

Approved 1/13/21
TOWN OF WEST TISBURY
SELECTMEN'S MEETING
December 30, 2020 4:30 pm
Virtual meeting

Present: Selectmen Cynthia Mitchell, Kent Healy, Skipper Manter and Town Administrator Jen Rand

Also Present for part or all of the meeting: Sue Hruby, Russ Hartenstine, Julie Scott, Collins Heavener, Kate Warner, Bob Egerton, Kathy Logue, Kristy Rose, Rebecca Haag, Ron Rappaport, Maria Marasco, Liz Argo, Bruce Stone, Tara Whiting-Wells, James Klingensmith, John Christensen, Matt Gebo, Janice Haynes

Cindy called the meeting to order at 4:30pm

Minutes:

Skipper moved to approve the minutes of December 16th with no changes. Kent seconded. Roll call vote; all in favor.

New Business:

- **Emergency Management Budget:**

Jen said that looking at the budget might help answer the questions about combining the Fire Chief and Emergency Management position, but that the discussion had changed before the budget was put on the agenda. Cindy pointed out that they need to decide about the position before talking about the budget and that this should be postponed as it was posted as a budget discussion. They decided to defer this item until next meeting rather than forcing it into the discussion about the Fire Chief hiring Process later on the agenda.

- **Town Counsel Re: MVAS**

Skipper had requested some clarification of questions he had posed regarding the MV Ag Society and their APR. He had sent the questions ahead of the meeting to Ron who said they basically came down to asking if anything happened since 1998 to cause him to have greater wisdom thru the passage of time, or have any laws or cases been enacted that would indicate that his original decision was incorrect. The simple and short answer is no, he still stands by the opinion he had given in 1998 on what was allowable under zoning and the APR. A couple of the questions he addressed directly such as one about using private property as a wedding venue which is not allowed. He said it is covered by requiring the interested parties to become Ag Society members and limiting the number of events. There was a question

about the Farmers Market; he noted they had been granted a special permit from the ZBA. There was discussion about the intent of the APR. Ron pointed out that the Woods had outlined their ideas of what should be allowed and then gave the power to the Vineyard Conservation Society to make the determination. He said you must read the document (Agricultural Preservation Restriction) as a whole and he still doesn't believe that they are doing anything differently now than they were in the beginning. Skipper asked what role the West Tisbury Conservation Commission plays. They are a co-holder of the APR with enforcement rights. When Tara asked about how they would go about addressing events that she thinks are in violation of the APR, Ron said they had the ability to sue or they could go to the Board of Selectmen and request them to not issue event permits. They were also able to attend the meeting where the yearly list of events is approved and voice their opinions then. Kent said that he understands the Towns responsibility to uphold the wishes of the Woods family but on the other hand, he doesn't think the Board of Selectmen needs to be involved as there are 3 other agencies already overseeing it. Skipper thanked his colleagues for allowing him the opportunity to air his concerns and take them to town counsel. Though his personal opinions may differ, he will proceed in the future to follow counsel's advice.

- **Round 6 photovoltaic/ Storage Initiative letter of intent:**

Kate spoke about an opportunity to participate in round 6 of a solar/battery system project. The timing is difficult as we are in the middle of the CLEAR grant study and the analysis of the 6 town buildings is not complete but the engineers say there are some good reasons to participate. Because of the CLEAR grant, West Tisbury is somewhat of a model or test subject for other towns and the engineers are figuring out the ways to use the excess energy created. She explained about the options for the 'stranded credits' and gave her recommendations as how to proceed. She thinks the Public Safety building is the most important to have power in an emergency situation, but there are issues with the roof. The Library has the best roof and is mostly ready to go. Jen said as it would be difficult to get the PSB roof fixed in a timely manner, and they may not be prepared to meet this deadline she thought they should consider waiting until round 7. Liz Argo pointed out that by proceeding with round 6 and doing the project on the Library roof it would be a good learning experience for all of the other buildings in the future and it wouldn't interfere with the CLEAR study. Kate thinks the Library would be a great location as it can be considered a Community Center and it would be a good place for the shared community electric option. After much discussion, Jen said that if Sue, Kate, Liz and Maria think they can pull it off with the staff as is then she supports it. Kent says he will rely on Liz's opinion.

Skipper made a motion to authorize Jen to sign on their behalf the letter of Intent to participate in round 6 for the Library building. Kent seconded. Roll call vote: all in favor

Jim K. commented that in talking about resilience, they may be able to get Federal funding for the Public Safety building roof if they designate the project as hazard mitigation.

