

Members present: Earl Peters, Mark Landers, Fred Huss, and Paul Humber

Others present: David Grunden, William Alwardt, Nicole L Morey, Kyle Peters and Melissa Carr

Meeting opened at 6:05 PM.

Open Meeting Law

Committee members were given copies of the “Important Changes in the Open Meeting Law” as provided by Town Counsel. They were advised that any questions should be directed to Town Administrator.

Agenda posting was explained; 48 hours in advance of meeting as well as visible to the public at all times of the day.

Previous Minutes

Minutes from May 18, 2010 and June 15, 2010 were read.

Vice-chairman Landers arrived at 6:15 PM

Letter received from Town Administrator to the Shellfish Committee regarding their request to have someone from the Shellfish Committee on the Oak Bluffs-Tisbury joint committee was read into the record.

Chairman Peters felt that was wrong.

Vice-chairman Landers said that he would like an overview of the joint committee.

Motion: To accept minutes as read. By: Member Huss. Second: Member Humber. Motion passed unanimously 4-0.

Oak Bluffs – Tisbury joint committee

Member Humber wanted to know who is to say that they don’t discuss Shellfish while discussing other departments and there is not a Shellfish Committee member present. He wanted a Shellfish member present at all meetings just in case.

Vice-chairman Landers said if they want to combine both police departments that would mean they can cross town lines, whatever happens the Shellfish Committee should recommend to the Board of Selectmen that commercial & recreational shell fishermen must follow the rules & regulations of the town they live in and not be able to shellfish in the other town.

William Alwardt said that he spoke with Selectmen Kathy Burton and she told him that there are two committees; one for police & one for shellfish. He said it was Ron DiOrion and two others who don’t know anything about shellfish.

Member Huss said that the joint committee is all voluntary.

Vice-chairman Landers stated that just because they merge the two departments into one doesn't necessarily mean that Lagoon Pond gets merged into one.

Constable Grunden said that they asked him to look into the possibility of significant financial savings by merging two departments; he doesn't think it will save either town much money. He said that there might be small savings on labor and supply costs; he said he told Town Administrator this information. He added that there might be a sub-committee within the joint committee.

Mr Alwardt insisted that there were two separate committees; three people to look into police & three to look into shellfish. He said that Kathy Burton told him this information. He said was at the Board of Selectmen meeting when the joint committee was discussed and asked if the joint committee could meet after 4:00 PM.

Members felt that there was something bigger going on.

Vice-chairman Landers felt that the joint work would take Constable Grunden away from doing the wonderful work he does for the Town of Oak Bluffs; he doesn't think it would save any on personnel.

Chairman Peters said he didn't see Tisbury shell fishermen doing the kind of work that Oak Bluffs shell fishermen do for their ponds.

Vice-chairman Landers wants a letter sent to the Board of Selectmen addressing what they are thinking, townspeople are concerned about Lagoon Pond, want to know if their intention is to merge the pond into one. He is sure that Tisbury residents feel the same about keeping towns separate for shellfishing.

Constable Grunden suggested that the letter should request that the Shellfish Committee is specifically given notice when the meetings are so it can be assured that one member of Shellfish Committee is in attendance.

Member Huss wanted to know why the joint committee wasn't advertised but rather just appointed.

Mr Alwardt said that he did ask the Board of Selectmen about Tisbury residents coming to shellfish in Oak Bluffs waters and was told that would not happen.

Member Humber said that Oak Bluffs residents are concerned about the issue and being kept in the dark.

Vice-chairman Landers wanted to know what the overall plan was, what they are looking for, what is the ultimate goal, etc. He felt that Tisbury knows that Constable Grunden is very good at getting grant money.

Constable Grunden replied that may be why they hired Danielle Ewart.

Mr Alwardt said that there was an executive session before the Board of Selectmen meeting to discuss joint committee and nothing was told about it. Executive session rules were explained to him.

Vice-chairman Landers wants the letter to ask if it just for personnel issues or do they plan to let Tisbury into Oak Bluffs waters for shellfishing. He doesn't want to lose Constable Grunden's time to Tisbury.

Constable Grunden advised that his contract with Tisbury expires in November and he didn't think it would be extended.

