

Selectmen's Meeting
February 22, 2011
4:00 pm

A meeting of the Board was held on the above date in the Fred B Morgan Jr. Meeting Room, Town Hall. Members present were Margaret E. Serpa, Chairman, and Arthur Smadbeck. Also present was Ms. Pamela Dolby, Town Administrator.

At 4:00 p.m Ms. Serpa opened the meeting. The first item on the agenda was an Nstar hearing on Pent Lane. Present was Ms. Karen Corriveau, Nstar Right of Way Agent. Ms. Serpa read the notice aloud.

Mr. Stuart Fuller, Highway Superintendent, stated that he had no issue with the project. He requested that the "handhole" be on private property due to the narrow nature of the road layout.

Ms. Corriveau agreed to the stipulation.

There being no further comment, Ms. Serpa closed the hearing. Mr. Smadbeck moved to approve with the Highway Departments stipulation. Ms. Serpa seconded. Unanimous.

The Board then approved the following items:

For the Main St. Diner to close from March 5 – March 14, 2011.

A One Day Liquor License for the Edgartown Firemen's Association Monthly Meeting and Dinner.

A Lodging House License for the Lightkeeper's Inn.

A Commercial Marine License for Charter Fishing and Harbor Tours to Michael Poirer d/b/a Deceiver Charters.

The Board adopted the Federal Grants Equipment Policy as written.

Ms. Serpa then noticed Mr. Ron Rappaport, Town Counsel. He was present to talk with the Board about the taxation of the solar panels the town is planning on installing at Katama Farm. Also present were Ms. Joanne Resendes, Principal Assessor and Mr. Alan Gowell, Member of the Board of Assessors.

Mr. Rappaport stated that the Co-op does not cover tax payments and that the town is responsible. This is non-negotiable. Ms. Resendes is trying to figure out the value. The property is taxable as a utility on leased land. Figuring out the value would be based on how much the panels are worth and how much revenue. There's a question of whether the panels are Real or Personal Property and what the liability is. It would be \$3,000/ \$1 million of property.

Ms. Resendes pointed out that it was a complex appraisal.

Mr. Rappaport stated that if the appraisal was \$25 million it could cost the town \$75,000.

Mr. Smadbeck wanted to know what that mattered if the money was the town's anyway. The Town would be paying itself. Why do that? It would be common sense to just forgo the tax.

Ms. Resendes stated that the Assessor's would still have to do a new appraisal every time the town has a recertification year.

Mr. Gowell wanted to know who was getting the money in the project.

Mr. Smadbeck invited him to join the Energy Committee or speak with Kitt Johnson.

Ms. Serpa asked the deadline for their decision.

Mr. Rappaport responded March 1.

Mr. Smadbeck stated that he would like to get it settled now.

Ms. Serpa responded that she was concerned about setting a precedent.

Mr. Smadbeck stated that this would be a case by case basis and would not indicate future decisions.

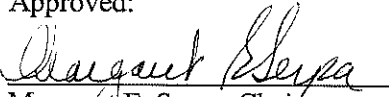
The Board told Mr. Rappaport not to fight the clause in the contract.

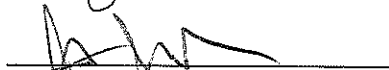
Mr. Rappaport thanked the Board and Ms. Resendes for their assistance.

The Board then voted to set a liquor hearing for the Edgartown Fish and Meat Market on March 14, 2011 at 4:00PM at their regularly scheduled meeting.

At 4:30pm Mr. Smadbeck moved to adjourn. Ms. Serpa seconded. Unanimous.

Approved:


Margaret E. Serpa, Chairman


Arthur Smadbeck

Not Present
Michael J. Donaroma
Board of Selectmen

Respectfully submitted,

Kristy Rose
Assistant