

TISBURY BOARD OF SELECTMEN MEETING AGENDA

Tuesday, July 1, 2014

Tisbury Town Hall – 5:30 PM

Jonathan V. Snyder, Chairman

Tristan R. Israel

Melinda F. Loberg, Clerk

TOWN ADMINISTRATOR'S REPORT

Removal of Trees from Town Property at the Emergency Services Facility at Request of Abutter
American Planning Association Membership
Bicycle Traffic on Main Street and Beach Road Sidewalk
LED Street Light Project Update

DEPARTMENTAL and OTHER REPORTS

Planning Board – Power Point Presentation on Community-wide Planning
Police Chief – (1) Request Appointment of Michael O'Rourke as Full-time Police Officer; and (2) Appointment of Noah Stobie as Traffic Officer until 6-30 -2015
Shellfish Constable re: Shellfish Trust Transfer Request - \$400 for 100,000 Steamer Seed from Cat Cove Hatchery

DISCUSSION SESSION

Island Housing Trust Water Street Project

BOS APPOINTMENTS

Interviews for Appointment to Fill Vacancies
Harbor Management Committee: Ms. Polly Brown; Ms. Lynne Fraker; and Ms. Liz Wild (one vacancy)
At Large Housing Trust – Martha Yukevich
Land Bank Advisory Board – Nora Nevin
Dredge Committee – Ms. Lynne Fraker
2014 Annual Appointments – Continued from 6-17-2014

PUBLIC HEARING

6:00 p.m. – Application of Black Dog Tavern Company, Inc. d/b/a Black Dog Bakery Café, 509 State Road for an Amended Beer and Wine Annual Restaurant License to Change Manager and Appoint Laura Beckman as the new Manager.

ADMINISTRATIVE SESSION

Personnel Action Approval – Promotion of Robert Blanchard, Equipment Operator, to Acting Roads and Sanitation Foreman, DPW - Effective Retroactively to February 23, 2014

Approval of Treasury Warrants

Payroll Warrant #6-23-2014	\$314,760.06
Payroll Warrant #7-1-2014	\$120,782.91
Payroll Warrant #6-19-2014 (Misc.)	\$687.50
Bills Payable Refund Warrant #06-08-4R	(\$987.50)
Bills Payable Refund Warrant #6-20-4R	\$293.75
Bills Payable Warrant #6-19-2014	\$1,300,224.08
Bills Payable Warrant #6-27-2014	\$227,066.76

Approval of Minutes

May 6, 2014 – Executive Session
May 20, 2014 - Regular Session
*May 20, 2014 – Executive Session
* June 3, 2014 – Executive Session

Merit Review

Amy Ryan , Library Director – Vineyard Haven Public Library

Gift Acceptance - \$25.00 from Harriet Bernstein for the Animal Control Department

NEW BUSINESS

Jane Chandler Letter re: Bell-ringing on 4th of July at 2:00 p.m.
West Chop Trust re: Request to show *This is our Island* to Membership on July 9th

OLD BUSINESS

EXECUTIVE SESSION

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

Next Regular BOS Meeting – July 15, 2014 – 5:30 p.m. – Tisbury Town Hall

The Board of Selectmen met in a Regular Session on Tuesday, July 1, 2014 in the Tisbury Town Hall.

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

Call to order: 5:30 p.m. by Jonathan Snyder, who announced that he would address routine business first, out of order.

Approval of Treasury Warrants: Payroll Warrants #6-23-2014, 7-1-2014, and 6-19-2014 (Misc.); Bills Payable Refund Warrants #06-08-4R and #06-20-4R; and Bills Payable Warrants #6-19-2014 and #6-27-2014 and #1-28-2014, were approved and signed. M/s/c.

Approval of Minutes: May 20, 2014, Regular Session, was approved as submitted. M/s/c.

Minutes Deferred: May 6 and May 20, 2014, Executive Sessions and June 3, 2014, Executive Session.

Town Administrator's Report: was taken up first. Mr. Grande addressed the following matters:

Removal of Trees from Town Property at the former DPW Garage by Request from Abutter: Mr. Grande explained that an abutter to the property has offered to pay for the removal of trees at the site which adjoins his property on Spring Street. Mr. Grande reported that the trees the abutter wishes to have removed have been marked and requested that the Selectmen take a look at the trees and then authorize him to move forward and allow the abutter to have the trees taken down.

