

Tisbury Finance and Advisory Committee
6:30PM, Wednesday, April 16, 2025
Emergency Services Facility

1

Present: Chair – Nancy Gilfoy, Louise Clough, Russ Hartenstine, Ruth Konigsberg, Alex Meleney, Elaine Miller, Rachel Orr, Allan Rogers,
Others: Recorder Marni Lipke,
Town: Finance Director – Jonathan Snyder,
Moderator – Deborah Medders,
Affordable Housing Com – Henry Nieder
State Seasonal Communities Advisory Council – Laura Silbur
* TFC members late arrivals, early departures or absences.

Call Meeting to Order

- The Tisbury Finance and Advisory Committee (FinCom or TFC) was called to order at 6:31PM. The agenda order was changed to accommodate presenters.
(Recorder's note: Discussions are summarized and grouped for clarity and brevity.)

Reconsideration of Vote on Seasonal Community Designation Article

Victor Capoccia, Chair, Affordable Housing Committee

(See documents on file & Minutes: 3/19/25 p.5, & 3/26/25 p.6.)

* During this discussion Alex Meleney entered the meeting at 6:37PM.

- *RUSS HARTENSTINE MOVED TO REVISIT AND RESCIND THE FINANCE AND ADVISORY COMMITTEE'S MARCH 26, 2025 VOTE ON THE SPECIAL TOWN MEETING ARTICLE ON SEASONAL COMMUNITY DESIGNATION; RUTH KONIGSBERG SECONDED; MOTION PASSED UNANIMOUSLY; 7 AYES, 0 NAYS, 0 ABSTENTIONS.*

Affordable Housing Committee member Henry Nieder and State Seasonal Communities Advisory Council representative Laura Silbur introduced and reported on the status of the Law.

- The law was modeled on similar seasonal communities in Colorado, California, etc. designed to maintain affordable year round housing stock for rent or purchase when market forces made such things difficult.
- It was the direct result of guidance and requested statutes from island municipalities, in this case, the Tisbury Select Board (TSB) and Planning Board. The legislation was designed for Martha's Vineyard, Nantucket, and Cape Cod, for example:
 - Provincetown expressed interest in artist and author housing;
 - undersized lot language was lifted directly for the Oak Bluffs (OB) Bylaw;
 - tiny houses bylaw was in force on Nantucket.
- The Advisory Council was working to clarify and implement the law for example, correcting a typo in the tiny houses statute that said "and" instead of "or" on wheels (see below: Actions).

Tisbury Finance & Advisory Committee
April 16, 2025

2

- The only required provisions were zoning bylaw changes to allow use of undersized lots and tiny houses.
- Statutes that towns could opt into included:
 - use of Community Preservation Act/Committee (CPA/CPC) funds for municipal worker housing (teachers, police, volunteer fire fighters, etc.);
 - allowing Towns to increase residential exemptions from 35% up to 50%;
 - eliminating cumbersome home-rule legislation for community housing above Low Income Housing Tax Credit (LIHTC), e.g. at or above 100% Average Median Income (AMI)—although there was still some federal vs. state confusion.
 - allowing perpetual deed or land lease restriction designation for year round housing (definition: 10 or 12 months residence)—along with conservation and agricultural designations;
 - allowing year round municipal housing trusts;
 - a well-funded one-stop grant program.
- In terms of Accessory Dwelling Units (ADUs) on undersized lots regulations were still in force (septic, setback, etc.) which would likely not allow the unit.
- The current interpretation of the law was for *existing* under-sized lots.
- The FinCom debated issues.
 - Senator Cyr's office filed legislation allowing for dense housing as well as forbidding 3 acre zoning—a current bylaw which preserved water resources.
 - A 7 month delay was not unreasonable to allow the Advisory Council to complete its implementation work.
 - Issues could be brought before the Planning Board which worked to preserve the character of the Town and then if necessary appealed to the courts.
 - Tisbury had excellent Advisory Council representation which it could rely on to advocate for FinCom concerns.
 - The Legislature had reversed itself and requested formal buy-in votes from Martha's Vineyard and Nantucket.
 - Oak Bluffs, Edgartown and West Tisbury already passed the Designation by landslides and the FinCom emphasized the regional nature of the problem. The Advisory Council's work would be complicated by a 5 to 1 Island Town split.
- ***ALLAN ROGERS MOVED TO RECOMMEND APPROVAL OF THE 2025 SPECIAL TOWN MEETING WARRANT ARTICLE ON DESIGNATION AS A SEASONAL COMMUNITY AS PRESENTED; RUTH KONIGSBERG SECONDED; MOTION PASSED: 7 AYES, 0 NAYS, 1 ABSTENTION—RACHEL ORR.***

