

**Approved 3/2/11**  
**TOWN OF WEST TISBURY**  
**SELECTMENS MEETING**  
**Wednesday, February 16, 2011 4:30 p.m. – 5:37 p.m.**

**Present:** Selectmen Richard Knabel, Skipper Manter, Cindy Mitchell, Pam Thors-Adm. Asst., Ernie Mendenhall –Building Inspector, Virginia Jones – Planning Board, Dianne Powers for Tri-Town Ambulance, members of the public and press

**Minutes:** The minutes of 2/02, 2/03 and 2/08 were discussed.

*S. Manter made a motion to approve the minutes of 2/02/2011, C. Mitchell seconded the motion. The vote on the motion was unanimous in favor.*

*C. Mitchell made a motion to table the discussion of the minutes of 2/03/2011. S. Manter seconded the motion. The vote on the motion was unanimous in favor.*

*S. Manter made a motion to approve the minutes of 2/08/2011. C. Mitchell seconded the motion. The vote on the motion was unanimous in favor.*

**Tri-Town Ambulance (TTA):** The letter addressed to the Board from R. Belain, chairman of Tri-Town Ambulance was read. It explains that, according to the TTA Agreement, the funds in the Ambulance Receipts Account may only be used toward the purchase of ambulances. They would like to change the language so they may be authorized to purchase other types of ambulance equipment as well. Therefore, the wording would be, “Ambulances and equipment that exceeds the cost of \$2,000.00”.

*C. Mitchell made a motion to approve the change. S. Manter seconded the motion. The vote on the motion was unanimous in favor.*

Richard asked Diane to give the Board a synopsis of where the TTA is in regards to the Deputy Chief position. She said they had appointed Paul Wilkins as acting chief. The appointment is only valid for 60 days. Richard asked how they were able to make the appointment so quickly. Diane explained that there were no other applicants and that Paul was fully qualified. Skipper said that the committee knew this because he was one of the finalists in the search last spring. Richard asked about the search process. Diane said that it was underway and would be very much like the last one. Richard asked when the next meeting would be held. Diane said that it would be on March 17<sup>th</sup> at 3PM at the Public Safety Building.

**Commercial Shellfish Season Extension:** The Board reviewed the minutes of the Shellfish Committee meeting of Feb. 15<sup>th</sup>. Ginny Jones a member of the committee, said that they want to extend the season, which runs until the end of February, to April 27<sup>th</sup> this year. She said that due to weather conditions, shell fishermen have not been out much. Skipper asked if the Committee was of the opinion that 2 more months of fishing would not pose a threat to the oyster population. Ginny said yes, she believed this to be the case.

*S. Manter made a motion to extend the season until April 27<sup>th</sup>. C. Mitchell seconded the motion. The vote on the motion was unanimous in favor.*

**Planning Board Access to Legal Counsel:** The letter from Simone DeSorcy, Board Administrator, explains that the Board would like the assistance of Town Counsel to clarify the

legalities of a proposal, designating 3 additional Special Ways, which will be on the Annual Town Meeting Warrant. Ginny Jones Chairman of the Board, advised the Selectmen that her Board is very clear on what they want to address and will not engage Town Counsel for any longer than is necessary.

*S. Manter made a motion to allow access. C. Mitchell seconded the motion. The vote on the motion was unanimous in favor.*

**Public Comment:** Barbara Day suggested that the rocks in front of Town Hall may look more appropriate if they were sunk into the ground a little bit. Richard referred her to the Historic District Commission. Cindy commented that the stones still may not be in keeping with the architecture. The question of whose decision it is and who would pay for the removal of the rocks was asked and Skipper said that the Historic District Commission approved a plan which did not include the rocks.

**Community Preservation Act percentage change:** Ron Rappaport was present to discuss the process of withdrawing from the CPC or changing the percentage used. Ron said that the statute dictates that the way the town got into the program is the way it has to get out. The same is true for changing the percentage. The town approved the CPA tax and all the parameters at the Town Meeting. It was then voted in at the election. Any change must take place in the same manner; approval at Town Meeting and then a passing vote at the next town or state election. The next election in April 2012 would be the first opportunity to vote on changes. Cindy said that the board would need the correct language in order to lower the percentage. It was noted that all prior commitments would have to be honored if the town opted out and that any leftover funds would have to be spent for CPA purposes. The question was asked that if you buy an income producing property with CPA funds, does the income have to go to the CPA fund. Ron answered that the income goes to the General Fund. There is no limit to the amount of income allowed but uses of the property must be limited to those allowed in the CPA guidelines i.e.: Open Space, Historical and Affordable Housing. Jonathan Revere asked if the vote could be taken at the town elections two days after the town meeting. Ron said that they could not because there is a 35 day waiting period between town meeting approval and the vote. The question was raised whether or not the warrant may be re-opened, and whether this is governed by statute or town policy.

Skipper asked about the Maley property and whether the town would have to honor the current lease. Ron said that it would.

*C. Mitchell made a motion that the Board go into executive session to discuss the Maley property. S. Manter seconded the motion. A roll call vote was conducted and was RK & CM in favor and SM opposed. The public session of the meeting adjourned at 5:37 PM.*