

Selectmen's Meeting
March 21, 2011
4:00 P.M.

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; Arthur Smadbeck, Michael J. Donaroma and Town Administrator Pamela M. Dolby.

The Board continued the public hearing, which was opened last week, on the application of Edgartown Meat & Fish Market, LLC, Sean Ready, Manager for an annual wine and malt beverage package goods store license. The business is located at 240 Edgartown Road #2, at Post Office Square. Michael Donaroma recused himself and left the room.

Attorney Sean Murphy represented the applicant. Mr. Murphy began his presentation by describing the premises as being the old Hollywood Video location. The entire space is 4850 square feet, of that 1500 square feet will be used as retail space. The applicants own two similar operations outside of Burlington, Vermont. This business will be open year round and will sell meat, fish, beer, and wine. Mr. Murphy referred to a set of plans in the file which shows the layout. There will be a small deli. This is the type of old style neighborhood market. Special permits have been granted by the Planning Board and reviewed and approved by the Martha's Vineyard Commission. The MVC process reviewed the traffic and parking before they sent it back to the Town. The market will be open from 8:am – 8:pm. It will open at 6:am for coffee. They do not want to be a package store. The beer and wine is to compliment what they will be selling, similar to Soigne. These will be high end wines and beers. There will be no lottery tickets sold. It will also be high end meat and fish. They do not anticipate early morning deliveries. All traffic and parking concerns have been addressed and dealt with.

There was an email (file) from Peter W. Look, 13 Mariners Way and a letter (file) from Benjamin L. Hall, Jr., owner of Great Harbour Gourmet & Spirits, Inc., Main Street. Both letters were in opposition, citing concerns such as traffic, deliveries, need for another "liquor store", deliveries etc.

At this time Ms. Serpa asked for comments from the audience.

Gary Look, owner of Al's Package Store, asked if the Town feels it is adequately served by the existing package stores. He made the observation that this would be 7, all within a quarter of a mile of each other. He asked about how the deliveries might effect the traffic in the Post Office Square parking lot, would the traffic be backed up out to the Edgartown Road?

Glen Searle, employee of Our Market Liquor Store, also spoke of 6 year round package stores and felt the Town does not need another one.

Jamison Loveday, Manager of Our Market Liquor Store, said their numbers are down, there are enough licenses, and the town does not need another one.

Amy Look, owner of Al's Package Store, asked if the traffic study included the inner parking lot or just Edgartown Road.

Clair Thatcher thought that maybe this would help with the traffic as it would be one stop. Someone could get milk and go to the Post Office at the same time. It could be good.

Mr. Murphy, in his rebuttal, said the MVC and Planning Board had already looked at the parking and traffic. They looked at the parking lot as well as Edgartown Road. He pointed out the fact that this business has been approved. They have a permit to operate. The business will be there. He does not feel someone is going to make a special trip for beer and wine. He agreed with the observation that this might help with traffic. There is a Post Office, bank, hardware store, and now a small grocery. He feels the traffic is a red herring. The traffic is there. This is a major commercial center and ¼ of it is sitting vacant. The deliveries will be made at a reasonable hour. They are not huge deliveries as would be at a large grocery store or the other package stores. This business will not do the volume the other larger stores do. The Readys will reach out to the neighbors and work with them, as they have in the other businesses they own. Mr. Murphy did not wish to go into the Hall's letter, but he did point out the Hall's went from an annual license to a seasonal license. The Readys want to be open year round. They have made a significant investment and they have done it right. They wish to become active members of the community.

Mr. Murphy went on to say that the Planning Board addressed similar objections from the same people at their hearings. The town should encourage competition. All the fish and meat markets were closed a month ago. This will make the town better. Mr. Murphy asked that the Board support this and grant the license.

There being no further comment the public portion of the hearing was closed.

Mr. Smadbeck began by saying traffic is not under the jurisdiction of the Board of Selectmen. That is and has been handled by others. He said he does not feel this is going to compete with the larger package stores as this is an operation like Soigne and will be more of a food store. His biggest concern was whether or not it would be open year round and now he knows it will be. He made the observation that year round is not a bad thing...it is a good thing. A store like this may benefit the other package stores as people might come to Edgartown to go to this grocery store and then go to the package stores for their liquor. He feels the positives outweigh the negatives and he is in favor of this license.

Ms. Serpa asked if the applicants had purchased the building.

The answer was yes.

Mr. Smadbeck made a motion to grant the license, Ms. Serpa seconded the motion and there was a unanimous vote in favor of granting the license.