Review and Vote on Short-Term Rental Officer Article

Greg Monka, Building Inspector

(See documents on file, & Minutes: 1/29/25 p.2, & 2/26/25 p.3.)

This provided funds to cover the start of inspection/monitoring, however, form and protocol were not yet clear: whether partnering with Oak Bluffs (as with

Tisbury Finance & Advisory Committee
April 16, 2025

3

the short-term rental survey), hiring part-time, contracting out, etc.

- The FinCom discussed:
 - fee revenues to cover expenses, which was the purview of the TSB;
 - rotating inspection at a certain percentage a year;
 - publicizing correct building code.
- RUSS HARTENSTINE MOVED *TO RECOMMEND APPROVAL OF THE 2025 ANNUAL TOWN MEETING WARRANT ARTICLE ON A SHORT-TERM RENTAL OFFICER FOR \$140,000 AS PRESENTED*; RUTH KONIGSBERG SECONDED; MOTION *PASSED UNANIMOUSLY: 8 AYES, 0 NAYS, 0 ABSTENTIONS*.

Review and Vote on Article Adopting a Revolving Fund Bylaw

(See documents on file, & Minutes: 3/25 p.2-3.)

The Park & Ride and Dog License revolving funds had now been combined into a single article that also included the Tashmoo Spring Building revolving fund (see 3/23/16 Minutes p.5).

- Roughly estimated annual revenues were:
 - Dog licenses - \$10,000;
 - Park & Ride - \$14,000—not enough for any paving;
 - Tashmoo Springs - \$2,500.
- The rationale was: when a resource generated funds they should be used to pay its maintenance.
- The FinCom concerns were about spending without TSB or Town vote checks and balances, as well as about setting precedents for other departments.
- Revenues that went into the General Fund were spent within the fiscal year or reverted to Free Cash. Revolving funds rolled over from year to year.
- The Article was submitted on the same day the warrant was signed.
- The Dog License article now simply repealed the outdated bylaw.
- RUTH KONIGSBERG MOVED *TO RECOMMEND APPROVAL OF THE 2025 SPECIAL TOWN MEETING WARRANT ARTICLE ON DOG LICENSE, PARK & RIDE, & TASHMOO SPRINGS REVOLVING FUNDS AS PRESENTED*; RUSS HARTENSTINE SECONDED; MOTION *FAILED UNANIMOUSLY: 0 AYES, 8 NAYS, 0 ABSTENTIONS*.

Review and Vote on Community Preservation Committee (CPC) Article Amending Vote from May 28, 2014

(See documents on file, & 1/17/24 Minutes p.3 recommended 7,0,0.)

The amendment addressed more restrictive age-related housing regulations.

- The FinCom discussed Island-wide CPC projects that designated some housing units to one Town—which was only allowed in the first year.

Tisbury Finance & Advisory Committee
April 16, 2025

4

- *RUTH KONIGSBERG MOVED TO RECOMMEND APPROVAL OF THE 2025 ANNUAL TOWN MEETING WARRANT ARTICLE ON AMENDING THE 2024 COMMUNITY PRESERVATION ARTICLE ON THE WEST TISBURY HOUSING PROJECT AS PRESENTED; RUSS HARTENSTINE SECONDED; MOTION PASSED UNANIMOUSLY: 8 AYES, 0 NAYS, 0 ABSTENTIONS.*

Review of Changes to Leaf Blower Article Amending and Potential Vote

(See documents on file, & 3/5/25 Minutes p.3 recommended 5,1,0.)