Ms. Loberg stated that she has observed that these trees represent a hazard to the neighboring property adding that she has no objections to their removal

Mr. Israel commented on the role of the DPW as the official "Tree Warden" for the Town, wondered whether the DPW would have any say in this, and noted that if a tree is within 20' of a public way, this falls under the "Shade Tree Act, requiring a public hearing before proceeding to cut any tree down within this specified distance from a public way. He concluded his comments by asking how the DPW Commissioners became the Tree Warden for the Town and a brief discussion followed on the establishment of the DPW and what was included in the Special legislation to create that department.

Mr. Snyder suggested that the Selectmen approve this request, subject to verification of the Selectmen's authority to do so, and so moved. M/s/c.

American Planning Association Membership: for the Town Administrator, was addressed next by Mr. Grande who cited his long-term membership in this organization and added that he would like to maintain this professional credential and affiliation in view of its usefulness in connection with several current planning issues.

Motion: To approve the Town Administrator's continued membership in the American Planning Association. M/s/c.

Bicycle Traffic on Main Street and Beach Road Sidewalk: was addressed next by Mr. Grande who informed the Board that a bicycle path/traffic project is scheduled by the Martha's Vineyard Commission for 2017 with assistance through consultants Freeman Peterson of Stoneham, NH. Mr. Grande pointed out that one public hearing has already been held in the Katharine Cornell Theatre, adding that it is still early in the process with more public sessions to be held in the fall.

Mr. Grande announced further that the Selectmen's office received an important comment from local business owner Sue Tonry of Beach Road-Fiver Corners area about the congestion and the issues that face the area businesses, noting that this was forwarded to the Martha's Vineyard Commission consultant. Mr. Grande suggested that a so-called shared use path is what is needed at Five Corners, adding that he wanted to make this announcement publicly to make people aware that the Selectmen and the Town are working to resolve this situation.

Mr. Israel commented that many of the bike riders on Main Street are not courteous to pedestrians and then asked if bike riders are supposed to walk their bicycles on Main Street.

Ms. Loberg concurred, noting that she has also had feedback regarding bikes on Main Street, and also pointed out that skateboarders also use Main Street, creating a dangerous situation for all.

Mr. Grande noted that this information was FYI and requires no action at this time.

LED Street Light Project Update: was provided next by Mr. Grande who reported that we have not yet received the agreement with NSTAR, and will take action as soon as that document has been received and approved. Mr. Grande noted that there are four (4) different types of fixtures in place, which will be retrofitted to meet local concerns.

Ms. Loberg noted that there are also some issues with regard to the lighting on the new Lagoon Pond Bridge, adding that the State is interested in seeing how LED lights can be fitted to the lighting on the new bridge.

Police Chief re: Recommendation for Appointment of Michael O'Rourke as Permanent Police Officer: was taken up next.

Chief Hanavan introduced Mr. O'Rourke noting that he recently graduated from the Worcester Police Academy, cited his credentials as a trained EMT, a local resident and graduate of the Martha's Vineyard Regional High School with a college degree in Criminal Justice.

Motion: That Michael O'Rourke be appointed Permanent Police Officer in Tisbury effective July 2, 2014 through June 30, 2015. M/s/c.

At this time Mr. O'Rourke was sworn in by Town Clerk J. Hillary Conklin, who was present.

Appointment of Traffic Officer: Noah Stobie until 6-30-2015. M/s/c.

Shellfish Trust Transfer Request: of \$400 for 100,000 steamer seed from Cat Cove Hatchery, was approved without discussion. M/s/c.

Personnel Action Form for Robert Blanchard, DPW: reflecting a promotion from Equipment Operator to Acting Roads and Sanitation Foreman, retroactive to 2-23-2014, with sign-offs from Town Accountant Suzanne Kennedy, Town Administrator Jay Grande and DPW Director Glenn Mauk, to be placed on Grade 14, Step 1 at \$26.23/hr., was approved. M/s/c.

Merit Review - Amy Ryan, Library Director, Vineyard Haven Public Library: was approved following a review by The Library Board of Trustees. Ms. Ryan will go from Step 6 to Step 7 of the M&P wage scale, M-7, effective July 1, 2014, with a new rate of pay of \$43.68. (Ms. Ryan's anniversary date of hire is March 3, 2008.) M/s/c.

Gift Acceptance: \$25.00 from Harriet Bernstein for use by the Animal Control Department, was accepted with thanks. M/s/c.

