The Tisbury Board of Selectmen met in Executive Session on July 9, 2013 in the Tisbury Town Hall.

Present: Jeffrey C. Kristal, Chairman; Jonathan V. Snyder; and Tristan R. Israel Clerk; John W. Grande, Town Administrator and Aase M. Jones, Assistant to the Town Administrator.

Also Present: Fire Chief John F. Schilling.

Motion: To go into Executive Session to discuss strategy with respect to contract negotiations, collective bargaining, and current and potential litigation, not to reconvene in Open Session. Seconded.

Voting on the Motion: Mr. Kristal: Yes; Mr. Israel: Yes; Mr. Snyder: Yes.

Convened in Executive Session: 5:42 p.m. M/s/c.

MCAD Case Update: was provided by Town Administrator Jay Grande who reported that the Town last Friday received the good news from Attorney Brian Maser that the four outstanding MCAD cases filed respectively by Scott Ogden (2), Michael Gately and Robert Fiske against the Town had been dismissed by the MCAD with no findings against the Town. A brief discussion followed on whether this information is part of the public record. Mr. Grande noted that all inquiries for that information should be referred to the MCAD.

ESF Project – HVAC and other Outstanding Issues: were taken up for discussion next.

The discussion focused on the fact that there continues to be problems with the HVAC system with several pumps that are not functioning properly. It was pointed out that the pumps have not been "commissioned" and that the general contractor never installed the codes that are required to operate the equipment, nor is there an available mapping diagram as required.

Mr. Grande stated that he hopes to be able to report by next week that we now have a system that can be operated by BTU, a contractor that is under contract with the Department of Public Works. He added that the DPW apparently paid a $6,000+ for services by BTU, but noted that this invoice will probably come back to the project and added that he did not authorize this work to be done and the money will have to come out of the remaining $100,000 in the appropriation.

Mr. Grande reported that BTU will enter into an agreement with the Town to take care of the ESF as part of a contract, adding that initially BTU did not want to get involved until they knew what system it was, and it has now been established that the system can be controlled from off-site. Mr. Grande reported further that David Doneski will follow up with a telephone conversation with Fred (LaPiana) tomorrow.

Mr. Grande continued by stating that “we are clear “ on some of the other issues, including the stairwells, and then stated that he thinks we will have a final # within a short time and get settled with Seaver.
The Fire Chief commented that BTU will be able to start the system, adding that there are still sections of the building that are not functioning (14 other pumps), which is costing the Town money now and which will continue to do so.

Mr. Grande concurred noting that as long as the system is not commissioned the Town will continue to incur additional costs. He commented further that HKT is not responsive and noted that the Town needs to quantify the damage, if the HVAC system is not functioning properly humidity in the building will remain a problem. He suggested getting the architect involved to evaluate the situation.

Mr. Schilling stated that the Town is being held up to finish the building. Mr. Schilling pointed out that moisture issues exist in the administration wing, is excessive in many areas, including the ambulance bay, where the moisture level must be kept at a certain level to keep the ambulance drugs safe. Mr. Schilling concluded his comments by stating that this appears to be a design issue which the architect, HKT, needs to help the Town resolve.

Mr. Grande commented that HKT is “not off the hook”. Mr. Kristal inquired what the Town can do to resolve these moisture issues and find a solution, and reiterated that the Town must resolve this.

Selectman Israel commented that the principal owner of HKT offered to come down for an additional fee to look this over.

Mr. Kristal commented that with regard to the humidity issue there is at least some “movement”, adding that he is more concerned about the failure of the training tower apparatus.

Mr. Schilling noted that the garage doors are also a big problem, with one door already broken, having to be repaired by the Department of Public Works. Mr. Schilling commented that a third party repairing the overhead doors could lead to additional costs. He commented further that the doors that were installed were never accepted by the Town, adding that the warranty of the doors we expected to be installed would by now have expired

Mr. Grande commented that there now remains only $100,000 in the appropriation for the ESF, adding that he can see a capital project coming out of this.

Mr. Kristal suggested taking the $100,000 and closing out the project.

Mr. Grande noted that the HVAC and roof are major issues.

Mr. Kristal suggested that the Town could sue Seaver and issue a negative DCAM report on the project and the contractor.

Mr. Grande continued by stating that Johnson Controls have certified that the remote control system is now done, adding that the total cost of the HVAC system was $664,000 and stated that the Town is not interested in going an extra week. He noted further that the total cost associated with climate control of the building was estimated at about $1 million.

