

**Selectmen's Meeting**  
**December 19, 2016**  
**4:00 pm**

A meeting of the Board was held on the above date in the meeting room of Town Hall. Members present were: Margaret E. Serpa, Chairman; Arthur Smadbeck and Michael J. Donaroma. Also present was Town Administrator Pamela Dolby.

At 4:00pm Ms. Serpa opened the meeting and the first item on the agenda which was the annual review for Animal Control Officer Barbara Prada. Ms. Prada was present.

The Board were all in agreement that Ms. Prada does a wonderful job and is great with the animals. Ms. Dolby added that she is very easy to work with.

Mr. Donaroma moved to give Ms. Prada a favorable review and to reappoint her for another year. Mr. Smadbeck seconded. Unanimous.

Ms. Serpa then opened the shellfish hearing for Mr. Mark Morris which was being held at the request of the Shellfish Committee in reference to an incident with the shellfish wardens. Present were Mr. Morris and his wife Deirdre. Also present were Shellfish Constable Paul Bagnall; Wardens Warren Gaines and Rob Morrison and Shellfish Committee Members Les Baynes, Donny Benefit and Cooper Gilkes.

Ms. Serpa stated that they have read the reports. She asked if anyone from the Shellfish Committee would like to speak. They referred to Mr. Bagnall. Mr. Bagnall then gave a synopsis of what happened: On December 5<sup>th</sup> Mr. Morris was requested to have his boat inspected by the Shellfish Wardens. He was non-compliant and took off. Which is against Section 2 Paragraph C of the shellfish by-law and Chapter 130 of the MGL. On December 6<sup>th</sup> when Mr. Morrison served Mr. Morris with his citation and tried to again check his boat, Mr. Morris was extremely verbally abusive and refused entry to his boat "without a search warrant". The Shellfish Committee takes this very seriously. License holders need to be compliant to display their catch and abide by the laws. On the Shellfish Meeting on December 6<sup>th</sup> the Committee voted that they would ask the Board to hold this hearing and advise that the Board suspend the license for the rest of the commercial scallop season.

Mr. Morris stated that his wife would speak for him because he was already aggravated. Mrs. Morris tried to explain the fourth bushel on board as her family permit limit. She stated that when Mr. Morris took off he wanted to cool off because he was annoyed. She stated he stayed in the harbor the entire time and that the wardens made no effort to stop him or keep an eye on him while he was in the harbor. He was also upset that they didn't check anyone else's boat.

Mr. Bagnall responded that everyone is routinely checked. This is about him being non-compliant and his offensive hostility not about the fourth bushel. That is another issue.

Mrs. Morris then started again talking about the fourth bushel to which Ms. Serpa replied that they had already gone over that. Mr. Morris then started speaking loudly about the fourth bushel in an insolent tone and told Ms. Serpa he was talking now when she tried to bring things back to order.

Mr. Smadbeck then tried to be a calming force and informed Mr. Morris that Ms. Serpa is the Chair and is running the meeting. Mr. Morris seemed to calm down after a bit of back and forth.

Ms. Serpa asked Mr. Bagnall to explain the fourth bushel.

Mr. Bagnall stated that the fourth bushel ticket has been appealed to court. This hearing is about him being non-compliant to the rules and regulations by taking off and refusing inspection.

Ms. Serpa then gave Mr. Morris a chance to rebut. Mr. Morris went on a five minute rant about how he did take off but had no chance to dump scallops. He was singled out. They weren't checking other people's boats. They have something against him etc...

Mr. Morrison added that the main thing here is that Mr. Morris did not consent and took off. He was non-compliant.

Mr. Donaroma asked the Shellfish Committee what the recommended length of suspension was. Mr. Gilkes responded that he believed it was the rest of the scallop season. Mr. Morrison stated that is what was voted at the Shellfish Committee meeting of the 6th.

Mr. Donaroma moved to suspend Mr. Morris' license for the rest of the Commercial Scallop Season. Mr. Smadbeck seconded. Unanimous.

Mr. and Mrs. Morris started causing a scene and were gently escorted out by Officers of the Edgartown Police Department.

Ms. Serpa then moved on to the next item on the agenda which was a shellfish hearing for Mr. Michael Hathaway and Mr. Richard Hathaway. Mr. Richard Hathaway was present. Mr. Michael Hathaway had sent his regrets that he would be out of town.