Major Fire Assistance: from the Oak Bluffs Fire Department with a dangerous fire near Lake Tashmoo on June 26th was reported by Chief John Schilling, who cited the extraordinary job by our own firefighters to save an adjacent structure.

The Selectmen then voted to send a letter of thanks to the Oak Bluffs Selectmen in recognition of the mutual aid provided by the Oak Bluffs Fire Department. M/s/c.

Bells on Main Street - 4th of July Tradition: was addressed briefly by Chairman Snyder who noted that Jane Chandler of the *Beach House* and Tisbury Businesses are requesting to continue the tradition of ringing the bells on Main Street at 2:00 p.m. Mr. Snyder commended the business community for participating in this nationwide traditional event, agreeing that this would add to the festivities on the national holiday, and moved to approve this request. M/s/c.

Request from the West Chop Trust to Show *This is Our Island*: to its membership on July 9th, was approved without discussion. M/s/c.

6:00 p.m. - Public Hearing on Black Dog Tavern Co. d/b/a The Black Dog Bakery Café, 509 State Road: to change the manager of the establishment, as required according to the Town's Rules and Regulations and those of the Alcoholic Beverage Control Commission, was called to order and the advertisement for the hearing was read into the record.

It was noted that the new manager is Laura Beckman who will replace Kathleen Kiley-Lattanzio. Ms. Beckman was present. There was no comment or questions from the Board or the audience.

Motion: To approve the change of manager at the Black Dog Tavern Co., Inc. d/b/a The Black Dog Bakery Café, 509 State Road to Laura Beckman. M/s/c.

6:08 p.m.: The hearing was closed. M/s/c.

Planning Board Power Point Presentation on Community-wide Planning: was presented by Cheryl Doble.

Present: Cheryl Doble, Henry Stephenson and Daniel Seidman.

Ms. Doble spoke about a type of planning process referred to as "visioning" - which she described as a low-cost way to encourage community participation, with stakeholders, elected officials and residents involved. Ms. Doble noted that the intent is to establish a dialogue which will encourage learning and sharing and attempt to establish a space for such dialogue in small groups in the community which she stated will generate leadership, excitement and interest, rely on local resources, provide information, raise awareness and build support through an educated and informed public.

Visioning Process: Ms. Doble stated that the first step is to establish community values which will lead to analysis, synthesis and a draft vision.

She continued by stating that Step #2 is to set goals, to be evaluated and refined before establishing a final vision plan, which could become the basis for a Master Plan. Then funding would be sought to proceed with strategic projects and community organizations. Ms. Doble pointed out that workshops will be held focusing on mapping, certain places that she referred to as "sacred", brainstorming, photo surveys, all of which she noted will lead to a better understanding of issues facing the community.

Ms. Doble concluded her presentation at 6:20 p.m.

Mr. Israel stated that he likes the concept that was presented.

Mr. Snyder concurred stating that he would definitely like to be involved in this process and then asked if the Planning Board would take the lead and run this process.

Ms. Doble pointed out that the Planning Board has a small budget, added that she has experience working with facilitators within several communities, stressed the importance of using local people in the process, and concluded by stating she doubts that the Planning Board "can do the whole thing".

Mr. Israel suggested that the Cabinet would be one avenue of communication.

Ms. Loberg noted that the Selectmen will be meeting with the Planning Board on Wednesday, July 9th and can discuss this concept further at that time, adding that she is very supportive of this concept and wants all Town departments to be involved in reaching shared goals.

Mr. Snyder inquired if this process is time-line sensitive.

Ms. Doble responded that start-up time will not be during the summer, but later in the fall - perhaps September - noting that she does not want to begin before orchestrating the entire concept and prepare to schedule workshops of public sessions. Ms. Doble commented further that when reaching the level of implementing some of the established goals, it is "interesting" how simple it really is.

Mr. Israel noted that the Town had a Charter Commission and a **Blue Ribbon Committee several years ago.**

Mr. Snyder then asked Ms. Doble what the Planning Board wants from the Selectmen at this point.

Me. Doble responded by stating that the Planning Board needs the support of the Board of Selectmen.

Motion: That the Selectmen vote to express support for the Planning Board's concept of a community visioning process, as presented and as discussed. M/s/c.

Interviews for Appointments: were addressed next.

