

**Approved 2/24/16**  
**TOWN OF WEST TISBURY**  
**SELECTMENS MEETING**  
**Wednesday, January 27, 2016 4:30 p.m. – 6:10 p.m.**

**Present:** Selectmen Cindy Mitchell, Richard Knabel, Skipper Manter, Jennifer Rand

**Also Present:** JoAnn Murphy, Michael Colaneri, Joe Tierney, Kathy Logue, Joan Ames, Edie Prescott, Heather Hamacek

**Minutes:** *R. Knabel motioned to approve the minutes of 1/13/16 with amendments. S. Manter seconded the motion. The vote on the motion was unanimous in favor.*

**Veteran's Memorial:** Michael Colaneri and JoAnn Murphy attended the meeting to let the Board know they were done collecting names for the second veteran's memorial and would like the Board to approve their plan for the wording of the plaque. Skipper suggested changes to the wording of the plaque to not limit it to conflicts that have already happened, but allow for the addition of names of those serving in future conflicts. Cindy asked about what was included in the designation of Persian Gulf. Joann said it included Iraq and Afghanistan, Cindy suggested adding that information parenthetically to eliminate confusion.

*R. Knabel motioned to authorize the wording on the plaque as amended. S. Manter seconded the motion. The vote on the motion was unanimous in favor.*

**Access to Counsel – Building Inspector:** Joe explained that he had a concern about encroachment on Roger's Path. Skipper said we should put the Land Bank on notice as they assisted with the legal case to keep that path open.

*R. Knabel motioned to authorize access to Counsel. S. Manter seconded the motion. The vote on the motion was unanimous in favor.*

**Building Inspector – Overtime:** Skipper said he had noticed that the last few time sheets for the Building Inspector had overtime on them and he wanted to know why. Joe said he had made mention of it when he came in to discuss his budget and the need for a second person, his work load is very heavy right now. Skipper said he did not remember authorizing the comp time, and there was no money in the budget should he ask to be paid for it instead of take it as compensatory time. Kathy said the personnel bylaw required preapproval for the use of overtime. Cindy asked if there was a budget to pay for the overtime. Jen said no, in conversations with Joe the intent was to use it as time; Joe noted that currently he only has two weeks of vacation time so he would want it as time off. Richard suggested the Board vote to authorize a standing amount of overtime on a monthly basis; the Board can review if needed. Joe noted that he will cut back if the work load cuts down; he said he would prefer not to be working as many hours. Cindy said she thought it was fair to allow the overtime, she recommended trying to keep it to about 6 hours per pay period. Skipper was not in favor of allowing the overtime because there was no funding to pay for it, which means the employee would not have the choice whether to use compensatory time or be paid for that time.

*R. Knabel motioned to authorize the Building Inspector to accumulate overtime. S. Manter seconded the motion. The vote on the motion was RK & CM in favor and SM opposed.*

**Solar Canopy at Cronig's Market:** Jen told the Board that there had been appropriate notice mailed to abutters, the fire station was mailed a notice. She said the appeal period would expire

on February 7<sup>th</sup>, and would need to be filed in Court, so the Board would need to consult with Counsel immediately. Richard asked what the basis for appeal would be. Skipper said he didn't think there was appropriate notice to the town if it was not mailed to the Board of Selectmen. Jen said that might fall outside the ZBA, as the certified notice is created by the Board of Assessors. Skipper said the Board should ask the ZBA to reconsider the project. Jen said she did not think there was any mechanism to do that. Cindy said perhaps the Board should ask the Assessors to change the address they have for town parcels. Skipper said he would like to ask Counsel if there was any way to appeal the project without going to court. Cindy said she didn't think it made sense to pay Counsel to tell us something we already knew the answer to. Skipper then suggested the Board invite Mr. Bernier in to discuss their concerns.

**Warrant Discussion:** Jen said she wanted to go through the warrant prior to the deadline to make sure there were no articles that were missed. She noted that she had not requested funding for a new vehicle for Animal Control as originally planned. She said it was a tight year financially and she thought the car was very likely to make it another year. She asked Skipper if he planned to pursue the ban on the sale of tobacco products. Skipper said no. Regarding the article for maintenance of town facilities the Board determined they would like to add \$5000 to the total to maintain a constant funding level for work on the cemetery fence. Jen then said the School had requested the Selectmen place an article on the warrant for \$160,000 for the school playground. She noted that the Financial Management Team had been concerned that they had been asked the prior year to go to the Community Preservation Committee (CPC) for available funds and they missed the deadline so now the voters would be asked to raise more funds. Richard said this article should not be placed on the warrant. Skipper said that while he was not advocating for the playground it would be unprecedented for the Board to refuse an article for the warrant from another board or committee. He said the Board should ask the School Committee to withdraw the article themselves. Richard said he thought the Board needed to make a statement to get the attention of the regional entities that our budget is expanding too quickly. Cindy said she thought the Capital Improvements Committee would agree with this.

*R. Knabel motioned to not accept the article for the playground funding. S. Manter seconded the motion. The vote on the motion was RK & CM in favor and SM opposed.*

**Borrowing for Town Meeting Articles:** Kathy told the Board that the Howes House roof and the Highway Truck could be borrowed for when she went out to borrow for the Highway Barn. Skipper asked about road repair. Kathy said that none was scheduled for this year. Skipper noted the borrowing articles will require a 2/3 vote.

**Rooney Refinance Covenant:** Jen explained that the covenant signed by the Board the previous week was not going to be able to be filed because the Dukes County Regional Housing Authority would not sign it due to the re-sale limitations. This covenant would release them from the oversight.

*R. Knabel motioned to sign the covenant. S. Manter seconded the motion. The vote on the motion was unanimous in favor.*

**Town Reports:** *S. Manter motioned to approve the reports as amended. R. Knabel seconded the motion. The vote on the motion was unanimous in favor.*

**Streetlight at intersection of Old County and State Rds:** Jen told the Board she had spoken with the VTA and they were willing to work with the Town to light the bus stop. She said she had asked that the Fire Department light at that location be turned on so she could drive down

after the meeting and see if it would work for that purpose. Skipper said he had seen it the night before and he thought it was too bright. Jen will work on a solution.

**James Pond:** Jen told the Board she might need access to the Board's discretionary funds to keep the herring run project moving forward this spring. She said she was waiting for confirmation about the amount of work that would be considered "emergency repairs" to allow the herring to run this season while the permitting is done for a larger more permanent solution. Skipper asked if public funds could be used on what appears to be private property. Jen will check with Counsel.

*A motion was made and seconded to allow the use of the Selectmen's discretionary fund for this purpose. The vote was RK & CM in favor, SM opposed.*

**Appearance of Conflict Disclosure:** *S. Manter motioned to accept the Disclosure submitted by the Fire Chief regarding his inspection of propane installations. R. Knabel seconded the motion. The vote on the motion was unanimous in favor.*