Carol Fligor came before the Board, representing the Beautification Committee. They wish to put a Welcome to Edgartown sign on the triangle at the Square Rigger. The Park Department's welcome sign would be moved to West Tisbury Road. The Board agreed with the concept and voted to authorize the Town Administrator to write a letter to the State showing the Board's support. The Board thanked Ms. Fligor for her efforts on behalf of the Town.

Nancy Shemeth, Chairman of the Edgartown Council on Aging, came before the Board to introduce Paul Mohair. Mr. Mohair is the new Director for the COA. Mr. Mohair resides in Chilmark and is looking forward to his new duties in the Town of Edgartown. The Board welcomed Mr. Mohair and wished him luck.

The Board voted to approve the minutes and waive the reading of January 31, 2011, February 7, 2011, February 14, 2011, and February 21, 2011.

The Board voted to grant a yard sale permit to Robert Lehman at Martha's Road on March 26, 2011 from 9:am - 3:pm.

The Board voted to approve steamship vouchers for Wastewater and Fire Departments.

The Board signed the event permission for M.V. Boys and Girls Club MS race for April 30, 2011.

At this time the Board took a roll call vote to go into Executive Session to discuss pending litigation with Town Counsel and to reconvene in open session on Wednesday, March 23, 2011 at 10:am to meet with the town auditor: Smadbeck-yes, Donaroma-yes, Serpa-yes

The Board reconvened on Wednesday, March 23, 2011 at 10:am to meet with the auditor and the Wastewater Department. Present for the discussion were: Margaret Serpa, Michael Donaroma, and Art Smadbeck: Board of Selectmen; Joe Alosso, Cliff Karako, James Carter, and Shelly Reed: Wastewater; Melissa Kuehne, Town Collector; Kim Kane, Town Accountant; and Chris Rogers, Town Auditor.

Mr. Rogers read and described each of his comments (attached) and his recommendations (attached). He said the Wastewater issue is a material weakness. He referred to the haulers being under billed, receipts not being maintained, and the Mass Records Retention Law not being followed. Mr. Rogers referred to the lack of internal controls and relying on the haulers for exact numbers. He said the Wastewater Department billing and collections are inadequate. He referenced the problem which still exists regarding the segregation of duties when it comes to billing and collections. Mr. Rogers went on to say that he has many concerns about the billing process. He is still awaiting the evidence and detail for the wastewater accounts receivables. Mr. Rogers then referred to the employee who was let go this year for using the Wastewater

Department tax ID number to make personal purchases on town time.

James Carter, Chair, stated that nothing has changed out there for years. He is alarmed that there was no previous warning that there was an issue.

Mr. Rogers described the audit process, he added the fact that this is their third year as the Town's auditors and here we are. Mr. Rogers expressed concern for how long this has been going on and why was it not picked up years ago. It seems this has been going on a long time and he has no idea of the potential under billing to the haulers.

There was a brief discussion about the method of receiving and charging for grease.

Ms. Serpa pointed out the fact that the 2011 audit is going to begin soon and some of these items will appear again. She feels there is no excuse for any of this.

There was a discussion of how the billing is authorized and documentation of authorization.

Joe Alosso, Wastewater Superintendent, said they would begin a monthly commitment sheet.

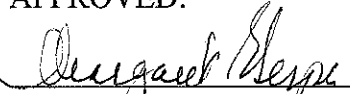
There followed a discussion about tracking of septage pumpouts. The method of tracking was sheets in the pumpout building that the pumpers filled in. It was an honor system.

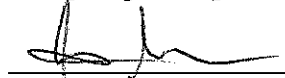
There was a discussion about the use of Quickbooks and the fact that billing collections will be changed. The Town will be getting the MUNIS utility billing system and the collections will ultimately take place in the Collectors office.

Mr. Donaroma closed out the meeting by telling Mr. Alosso that his Department is a mess and things have got to change, we need to go forward from here.

The meeting ended at 11:23 a.m..

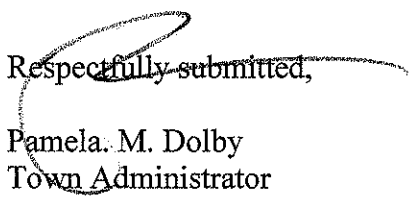
APPROVED:


Margaret E. Serpa, Chairman


Arthur Smadbeck

Michael J. Donaroma
Board of Selectmen

Respectfully submitted,


Pamela M. Dolby
Town Administrator