Harbor Management Committee - Polly Brown: Ms. Brown cited her 20+ years residency on the water, interest in boating, her commitment to the community, service as an EMT, the establishment of the service called the Village Project to provide transportation services for the elderly, her participation on Tisbury Waterways, Inc. and interest in water-related issues and her wish work to preserve the quality of life that exists here by serving on the Harbor Management Committee.

Harbor Management Committee - Lynne Fraker: Ms. Fraker stated that she also lives on the water year round, is a boater and has a protective view of the environment, and added that the Harbor Management Committee does not have a fulltime resident of the Lake Tashmoo area on the committee. Ms. Fraker then stated that she believes in the process, has a lot to contribute to the committee, and acknowledged that sometimes frustration takes over, but that she does care about the area and reiterated that she has a lot of knowledge to bring to the committee, and concluded by stating that although she has not been a member for the past few years she has provided helpful information to the membership.

Ms. Loberg then asked Ms. Fraker if she has a choice between participating on the Harbor Management Committee or the Dredge Committee.

Ms. Fraker responded that she may not be able to participate on the Dredge Committee as she has an involvement in the process.

Mr. Israel advised Ms. Fraker that if the vote (for appointment to the Harbor Management Committee) does not go her way, that she should not speak against it and further cautioned her to have patience with the process.

Ms. Fraker thanked Mr. Israel for his comments, adding that she is trying to do that.

Harbor Management Committee - Liz Wild: cited her role in the Harbor as General Manager of the Vineyard Haven Marina on Beach Road, adding that she wants to bring a balance to the membership of the Harbor Management Committee by providing a voice for commercial harbor businesses, which are affected by many of the decisions made by the Harbor Management Committee. Ms. Wild further stated that she would have more influence as a member of the committee for the point of view of commercial interests.

Ms. Loberg commented that with the combination of the Tashmoo Management Committee and the Harbor Management Committee (HMC), the Board needs to maintain the balance of interests of the membership,

adding that she is concerned about how the committee is structured and how members are representative of the community.

Mr. Lobdell noted that the Harbor Management Committee (HMC) did have a representative from the commercial sector earlier (Nat Benjamin, who was a non-voting member) of the former Harbor Management Committee. Mr. Lobdell added that anyone who comes to the HMC meetings are heard and commented that he would like to see more participation from the members.

Ms. Wild stated that there are currently lots of issues regarding the pump-out services mandated by the revised Waterways Regulations, to go into effect January 1, 2015, and reiterated that the HMC currently does not have any member that actually represents harbor business interests - mostly Lagoon Pond and Tashmoo.

Mr. Lobdell pointed out that the reconstitution and combining of the TMC and the HMC membership was the result of discussions and issues and a consensus that all aspects of the waterways regulations and issues could be handled by one committee with the same membership reflecting community representation. He noted that the membership is now set at seven (7) and concluded by adding that a larger committee is not necessarily better.

Mr. Israel commented that he feels that it is important to have a business/harbor representative on the committee and then made the following,

Motion: That Ms. Elizabeth Wild be appointed to serve on the Harbor Management Committee until June 30, 2015.

Ms. Loberg stated that she cannot second that motion.

Mr. Snyder then seconded the motion for discussion.

Ms. Loberg explained that the Board needs to have someone on the Harbor Management Committee who is relatively neutral, adding that this particular applicant (Ms. Wild) is particularly interested in one specific issue and that the committee need someone who is not specifically involved in just in one particular issue.

Mr. Snyder stated that he agrees with Ms. Loberg and suggested that the Board take a vote on the motion - and see what happens.

Voting on the Motion: Mr. Israel: Yes; Mr. Snyder: No; Ms. Loberg: No. Motion did not carry.

Motion: That the Board appoint Polly Brown to the Harbor Management Committee until June 30, 2015. M/s/c.

Housing Trust - Martha Yukevich: was not present. The Board agreed to defer action on this appointment until the next meeting of the Board.

Nora Nevin - Selectmen's Representative to the Land Bank Advisory Committee: Ms. Nevin was present and cited her interest in the appointment and willingness to serve, noting that she is particularly interested in assuring that land in Tisbury is preserved by the Land Bank, not just large tracts up-Island. She noted that one of the Land Bank's goals has been to create a network

of trails across the Island, but added that she feels that land within densely populated Towns should also be preserved.

Mr. Israel commented that Tisbury needs a voice to express the Selectmen's concerns about purchasing land within our Town and asked that Mrs. Nevin come in to report to the Selectmen once a year.