In an effort to allow homeowners more freedom, the TSB lifted the previous restrictions on use of electric powered leaf blowers, particularly on Sundays. However this version did not restrict Sunday use to homeowners, i.e. it allowed commercial use on Sundays. It also retained Police enforcement.

- Objections were about frustration with the loud and disruptive noise level.
- *ALLAN ROGERS MOVED TO REVISIT AND RESCIND THE FINANCE AND ADVISORY COMMITTEE'S MARCH 5, 2025 VOTE ON THE SPECIAL TOWN MEETING ARTICLE ON THE LEAF BLOWER BYLAW; RUSS HARTENSTINE SECONDED; MOTION PASSED UNANIMOUSLY; 8 AYES, 0 NAYS, 0 ABSTENTIONS.*
- *LOUISE CLOUGH MOVED TO RECOMMEND APPROVAL OF THE 2025 SPECIAL TOWN MEETING WARRANT ARTICLE ON THE AMENDED LEAF BLOWER BYLAW AS PRESENTED; ALEX MELENEY SECONDED; MOTION PASSED: 6 AYES, 2 NAYS—RUTH KONIGSBERG, RACHEL ORR, 0 ABSTENTIONS.*

Voter Guide (See documents on file & below: Actions.)

The FinCom reviewed the Guide, commended the pie charts and made editing suggestions such as:

- more under the levy limit set by Proposition 2 ½;
- the last paragraph should start the 2nd column.
- concerns related to rising costs and inability to fill positions;
- the Finance and Advisory Committee applauds the All Island School Committee's study on regionalization.

A final draft would be sent out for approval.

Town Hall Location Committee Representative

The Committee (Town Administrator Joe LaCivita, Lindsey Famaris, Planning Board/Climate Committee Daniel Phalen, and Rick Homans) had a \$70,000 budget and one study already completed (see 8/10/23 Minutes).

- *ALEX MELENEY MOVED APPOINT RUSS HARTENSTINE AS THE FINANCE AND ADVISORY COMMITTEE REPRESENTATIVE TO THE TOWN HALL LOCATION COMMITTEE; RACHEL ORR SECONDED; MOTION PASSED UNANIMOUSLY: 8 AYES, 0 NAYS, 0 ABSTENTIONS.*

Tisbury Finance & Advisory Committee
April 16, 2025

5

Approve Minutes 3/19/25, 3/25/25, 3/26/25

- *RUSS HARTENSTINE MOVED TO APPROVE THE FOLLOWING MINUTES:*

- *MARCH 19, 2025 AS AMENDED,*
- *MARCH 25, 2025 AND,*
- *MARCH 26, 2025 AS AMENDED;*

ALLAN ROGERS SECONDED: MOTION PASSED 8 AYES, 0 NAYS, ABSTENTIONS AS ABSENT—ALEX MELENEY, ELAINE MILLER.

Future Meetings (See below: Meetings/Events, & Actions.)

The next big issue would be the Martha's Vineyard Regional High School (MVRHS) Building Project. The Massachusetts School Building Authority (MSBA) chosen option deadline was June 2025. Projections were in the \$250,000,000 range—Tappé Architects provided excellent, detailed estimates.

- Tisbury's 22.9% share came to ~ \$3,500,000 at 4.5% interest rate. (MVRHSD bond rating was an amalgamation of the 6 Town debt ratings.) The 6 Island towns had starkly different property and income values.
- A joint meeting was requested to determine Tisbury's debt capacity: TSB, Town Administrator, Building Committee representatives and the FinCom.
- Barring unforeseen issues, the next FinCom meeting was likely to be in June.

Items Not Reasonably Anticipated by the Chair

Russ Hartenstine was researching regionalization and asked members to contact him with any information or for conversation.