- **Climate Coordinator Position Proposal:**

Kate came before the board with a proposal as it is budget season. She has become very busy doing volunteer work for the town and committee members help, but there is no money for scanning drawings, printing or copying for either the Energy Committee or the Climate Advisory Committee and she feels it is necessary to keep the town moving forward with responding to climate change. Thinks it would be nice if the town recognized that this is an important part of the future of the town. It's a small amount of money, but it's a start. Cindy thinks it's a good proposal but would like her to get backing from the two aforementioned committees, and then put it forth as a warrant article so that voters could ask questions and vote at ATM. It would be a contract position, not a stipend position and would be considered a pilot program. Kate says possible matching funds could come from the Eddy foundation if they apply by January 15th.

No action taken at this time.

- **Old Courthouse Road vote to sign ground lease:**

Jen said that the Affordable Housing Committee is done and so is counsel. They need to vote to have the Chair sign.

Skipper made a motion to authorize the Chair to sign the ground lease for Old Courthouse Road. Kent seconded. Roll call vote: all in favor

- **Personnel Board Appointment – Brian Smith:**

Skipper asked if Brian was eligible to be appointed as he is not a town resident. Jen thinks he is. Skipper disagreed and said that he thinks the bylaw doesn't read that way. After discussion and no agreement, Cindy asked Jen to call and ask for a legal interpretation and come back to next week's meeting with an answer.

- **MV Shellfish Group Alternate Appointment – Will Reich**

Jen explained that Ray Gale was very busy and couldn't make a lot of the meetings and that they had requested an alternate.

Skipper made a motion to appoint Will Reich as Alternate to the MV Shellfish Group. Kent seconded. Roll Call vote: All in favor.

- **Town Meeting/ Election Date Discussion:**

Jen would like to know if they can assume they will be at the normal times. She has spoken to Omar (BOH) and he thinks its ok, though it could have to be changed if there's still a State

of Emergency. Tara has deadlines for submittal and they need to start planning so they need to decide. It was brought up that it is still pretty cold in April, and the vaccination schedule as it stands now won't have the general population done in April, so if it has to be outside they may want to shift the meeting until May. Also if it ends up being around the same time as Oak Bluffs we may have to shift by a couple of days as they would have precedence. Jen will talk to Dan, the Moderator, and Tara to discuss a date and also the folks at the Tabernacle. In the mean time she is going to plan for both options.

Topics not anticipated:

- Cindy brought up CARES Act funding for contact tracing purposes. She said that because of the recent spike in Covid cases that there are a lot of people to follow. Tisbury had committed \$7000 for 40 hours of coverage in November & December and she would like West Tisbury to give some money also, perhaps \$10,000. There may be other grants that can be tapped, but they need this money now. She has spoken to Bruce and there is still CARES Act money available. The town would pay the sub-contractors directly. Bruce will apply to the state next week as they have to approve, but amending their request shouldn't be a problem.

Skipper made a motion to authorize the use of CARES Act moneys to pay for contact tracing. Kent seconded. Roll Call vote: All in favor

- Skipper asked about the committee for the feasibility study on the Howes House. Jen said she had had no letters of interest. Skipper will get on it and forward some names to Jen
- Skipper also mentioned that the Misty Meadows sign was well done and quite cute.

Old Business:

- **Fire Chief Hiring Process.**

Jen said they still need to talk about the job description because of the question about the Emergency Managers position so that will go to next week. As for the review committee for hiring, she is suggesting herself, Chief Mincone, Alex Schafer the Edgartown Chief, Leon Brathwaite who is a member of the Personnel Board and also has civil service experience. There is also one other member of the Fire Dept. that she had recommended to her that she is waiting to hear back from. In terms of timing, she thinks 6 months is too long and since they have a little time they can sort out the job description question and Emergency Manager/ Fire chief discussion. She thinks they should start advertising in March. If there are 3 or fewer applicants the Selectmen can take care of the screening. Skipper still thinks March is too late to start. They will revisit that.

- **Re-vote Selectmen's Budget #122**

Jen explained that she had made a clerical error and they had voted for the wrong amount. She dropped the amount in the training line from \$1,500 to \$1,000 and brought the amount for travel back up to \$500.

Skipper made a motion to approve the Selectmen's Budget as corrected above. Kent seconded. Roll Call vote: All in favor

Correspondence:

- A Notice of Public Hearing from the MV Commission for "Storm Tide Pathways" on January 12th at 9 am. The link to meeting will be on their website.
- A letter from the CPC saying that the Mill Brook Water Shed application for \$40,000 has been recommended.

Public Comment: There was none.

With no further business Skipper made the motion to adjourn. Kent second. Roll Call: all in favor.

Adjourned 6:08 pm

Respectfully Submitted by Janice Haynes, Administrative Assistant