Ms. Nevin stated that she will report to the Selectmen if land in Tisbury worthy of preserving is available.

Motion: That Nora Nevin be appointed to serve as the Selectmen's representative to the Land Bank Advisory Committee until 6-30-2015. M/s/c.

Mr. Israel noted Tony Nevin's long tenure as the Selectmen's representative to the Land Bank Advisory Board thanking him for his service to the Town.

Annual Appointments - Per List Updated and Continued from 6-17-2014: were made as follows:

Dredge Committee: Danielle Ewart, John Wilbur, III and Nevin Sayre, until 6-30-2015. Richard Karney was also appointed as a non-voting member. M/s/c.

Community Preservation Committee: Clarence A. Barnes, III until June 30, 2017. M/s/c.

Shellfish Advisory Committee: Steven J. Baccelli, Doron Katzman, Ray Lincoln, Henry S. Nieder, William Sweeney, and James T. Tilton until 6-30-2015. M/s/c.

Fire Department- Assistant Fire Chiefs: Russel Maciel and James J. Rogers until 6-30-2015. M/s/c.

Harbor Management Committee: James H. Lobdell, Jeffrey A. Robinson, Jeremy T. Goodale, Michael Baptiste, Michael Jampel, William C. McConnell, until 6-30-2015. M/s/c.

Island Housing Trust Water Street Project: was taken up for discussion next.

Daniel Seidman, member of the Housing Committee and the Tisbury Housing Trust, noted that the property at 6 Water Street was donated to the Island Housing Trust for development of affordable housing units, and will contain 6 high-efficiency one bedroom apartments units, with no overnight parking provided for tenants. He added that the building which will occupy 54% of the small lot, will be built on piles per FEMA requirements with little excavation because of the water table, and reiterated that no parking will be provided at the site and tenants are not expected to have cars. Mr. Seidman continued by informing the Selectmen that funding for the project is contingent on the number of rental units available.

Mr. Seidman noted that the architect for the project was selected through an open process and added that the design of the windows is what he described as "ongoing". He stated further that he hopes for a one-meeting Martha's Vineyard Commission review and approval and will seek funding in September, but will also consider modular construction to reduce the cost. Mr. Seidman concluded by

requesting a letter of support from the Selectmen for the project to go to the Martha's Vineyard Commission.

Ms. Loberg inquired if the Commission will issue a permit for the project. Mr. Seidman responded by noting that the process will include a Special Permit from the Zoning Board of Appeals and a building permit from Building and Zoning Inspector Ken Barwick, and reiterated that he hopes that the Martha's Vineyard Commission review will take only one meeting.

At this point Ms. Loberg stated that she has a number of questions and is not ready to vote on this project at this time - especially the density of units in this area of Town.

Mr. Seidman assured her that this is what is referred to as "smart growth" - within a populated area allowing a higher density of units, assured the Board that there will not be any cars that will affect density issues, and stated that a survey was done to see if there was any interest in living in housing where cars would not be allowed.

Ms. Loberg expressed her concern that such a building is going up in the congested area downtown at Five Corners.

Mr. Seidman pointed out that the project could qualify under 40B (Comprehensive Permit process). Mr. Israel mentioned the process known as 40R, which is another zoning concept, not approved in Tisbury, but added that traditionally the area of the project has mixed use, with some residential, but not much.

Mr. Seidman cited the ability to walk to work as "a terrific and ideal situation". After a brief discussion,

Motion: (Mr. Israel): That the Board of Selectmen send a letter of support for the Water Street Project to the Martha's Vineyard Commission. Seconded by Mr. Snyder.

Voting on the Motion: Mr. Israel: Yes; Mr. Snyder: Yes; Ms. Loberg: Abstain. 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 not to reconvene in Open Session. Seconded.

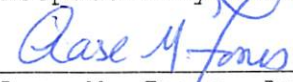
Voting on the Motion: Mr. Israel: Yes; Mr. Snyder: Yes; Ms. Loberg: Yes.

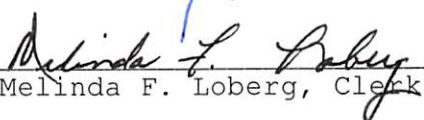
Adjourned to Executive Session: 7:25 p.m. M/s/c.


Jonathan V. Snyder, Chairman


Tristan R. Israel

Respectfully submitted,


Aase M. Jones, Asst. to Town Adm.


Melinda F. Loberg, Clerk