

**Approved 5/2/18**  
**TOWN OF WEST TISBURY**  
**SELECTMENS MEETING**  
**Wednesday, April 11, 2018 4:30 p.m. – 5:16 pm**

**Present:** Selectmen Skipper Manter, Cindy Mitchell, Kent Healy, Jen Rand

**Also Present:** Tony Cordray, Joe Tierney

**Appointments:**

**Animal Control Officer (ACO) Assistant:** Tony said he had received 5 applications, of those, two individuals withdrew from consideration. He said the two candidates he was recommending, Kimberly Andrade and Kathleen Hoffman were very qualified. Kimberly is already a certified ACO and Kathleen is a dog groomer. Skipper said he felt that because one of the candidates was the daughter of the Town's Labor Counsel the Board should find a new labor counsel to avoid ethics concerns. Jen suggested that Counsel speak with Ethics about the matter. Tony said Kimberly had already spoken to Ethics and she simply needs to file a Form 23B3 with the Town. Skipper said even if its legal he thought it still wasn't right. The other two Board members did not share his concerns. The issue was tabled for now.

*C. Mitchell motioned to appoint Kimberly Andrade and Kathleen Hoffman to the position of Assistant ACO for a 1 year term pending a physical and CORI check. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Poet Laureate:** *C. Mitchell motioned to appoint Spencer Thurlow Poet Laureate for a 1 year term. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Access to Counsel:**

**Building Inspector re: Dangerous House:** Jen said that she had already authorized Joe to speak to Counsel due to the time sensitive nature of the issue. Joe explained that he had a complaint after an individual had heard a smoke detector going off in the abandoned house and fallen through the floor when he went into the house to shut it off. The house has no roof and the walls are starting to collapse. Skipper said he didn't know why access to Counsel was needed if the law spells out the steps to take. Jen said that we have not had to deal with this issue before, and because the outcome could lead to a lawsuit it seemed wise to involve Counsel at the outset to try and avoid that.

*C. Mitchell motioned to authorize the Building Inspector to access Counsel. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Board of Health re: Septic Easement:** Jen said the Health Agent had requested access to Counsel regarding a septic easement questions. She said he had reached out to the Department of Environmental Protection with his questions and they had suggested he contact Counsel. Skipper said he didn't think it was necessary, he said he preferred when employees try to figure the answer out themselves. Jen noted that the Agent had tried to research the answer, and the State recommended he involve Counsel. Kent said he would be happy to look at the issue and see if he could help.

*C. Mitchell motioned to authorize the Health Agent to access Counsel. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Appointment – Board of Surveyors:** Jen explained that as part of the dangerous house issue the Board would need to appoint a "Board of Surveyors" should the Town need to make a

determination about the disposition of the property. She said there was a question whether the statute was requiring the town appoint an actual surveyor, if that was old language meaning and engineer. She was recommending the Board appoint Reid Silva because he was both a licensed surveyor AND engineer. Skipper asked what he charged. Jen said that he thought it would not cost anything if it wasn't too time consuming, but if needed he would charge \$150/hour.

*C. Mitchell motioned to appoint Reid Silva to the Board of Surveyors. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Howes House Chimney:** Kent said that the chimney on the Howes House was causing leaks into the roof and was going to cause permanent damage if it was not removed or repaired. The cost to repair it was prohibitive, and it was no longer needed so he recommended asking the Historic District for permission to remove both the brick and the metal portion of the chimney.

*C. Mitchell motioned to authorize Jen and Kent to request permission to remove the Howes House chimneys. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

#### **Event Permits:**

**Mini Makers Faire:** *C. Mitchell motioned to approve the event permit for the Faire at the Ag. Hall on 5/12/18 from 10-4. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Windemere Auction (Also 1 Day Beer & Wine):** *C. Mitchell motioned to approve the event permit for the Auction at the Grange on 6/01/18 from 6-8. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Summer Reading Kick-Off:** *C. Mitchell motioned to approve the event permit for the Summer Reading Kick-off at the Ag. Hall on 7/07/18 at 11:00 am. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Declaration of Surplus Property – 16 Old Courthouse Rd:** *C. Mitchell motioned to declare the building at 16 Old Courthouse Rd surplus property. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Rogers Path Maintenance:** Jen said that Nancy Dole had requested the town pay 1/3 third of the cost of needed maintenance to the road this spring as one of the road owners. She explained that the cost was estimated not to exceed \$4,500, and the Town has a credit. Kent asked why the town had a responsibility. Jen said the Town was an owner due to the cemetery being there. Skipper asked if there was money in the discretionary fund. Jen said she thought this would come out of the highway budget. Cindy suggested Jen work with the Highway Superintendent to determine how to pay for it.

*C. Mitchell motioned to authorize up to 1/3<sup>rd</sup> of a total cost of \$4,500 minus the Town's credit towards upkeep of Rogers Path. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Larsen Dog Violation Letter:** *C. Mitchell motioned to send a letter to Cheryl Larsen regarding her dog order violations with amendments. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*

**Tort Lawsuit:** In preparation for the discussion on the 25<sup>th</sup> whether to join the Tort Lawsuit Jen asked the Board to read the fee agreement and send her any questions so she can get answers in time for the meeting. Skipper said he didn't believe the town had incurred any costs that were extraordinary except the cost of Narcan. Jen was asked to find out what costs they will be

seeking to have reimbursed. Skipper also asked Jen to reach out to the State's Attorney General to ask if there would be any impact to a State lawsuit if the Town chose to join this municipal lawsuit.

**Pam Thors Resignation:** *C. Mitchell motioned to accept Pam's resignation effective 5/18/18. K. Healy seconded the motion. The vote on the motion was unanimous in favor.*