In conclusion Mr. Grande suggested finding out how much the Town is exposed on the items discussed.
Chief Schilling stated that “we have a beautiful building”, suggested “let’s make it work”, and “wait one week to see what happens.” The Board agreed.

Fire Chief Contract Amendment: to receive an additional $5,000 stipend to compensate him for taking on the supervision of the Ambulance Coordinator and “management support” for the Emergency Services Facility and the EMS Department, was brought up for discussion by Chief Schilling, who pointed out that the contract amendment has not yet been finalized and should be done now as this affect pay rates in the new fiscal year. Chief Schilling noted that it has now been six months since the Selectmen approved the additional stipend to be included in his base pay, effective July 1, 2013.

Mr. Grande reported that he will have the amendment to the Chief’s contract ready for approval at the next meeting of the Board (July 16th).

Emergency Management Director Position: was discussed next. Mr. Grande reported that he had a nice meeting with Emergency Management Director Chris Cini about lines of communications and other issues related to Mr. Cini’s position as Emergency Management Director, this following his memo to Mr. Cini dated June 18th in which he outlines more specific lines of communications regarding emergency management protocol involving both Chief John Schilling and Police Chief Dan Hanavan. Mr. Grande reported that Mr. Cini is OK with the directive issued earlier this month about how communications should be channeled within the EMS and Emergency Management Departments going forward.

Mr. Grande noted that checks and balances must be in place.

Chief Schilling commented that the staff working within the ESF is a team, working together in a safety-oriented building who must coordinate efforts.

Mr. Grande commented that Mr. Cini must be accountable for his time to Ambulance Coordinator Tracey Jones and the Fire Chief.

Chief Schilling commented that Chris Cini as Emergency Management Director tends to focus on his priorities, adding that levels of performance must begin at some point.

Street Fair: Chief Schilling noted that the Street Fair on July 8th went very well this year.

Mr. Kristal commented on the teamwork that contributed to the success of the annual event.

6:25 p.m.: Chief Schilling left the meeting.

Police Union Contract Negotiations: was discussed next. Mr. Grande reported that the Union will vote this week whether or not to accept the offer that the Town has placed on the table, including a 2-2-and 2% wage increase over a 3-year contract, covering FY2013, FY2014 and
FY2015; an additional OIC of $.50/hr., special OT for Hospital coverage when required; 3 hours of travel allowance for travel to Plymouth; and EMT certification still required. A brief discussion followed on these terms.

Park & Ride Lot Parking Meter Issues: were discussed next.

Mr. Grande acknowledged that he does not have information on how to implement use of the new proposed parking meter equipment for the Park & Ride Lot, adding that he needs to know what the objective is in acquiring the expensive new equipment, in short whether or not the equipment will meet the Selectmen’s expectations, which he questioned was to increase revenue.

The Selectmen confirmed that the parking meter is intended to assure that fees are paid to the Town for use of the lot under its current rules and regulations with up to 7 days of parking in half the lot being provided at no charge.

Mr. Grande commented that the lot will need to be striped and spaces numbered, adding that he wants a qualified vendor to demonstrate that the equipment considered for purchase will implement what the Selectmen want to accomplish.

Selectmen Kristal commented that the Town Hall office staff spends way too much time issuing permits for the Park & Ride Lot.

Discussion followed on how the system could accept credit cards and whether to proceed with an RFP that would provide the kind of equipment to meet the Town’s needs.

Mr. Kristal suggested dividing the lot into thirds, with one area for commercial vehicles.

Mr. Kristal then reported that the Water department wants to install cameras on the new water tank, now under construction, and wants to have the Selectmen share the cost. After a brief discussion on how much this would cost and whether the Selectmen are interested in paying a share of the cost, the Board agreed that the Water Department receives substantial fees for allowing telecommunications antennae on the water tank and that the Selectmen will not participate in cost sharing for the proposed camera equipment.

Mr. Grande suggested that the Town should get a camera installed at Five Corners, monitoring traffic.
Stop & Shop Project: was discussed next.
There being no further business,
Motion for Adjournment: 7:35 p.m. M/s/c.

Respectfully submitted,

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Jeffrey C. Kristal, Chairman  Aase M. Jones, Asst. to Town Adm.

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Jonathan V. Snyder  Tristan R. Israel, Clerk