He suggested asking that a Shellfish Committee member be placed on the subcommittee so that they could discuss the issues and provide input.

Mr Alwardt wants to stress holding the meetings at a decent hour for a working person to be able to attend.

Melissa Carr suggested that the minutes of the meeting be requested.

By consensus: To send a letter to the Selectmen asking that the Shellfish Committee be informed for when the joint Oak Bluffs-Tisbury committee and/or any subcommittee meets to discuss shellfish. They ask that the Shellfish member be allowed to provide input for discussion of the issues raised and that meetings be held at a reasonable time for working members to be able to attend. They further request that copies of the joint committee's minutes be sent to the Shellfish Committee.

Constable's Report

Constable Grunden read his June 2010 report; the pre-dredge survey of Sengekontacket Pond had been completed and they did not anything on the bottom and they do not recommend any further surveys until post-dredge.

Chairman Peters asked what the price was per yard.

Constable Grunden replied that Edgartown dredge was still talking \$11.00 per cubic yard but two of the three private dredge bids mobilization/demobilization costs would have bankrupt the half a million dollars and the third company it was about \$75,000 plus \$17.00 per cubic yard. He said Cow Bay has asked the Town of Oak Bluffs to amend the current permit to allow them to store it should the Town agree to sell some to them.

Chairman Peters would think they would go with \$11.00 and sell some to Cow Bay if more money is needed although he was aware the Oak Bluffs needs some sand too.

Constable Grunden agreed but the details were still being worked out with the two Town Administrators, the Edgartown Dredge Committee and Cow Bay. He said that there are permits to put 17,000 cubic yards on Inkwell and Town Beach and 10,000-15,000 cubic yards on State Beach and negotiating with Cow Bay for them to take the rest.

Mr Alwardt asked if the cost of trucking was going to come out of the \$500,000.

Constable Grunden replied that trucking to the Town beaches might as it was part of the project.

Mr Alwardt said that wasn't what the townspeople voted; they didn't vote \$500,000 to truck sand.

Vice-chairman Landers said that he saw Constable Grunden is saying as it was part of the project.

Member Humber agreed; it was to dredge and transport it.

Vice-chairman Landers said that it doesn't matter where it goes as long as the sand comes out.

Constable Grunden said that is the reason why they are talking with Cow Bay so there is enough money to dredge the entire 57,000 cubic yards out; there is enough for about 40,000 cubic yards. He explained that at \$11.00 that would be \$440,000 for dredging with the rest for surveys, engineering and trucking. He added that they only have permits to put 27,000 cubic yards down on the beaches; the intention is to take out as much as they can.

Mr Alwardt said that they don't issue permits unless they know where the sand is going to be placed and the permit states that the de-watered sand is to go on Joseph Silvia State Beach.

Constable Grunden replied that he stands corrected if that is what is in the permit. He said he will read the dredging permit but he has not read them all as he has relied on Liz Durkee and others to make sure that he is informed. He apologizes for not sitting in the office reading rather than doing the field work this summer. He told Mr Alwardt that does not need to be argumentative about it and he is sorry he doesn't have the time to read through the permits. He explained what his work schedule has been like since March 12th. He said he was sorry that he is not working more hours for him.

Members asked Mr Alwardt to stop speaking.

Member Humber made a motion to adjourn as they had not invited people to the meeting to argue; he said that Mr Alwardt had a lot of input but he is arguing about everything and things were getting dragged out.

Motion: To accept Constable Grunden's June 2010 report. By: Vice-chairman Landers. Second: Member Humber. Motion passed unanimously 4-0.

Lagoon Pond

Vice-chairman Landers said that Constable Grunden did give him a roll of wire to make more crab traps but he has been trying make ends meet.

Sunset Lake

Vice-chairman Landers was pleased to hear about the new committee for Sunset Lake and the Committee was advised that there will be a clean up day on August 7th and they perhaps even want to dredge it someday.

Motion: To adjourn the meeting. By: Member Huss. Second: Vice-chairman Landers. Motion passed unanimously 4-0.

Meeting closed at 7:10 PM.

Respectfully submitted,

Nicole L Morey
Shellfish Secretary