

Selectmen's Meeting
August 13, 2012
4:00 pm

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

At 4:00 pm Mr. Donaroma opened the meeting and recognized Ms. Pat Tyra. Also present was Highway Superintendent Stuart Fuller.

Ms. Tyra stated that she had some issues with some items around town. She thought there needed to be a sign pointing the way to West Tisbury at the jail facing the traffic coming from downtown. She understood that it was a state road in that area, but thought that the Board and the Highway Superintendent could address the issue.

Mr. Donaroma agreed that the sign would help. That was a difficult intersection.

Ms. Tyra continued that the no parking signs on Upper Main St. in front of Stop & Shop were so old they were unreadable or missing. There was also a stub sticking out of the sidewalk in the same area. She then stated that there were overgrown sidewalks downtown, but declined to mention where they were.

Mr. Fuller replied that they could put a sign at the jail pointing toward West Tisbury. There had been a meeting with Mass DOT a week before and the no parking signs and the stub had been brought to their attention. He thought he could fix the metal stub. In response to the overgrown sidewalk issue, he responded that the homeowner was responsible for maintenance of their shrubs. He did send his crew out to trim when the overgrown shrubs become an issue.

Ms. Serpa stated that if Mr. Fuller could do something about the metal stub to go ahead and fix it. It had been there forever and was a hazard.

Mr. Donaroma then recognized Mr. Skip Tomassian.

Mr. Tomassian stated that the problem with the intersection with West Tisbury Rd. was that the bikers had no where to go and used both sides of the street to go into town. He moved on to his real issue which was the traffic on Tilton Way. He stated that people coming out of downtown used Tilton Way as a shortcut to go out to Katama. They went too fast and used his little road as a raceway. He proposed the idea of having a sign on the fence at the cemetery that said no left turns.

Mr. Donaroma asked Mr. Fuller for his input.

Mr. Fuller suggested some evaluation and study. He also suggested a traffic counter from the MV Commission.

Mr. Donaroma saw the traffic counters as a good idea and stated that the Planning Board would be a good outlet for this issue. They could have public hearings.

Mr. Fuller stated that making the monument area two way would not be an option. It had been at one time and it was a mess.

The Board referred the issue to the Planning Board for discussion and study.

Mr. Donaroma then opened the scheduled Dangerous & Vicious Dog Hearing. Present for the hearing were: Barbara Prada, Animal Control Officer; Jen Morgan, Assistant Animal Control Officer; Jessica and Elizabeth Burnham; and Ms. Elliot Bennett. All parties were sworn in.

On July 16, 2012, the Board of Selectmen's office received a complaint in writing that Mr. & Ms. Bennett own or harbor dogs that are a nuisance by reason of killing a neighbor's cat. On July 17, 2012, the office received a complaint in writing that Mr. & Ms. Bennett own or harbor dogs that are a nuisance by escaping and harassing the neighborhood. Both Complaints were filed by Jessica and Elizabeth Burnham of Schoolhouse Rd. As a result of said complaint, the Board of Selectmen, at a meeting held on July 16, 2012, voted to order the Officer of Animal Control to investigate the first complaint and July 23, 2012 voted to order the Officer of Animal Control to investigate the second.

Ms. Prada presented her report of which everyone involved and the Board had received a copy. She reviewed the highlights of the incident and stated that she had picked up the dogs several

times. The ringleader “Jem” was to be euthanized but, Ms. Jessica Burnham called the veterinarian and asked them to hold off until the hearing was held. In the meantime, Jem has found a new home in Provincetown where she has lots of room to run and will receive some training. The other two dogs that belong to the Bennetts have been picked up on several occasions and are nuisance dogs.

Ms. Bennett stated that she is currently in the process of splitting up with her husband, he had the dogs that day. She wanted to point out an error in Ms. Prada’s report that she did not offer compensation for the dead cat “Fridge”. She then stated that she was very apologetic about the death of Fridge and thinks it is awful to loose a pet that way. She felt it wasn’t Ms. Burnham’s place to call the vet and asking them to hold off on putting Jem down. It was a hard decision for her family.

Ms. Jessica Burnham then gave written testimony on the sequence of events which will be put in the case file. She felt that the Bennetts were not responsible pet owners and asked that all of their dogs be rehomed.

Mr. Donaroma asked Ms. Prada what she recommended.

Ms. Prada showed the Board pictures of where the dogs dug out and then recommended a bond be posted of \$200 per dog and a permanent restraining order be put on them for the rest of their lives in Edgartown.

Ms. Serpa stated that though these dogs have gotten loose several times, this is the first complaint the Board has heard.

Mr. Smadbeck stated that he heard the recommendation and does not disagree. It’s sad that Ms. Burnham lost her cat. This is a tough situation.

Ms. Serpa moved to agree with Ms. Prada’s recommendation of bond and restraining order. Mr. Smadbeck seconded. Unanimous.

The Board then approved the following items:

Minutes of August 6th, July 30th, and July 23rd.

To concur with the Affordable Housing Trust budget of \$37,000.

To sign a letter to Francis Fisher Jr. concerning his aquaculture lease.

To sign a letter closing the FY11 CDBG Grant.

Mr. Donaroma then recognized Police Chief Tony Bettencourt.

Chief Bettencourt stated that the police have been having a difficult time with the traffic associated with the valet service at the bottom of Main St. The officers have been spending a considerable amount of time directing traffic. They need to add more people to park cars during their busy times.

Attorney Sean Murphy, representative for the valet service, stated that he had spoken with the owner of the company and he agrees that there has to be more people on. He had two people call in sick on the recent Saturday night and they were short staffed. There was also a party at the Boathouse that they were not made aware of so that compounded the issue.

Ms. Serpa asked about the new signs.

Chief Bettencourt replied that the signs weren’t quite working out the way they had intended. He thought some more employees on duty would help.

Atty. Murphy replied that they will put extra people on and try to come up with a more permanent solution over the winter.

Ms. Dolby then stated that the Tax Collector will be moving into the front two offices and the Town Accountant will be moving into the Tax Collector’s office.

Ms. Serpa stated that it made sense to have the most visited office in the front.

Ms. Dolby also mentioned that Mr. Chris Hargy’s service would be on the following Friday. She also said that she had put drafts of a new alcohol policy in the Board’s boxes for their review.

Ms. Serpa moved to adjourn at 4:57 PM. Mr. Smadbeck seconded. Unanimous.

Approved:

Michael J. Donaroma, Chairman

Margaret E. Serpa

Arthur Smadbeck
Board of Selectmen

Respectfully submitted,

Kristy Rose
Assistant

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