Mr. Bagnall explained that the Messrs. Hathaway had an incident when their boat was checked where they had too many scallops. This was Mr. Michael Hathaway's second offense in two years which called for a suspension. The Shellfish Committee recommends a week. They had not determined which week yet and would like to let the Board know at a future date. This was Mr. Richard Hathaway's first offense and he has already paid the ticket so there is no further action the Board needs to take with him.

Mr. Smadbeck moved to suspend Mr. Michael Hathaway's Commercial Shellfish License for one week of fishable days on a date to begin to be determined by the Shellfish Committee. Mr. Donaroma seconded. Unanimous.

Ms. Serpa then opened the next item which was the Cemetery Commission. Present were Cemetery Commissioners Liz Villard, Andrew Kelly, and Susan Brown. Also present was Town Personnel Assistant Elaine Graves. The Cemetery Commission brought they're meeting to order.

Mr. Kelly stated that he had a meeting with Highway Superintendent Stuart Fuller and Michael Donaroma. They were getting a good grasp on what the needs of the Cemetery will be. They would like the new Administrative Assistant to start at 15 hours a week instead of the previously discussed 10. There will be a lot of catch up once someone starts. They have no employee at this time to pay the bills and asked for guidance.

Ms. Dolby stated that Assistant Kristy Rose could help with paying the bills. She understood that Juliet was doing the minutes. She has arranged for an office area on the third floor.

It was decided that the new office area would be arranged after the holidays. The plan is coming together nicely.

Ms. Brown moved to have the Highway Department take over the maintenance aspects of the Cemetery Department. Ms. Villard seconded. Unanimous. Ms. Brown then moved to close the meeting of the Cemetery Commission. Ms. Villard seconded. Unanimous.

Ms. Serpa then recognized Mr. David Thompson Wastewater Superintendent.

Mr. Thompson showed a map on the smart screen of the pump location at the bottom of Main Street and described the project to replace it and all the ramifications. It will be starting shortly after the new year and will require a closure of the section of Dock St. between Main St. and Mayhew Lane for approximately 6 weeks. Traffic will be diverted through the parking lot. He has spoken with Chappaquiddick Ferry owner Peter Wells who is agreeable with the closure. He then moved on to the generator placement behind Town Hall which connects to the pump at the bottom of Main St. Ms. Dolby stated that they would need to have a discussion with the Historic District Commission on screening.

Mr. Smadbeck moved to approve the street closure for the Wastewater project. Mr. Donaroma seconded. Unanimous.

The Board then approved the following items:

To allow restaurants and bars to serve until 1:30 AM on January 1, 2017 and have everyone out by 2:00 AM.

To accept a gift for the Library in the amount of \$4,097.32.

To appoint James Joyce as the Edgartown Representative to the MV Commission.

Innholders Licenses for: The Harbor View, Kelley House and Charlotte Inn.

A Lodging House License for the Hob Knob Hotel.

An Excavation Permit for RW Bryant to install cable on Rd. to the Plains.

The Board signed Chapter 90 paperwork for the Highway Department.

Sunday Entertainment Licenses for: The Kelley House, Harbor View, Rockfish, The Wharf, Edgartown Yacht Club, Sharky's Cantina and Bad Martha's.

Common Victualler Licenses for: Edgartown Meat and Fish, Edgartown Pizza, Zheng's China House, Rockfish, The Wharf, Alchemy, The Grill on Main, Stop & Shop, Sharky's Cantina, Bad Martha's, Isola, Square Rigger, Soigne and Lucky Hanks.

Automatic Amusement Licenses for Sharky's Cantina and The Wharf.

Weekday Entertainment Licenses for: The Kelley House, Harbor View, Rockfish, The Wharf, Edgartown Yacht Club & Junior Yacht Club, Sharky's Cantina, Bad Martha's and Isola.

The Board approved seasonal closing for cleaning and maintenance to Isola from January 12<sup>th</sup> to February 12<sup>th</sup>, 2017.

The Board approved changing Sunday hours for Al's Package Goods Store to start at 10am.

Ms. Dolby told the Board of a request from the Edgartown Patrolman's Union and Edgartown Superior's Union. They would like to change the compensation for detail at the Martha's Vineyard Hospital from \$60/hr to \$82.50/hr. Ms. Serpa abstained. Mr. Smadbeck moved to grant the change. Mr. Donaroma seconded. Unanimous.

At 4:57 PM Mr. Smadbeck moved to adjourn the meeting. Mr. Donaroma seconded. Unanimous.

Approved:

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Margaret E. Serpa, Chairman

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Arthur Smadbeck

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Michael J. Donaroma  
Board of Selectmen

Respectfully submitted,

Kristy Rose  
Assistant