The Board of Selectmen met in an Special Emergency Session and Executive Session on January 7, 2010, in the Tisbury Town Hall.

Present:  Jeffrey C. Kristal, and Geoghan E. Coogan, Clerk; John R. Bugbee, Town Administrator and Aase M. Jones, Assistant to the Town Administrator.

Present via Speakerphone:  Tristan R. Israel, Chairman.

Motion:  To go into Executive Session for the purpose of discussing strategy with respect to real estate negotiations and acquisition and collective bargaining, not to reconvene in Open Session. Seconded.

Voting:  Mr. Coogan: Yes; Mr. Israel: Yes; Mr. Kristal: Yes.

Convened in Executive Session:  12:25 p.m.  M/s/c.

Watcha Point – Gitlitz Property Status:  was addressed by Town Administrator John Bugbee who reported that he had a phone call from Kathleen O’Donnell of Kopelman & Paige reporting that Gitlitz has filed a claim against his title insurance company regarding the flawed title which led to the stalemate in the acquisition of his property by Tisbury and Oak Bluffs.  Ms. O’Donnell reports that Mr. Gitlitz now says that he can prove that he is the rightful owner of the land in question, etc.

Mr. Bugbee stated further that it was Kopelman & Paige, not Ron Rappaport, who said the title is no good.  He added that Ron Rappaport has lots of experience with title searches, adding that Ms. O’Donnell will check with the title insurance company on the status of this case and keep us informed.  Mr. Coogan commented that the title search was not as well done as it should have been.

Police Arbitration Update:  was provided next by Mr. Bugbee who reported that he had a call from the attorney representing the Town, Brian Maser, that we will have a decision next week so that we will have a dollar figure for a Town Meeting override Article.

Mr. Bugbee pointed out that if the override Article and ballot question does not pass, we will have to go back to square one.  He noted further that he is not sure what can be discussed at Town Meeting about the Arbitration settlement.  Mr. Bugbee speculated that the arbitrator will give the police union 3.5% for each year plus the step, but will give the Town the right to control scheduling.

Payette Trees @ Tashmoo Overlook:  was addressed briefly by Selectman Kristal who wondered if there will be a Town Meeting Article and what the cost will be.  Mr. Bugbee responded that he is not sure that Town Meeting will approve such an expenditure at this time.

Respectfully submitted,

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Tristan R. Israel, Chairman  Aase M. Jones, Asst. to Town Adm.

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Jeffrey C. Kristal   Geoghan E. Coogan, Clerk