also need to know what the expectations are for the members of the Cape Light Compact. He noted further that the extension is for another 2 years, noting that the price differential is not consequential, but that we need to look into a future power supplier for the Town, not necessarily through Cape Light Compact.

At this point Mr. Israel commented that the Town just received the Cape Light Compact's 2013 Annual Report!

Adult Community Education (ACE) Fertilizer Certification Course for Landscapers and Homeowners: was announced to be held on March 21, 2015 at the Martha's Vineyard Regional High School, and noted that this course is required by the recently adopted Island-wide regulations for the application of fertilizer products.

Ballot Questions: were presented per list prepared by Finance Director Tim McLean, as follows:

Question #1 - General Override: \$208,929 to fund the Tisbury School FY2016 operating budget.

Question #2 - Debt Exclusion: Exempt from Proposition 2½ the share of bond to purchase VNA building;

Question #3 - Debt Exclusion: Exempt from Proposition 2½ the cost of bond to put utilities underground on beach Road;

Question #4 - Debt Exclusion: Exempt from Proposition 2½ the cost of bond to purchase parcels #6-B-8.1 and 6-B-8.2 on Main Street;

Question #5 - Debt Exclusion: Exempt from Proposition 2½ the cost of bond to purchase parcel #24-A-24 at 14 Pine Street; and

Question #6 - Debt Exclusion: Exempt from Proposition 2½ the cost of bond to purchase parcel #58-C-4, 35 Kuffie's Point Way.

Mr. Grande commented on question #6, presented a letter dated 2-24-15 from the Land Bank and received yesterday which states that the Land Bank Commission is not in favor of supporting acquisition of the Kuffie's Point property.

Ms. Loberg (via phone) suggested that the Selectmen invite the members of the local Land Bank Advisory Board to come before the Selectmen to discuss this matter.

Aase Jones noted that the Selectmen do not have to vote approval of these ballot questions tonight, adding that the deadline is not until March 17th, but that they must be voted at the next scheduled meeting (March 10th ?), prior to the 17th, in order to meet the statutory deadline for submission to the Town Clerk for inclusion on the Election ballot.

Special Town Meeting Articles (12): as listed per the agenda were reviewed briefly next and approved for submission to the Town Clerk. M/s/c.

- DPW Legislation;
- Establishment of Human Resource Coordinator/Administrative Secretary - Selectmen's Department;
- Downtown Underground Utilities Study;
- Hear and Receive reports;
- Compensating Balances;
- Authorization to Borrow in Anticipation of Revenue;
- Official Bonds;
- Fish Committee;
- Spring Building Revolving Fund for Receipts;
- Establishment of Full-time IT position;
- Amend Zoning Bylaws to require Special permits for 3,000 sf or more building permits; and
- Establish new Paramedic Position.

Dukes County Pooled OPEB Trust Committee Appointment: Larry Gomez was appointed as the Town's representative to the Dukes County Pooled OPEB Trust Committee until June 30, 2015. M/s/c.

Sexual Harassment Policy Update/Revision: Mr. Grande reported that he will ask our consultant to review the existing policy to see if any updates are mandated or required, adding that the reason this came up was that the Town, according to our Personnel Policy is supposed to distribute the policy annually to all Town employees and we wanted to make sure that it reflects current conditions and what is required under state law.

New Business - 100-year Edition of Monopoly: will, according to news reports, include new sites, one of which may be Vineyard Haven, that is, if enough votes to include the Town are received by the publishing company. Mr. Snyder made this announcement asking that

anyone wanting Vineyard Haven to be included to vote at the web-site of the company publishing the game.

Public Comment: At this point Chairman Snyder noted that he will accept brief public comments, but cautioned that comments will be limited to 2 minutes, and not be a general discussion of a topic.

He then recognized Ms. Barbara Linton, in the audience, who had submitted a letter to the Selectmen dated February 26, 2015 to the Board requesting to be on the next agenda of the Selectmen, which at the time was deferred.

Ms. Linton's letter expressed serious criticism of the operation of the federally funded and run HUD project by Island Elderly Housing, Inc. and Hillside Village. Ms. Linton stated that she would like to be on the agenda in two weeks and did not discuss the content of her letter.

Mr. Snyder stated that he would confer with his staff regarding Ms. Linton's concerns expressed in dais letter, adding that there are steps Ms. Linton could take now.

Ms. Linton responded that she has taken all the steps that she can at this time.

Mr. Snyder thanked Ms. Linton for coming and stated that he would let her know if this matter will be placed on the Agenda for the next meeting of the Board.

Approval of Treasury Warrants: Payroll Warrants #3-3-2015 and Bills Payable Warrants #2-26-2015, were approved and signed. M/s/c.

Approval of Minutes: December 9, 2014, Regular Session and October 28, 2014, Regular Session, were approved as submitted. M/s/c.

Minutes Deferred: September 17, 2013, November 5, 2013, December 3, 2013, and January 7, 2014, Executive Sessions; December 18, 2013 and January 7, 2013, Regular Sessions.

Merit Review - Felicia Cheney, Children's Librarian, Vineyard Haven Public Library: was approved following review by the Library Trustees and Library Director Amy Ryan. Ms. Cheney will go from Step 2 to Step 3, effective retroactively to January 5, 2015, the nearest Monday to her anniversary date of hire, January 3, 2013, with a new rate of pay of \$22.96/hr. M/s/c.

There being no further business in Open Session,

Motion: To go into Executive Session to discuss strategy with respect to contract negotiations, to reconvene in Open Session. Seconded.

Voting on the Motion: Mr. Israel: Yes; Mr. Snyder: Yes.

Adjourned to Executive Session: 6:55 p.m. M/s/c.

Executive Session Minutes from 6:55 - 7:05 p.m. are recorded separately.

Reconvened in Open Session: 7:05 p.m.

Fire Chief Personal Services Contract: Chairman Snyder announced that the Board of Selectmen has negotiated and agreed to enter into a 3-year Personal Services Contract with Fire Chief John Schilling from July 1, 2015 - June 30, 2018, and then asked for a motion to approve the terms of said contract.

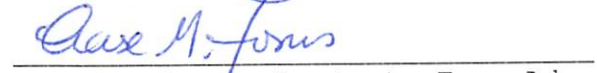
Motion: (Mr. Israel): To approve the 3-yr Personal Services Contract with Fire Chief John Schilling from July 1, 2015 - June 30, 2018. M/s/c.

Motion for Adjournment: 7:10 p.m. M/s/c.


Jonathan V. Snyder, Chairman


Tristan R. Israel

Respectfully submitted,


Aase M. Jones, Asst. to Town Adm.

Not Present
Melinda F. Loberg, Clerk