Adjournment

- *RUTH KONIGSBERG AND ALEX MELENEY MOVED TO ADJOURN AT 8:27PM; ALLAN ROGERS AND EVERYONE ELSE SECONDED; MOTION PASSED UNANIMOUSLY: 8 AYES, 0 NAYS, 0 ABSTENTIONS.*

Appendix A: Meetings/Events

- STM/ATM – 7:00PM, Tuesday, April 29, 2025 Tis. Sch. Gym
- TFC – 6:30PM, Wednesdays – TBD

Appendix B: Actions

Nancy – keep reminding Russ re: CPC representation.

Nancy – send Russ Town Hall Location Committee letter to Town Clerk

Russ – contact Town Clerk re: getting sworn in for Town Hall Location Com.

Allan/Alex/Rachel/All – draft Voter Guide language and send to Nancy.

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Tisbury Finance & Advisory Committee
April 16, 2025

6

Appendix B: Actions (cont.)

Laura Silbur – send FinCom follow-up letter re: Tiny House typo correction.

Henry N./Victor C. – draft 1 page Seasonal Designation STM handout—
information only (no advocacy): (Mass.gov. Seasonal Community
Designation Powerpoint).

All – contact Russ with any regionalization information.

Russ – contact former Chilmark Police Chief re: Police regionalization study

All – Please remember not to hit “Reply All”.

Future Agendas – Minutes: 4/16/25

- Municipal Housing Trust Representatives
- Eliminate Town designated units for Islandwide CPC funded housing projects.

Budget Season Notes

- Request data on how much each Department turned back in FY25.
- Request projects for grant funding.
- Attach budget/narrative modules to agendas.
- Request foundational information, levy, free cash estimates, etc.
- include fee revenues (offsetting expenses) in budget interviews;
- ask departments to project 5 years of needs i.e. like a capital plan but on other factors—staffing, program changes, etc.

\$200,000 FY25 Reserve Fund spending tally – Balance: \$143,833.16

- 12/11/24 – Accounting - \$40,000 – Ongoing Consultants

- 3/12/25 – FinCom - \$5,000 – Purchase Services Overage

- 3/19/25 – Harbor - \$11,166.74 – Town-owned Mooring Maintenance

Appendix C: Documents on File

- Agenda & Gilfoy cover email 4/16/25
- Gilfoy/Monka emails re: Monka explanation of STR officer article (2 p.) 4/16/25
- Gilfoy cover email re: Seasonal Communities Designation STM article #16 and other news 4/12/25
- Executive Office of Housing & Livable Communities, Seasonal Communities Guidance (4 p.) 12/12/24
- Gilfoy cover email re: Items for meeting 4/16/25
- Article Submission Form, December 13, 2024 – Revised, 1/21/25, Community Preservation Committee (7 p.) 1/21/25
- Veterans Memorial Park, Master Plan, Open Space Recreation Committee, Tisbury MA, July 2024 (34 p.)
- Tisbury – Five Corners Drainage Project Scoping, (8 p.) 4/4/25
- Article 8, To Amend the Bylaw Regarding Dog License Revenue
- To see if the Town will vote to adopt a Revolving Fund Bylaw...(2 p.)

continued

Tisbury Finance & Advisory Committee
April 16, 2025

7

Appendix C: Documents on File (cont.)

- Gilfoy/Deitterich emails re: Explanation for change of CPC housing article (2 p.) 4/10/25
- Gilfoy cover email re: Final Warrants 4/13/25
- Town of Tisbury, Annual Town Meeting Warrant, Tuesday, April 29, 2025, at 7:00PM (17 p.)
- Town of Tisbury, Special Town Meeting Warrant, Tuesday, April 29, 2025, at 7:00PM (11 p.)
- Gilfoy email re: MVRHS School Building Committee Meeting Tuesday, April 15, 2025 5:30PM MVRHS Library and Zoom (2 p.) 4/11/25

Nancy Gilfoy – Chair

Date

Minutes approved 6/4/25