The Tisbury Board of Selectmen met in Executive Session on November 3, 2015 in the Tisbury Town Hall.

Present: Selectmen Tristan R. Israel, Chairman, Melinda F. Loberg and Larry J. Gomez, Clerk; and Aase M. Jones, Assistant to the Town Administrator.

Also Present: Planning Board Members Daniel Seidman and Ben Robinson.

Town Administrator John W. Grande was not present.

Motion: To go into Executive Session to discuss strategy with respect to collective bargaining and real estate, not to reconvene in Open Session. Seconded.

Voting on the Motion: Ms. Loberg: Yes; Mr. Israel: Yes; Mr. Gomez: Yes.

Convened in Executive Session: 7:05 p.m. M/s/c.

DeBettencourt Property at 317 State Road: was discussed first.

Mr. Israel reported that the Town discussed acquisition of this property by the Town with the DeBettencourt family several years ago, at that time for the Emergency Services Facility, which passed at Town Meeting and failed the override ballot question.

Mr. Israel noted that this time around the Town is looking at the property again for several purposes, a potential new Town Hall for all Town departments presently at the Spring Street Town Hall and also personnel at the Annex, with the potential for use of some of the property to expand the cemetery at Oak Grove.

Mr. Seidman stated that he thinks the Town could have the property for $1.2 million.

Mr. Israel suggested that Mr. Seidman discuss this matter with Mr. Grande and make an offer of $1,375 million, noting that if the Town moves forward with this, we need to determine what the property will be used for, adding that this must be explored now.

Mr. Seidman stated that he feels that Mr. DeBettencourt is ready to “roll”.

Joe DeBettencourt Proposal for Property on High Point Lane: was discussed next.

The Selectmen expressed some concern about the plans that Mr. Joseph DeBettencourt presented to the BOS on September 22, 2015 for developing his property on High Point Lane, adjacent to the Town Hall Annex property. It was noted that Joe DeBettencourt initially proposed to build a retaining wall at the edge of the Town Hall Annex property and his adjacent land, to secure the area, and that he had at that time requested permission to move forward with his development plan and permission to have access over the Town property while clearing the land and building the retaining wall, with a commitment to restore the area, plant shrubs along the property line etc.
It was further noted that Mr. DeBettencourt’s project is going through the Martha’s Vineyard Commission’s DRI process at this time and that the Commission is seeking input from the Planning Board.

Discussion followed on the fact that it appears that the Planning Board wants a 5’ buffer for the parking area, and that Mr. DeBettencourt has 15’ from the back of his property to the retaining wall.

Mr. Seidman stated that the Town would be setting a bad precedent to allow Mr. DeBettencourt to use Town land to improve his own property, and confirmed that the Planning Board wants him to have a 5’ buffer area between the parking area and the retaining wall. Further discussion followed on what Mr. DeBettencourt wants to do and what the Selectmen perceive as what can be negotiated to allow him to develop the land as he is proposing to do.

Mr. Israel stated that what the Selectmen approved for Mr. DeBettencourt on September 22nd was to let him have access over Town land at the Annex to build his retaining wall, adding that the Selectmen need to reaffirm what the Board voted to allow to make him understand that there are limits to what the Selectmen granted. Mr. Israel concluded by stating that there was no discussion about the need for a 5’ buffer when Mr. DeBettencourt initially came before the Board in September.

Mr. Seidman reiterated that there has to be a 5’ buffer between the parking area and the retaining wall, noting that the Planning Board cannot allow Mr. DeBettencourt to use Town land. Mr. Seidman noted that the new Executive Director of the Martha’s Vineyard Commission, Adam Turner, caught the discrepancy in what is required of Mr. DeBettencourt regarding the retaining wall and the parking area at the High Point Lane property.

7:40 p.m. - At this point Messrs. Seidman and Robinson left the meeting.

Police Union - MassCOP - Contract Negotiations - Status Report: was presented through a memo drafted by Town Administrator Jay Grande, who was not present.

Ms. Loberg who represents the Selectmen on the negotiating team for the Town reported on the status of the negotiations, noting the following counter-proposals from the Union:

- a one year contract;
- 2% COLA;
- 40 Hours of compensatory time;
- Holiday pay if working a holiday and one additional day off at another time if working a holiday;
- Holiday time can be used as comp time; (rationale for this provision is to allow more flexibility in scheduling.

Ms. Loberg pointed out that management does not want to allow comp time at all, noting that our department is a small work force, and
that the negotiating team is not inclined to allow comp time, which would create an accounting problem.

**EMT Requirement:** was discussed. Ms. Loberg noted that this provision/requirement to be an officer, may be dropped, but added that the police officer would still be required to be first responders.

It was noted that officers are now required by contract to be EMT’s and are paid a stipend of $2,500/year, as part of their salary to have that certification. The rationale for considering dropping the EMT requirement is that the Town now has a full-service EMS department with paramedic and EMT coverage 24/7.

Some discussion followed on the impact of the so-called “Cadillac Provision” in the Obama-care Health coverage law, which will assess a tax on Towns that continue to provide this type of coverage in their employees’ health insurance plans. After some discussion on the fact that the Town still has the BC/BS Master health Plus Plan available, the Board agreed that County Treasurer Noreen Flanders would be invited to a future meeting of the Board to explain the impact the fact that Tisbury offers a health plan that would be described as a “Cadillac” type of health insurance plan and for which the Town would be assessed a kind of penalty if continuing to provide such a plan.

The fact that the police union only wants a one year contract was discussed next. The Selectmen agreed that data from the other Towns must be gathered for comparison purposes prior to the next negotiating session.

**School Department Union Negotiations Update:** was provided next by Selectmen Larry Gomez who reported that the union is asking for 3%, 3.5% and 3% in a 3-year contract and $750 additional for longevity, the latter estimated to cost about $88,000. The negotiating team is making a counter-offer of 1.67% across the board and has not responded to the longevity demand.

**DPW Re-structuring of operations, personnel assignments, duties, etc.:** were discussed briefly next, as they relate to operations under the interim management of Supt. Paul Wohler of the Tisbury Water Works department, particularly in the Wastewater operations of the DPW department.

The Selectmen agreed that they would perhaps discuss this further over lunch with Town Administrator Jay Grande sometime next month.

There being no further business in Executive Session,

**Motion for Adjournment:** 8:25 p.m. M/s/c.

Respectfully submitted,

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

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Melinda F. Loberg   Larry J. Gomez, Clerk