The Board of Selectmen met in Executive Session on December 14, 2010 in the Tisbury Town Hall.

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

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

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

Convened in Executive Session: 6:48 p.m. M/s/c.

**Police Department New Contract Collective Bargaining Issues:** were taken up for discussion first.

Selectman Coogan reported having had contact with Sgt. Fiske who has some minor issues, but who hinted at an interest in a one-year contract for the police union @ 0% wage increase, but that the union wants some issues in the contract “cleaned up”, then a 2-3 year contract deal as the next step.

Selectman Israel inquired if the shift selection policy which was a major issue in the last arbitration, has been implemented.

Town Administrator John Bugbee responded that it had, that the Chief has stated that it has been implemented, but added that he will check with Dan Hanavan about this.

**Longevity Stipend Issues in the Police Settlement:** were discussed next.

Mr. Bugbee suggested that in the one-year contract agreement the Board could negotiate the longevity that the Union claimed had been agreed upon during the arbitration process, and which the union thoughtrough had been granted, but which the management team unanimously agreed had not been on the table during the arbitration process.

Mr. Kristal stated that this issue, (police officers getting the same longevity as Managerial and Professional personnel), was not on the table or in the agreement reached during the arbitration process.

Mr. Bugbee stated that this issue needs to be “hammered out”.

Selectman Kristal suggested that the numbers and the cost of that provision must first be established.

**Montorosso Land Claim in Aquifer Protection Area:** was taken up for discussion next, following the receipt of a letter dated November 9, 2010 from Attorney Jan Dabrowski, on behalf of Mr. Montorosso in his claim of ownership of three parcels of land (49-A-3/4 and a portion of #48-A-4) adjacent to the Manter Well. The letter which cites Mr. Dabrowski’s appointment by the Probate Court to sell the parcels located in Tisbury off Holmes Hole Road, offers the Town an
opportunity to purchase the parcel(s) in question, (Assessors’ Map Parcel #49-A-3/4 and a portion of Lot 4 on Map 48), for $630,000.

Mr. Dabrowski’s letter which requests a response from the Town by December 13, 2010, has been referred to Town Counsel David Doneski for comments, and is hereby incorporated by reference.

Mr. Bugbee noted that a few years ago the issue of acquisition of this property was addressed at Town Meeting and an Article for $300,000 approved and funds set aside for potential purchase of the property which has been in Land Court, owners unknown, for decades. Mr. Bugbee reported further that David Doneski has responded to the November 9, 2010 letter informing Mr. Montorosso’s attorney that the Town is looking into this matter at this time.

Mr. Bugbee stated further that according to Building and Zoning Inspector Ken Barwick the property is landlocked, not buildable and within the Aquifer protection area of the Manter Well.

The issue of whether taxes on the property are being paid was discussed, and it was noted that according to Treasurer Tim McLean, the property has been in tax title and decades of taxes are outstanding and not currently paid.

A discussion followed on whether Mr. Montorosso will pay the taxes outstanding and due now, if the land is sold. The Selectmen agreed that the determining factor is whether the parcel(s) are buildable, and that Town Administrator John Bugbee will check with Tim McLean and Ken Barwick about tax issues and buildability respectively.

Selectman Kristal pointed out that the Town should put the burden of this on the claimant, i.e., let Montorosso do what is necessary, since a substantial amount of outstanding taxes are due on these properties. Mr. Kristal also suggested that the Water Department be contacted to see if ownership by the Town of these parcels is vital to the Aquifer Protection Program and the status of the Manter Well.

There being no further business in Executive Session,

Motion for Adjournment:  7:03 p.m.  M/s/c.

Respectfully submitted,

Jeffrey C. Kristal, Chairman

Aase M. Jones, Asst. to Town Adm.

Geoghan E. Coogan

Tristan R. Israel, Clerk