

Selectmen's Meeting

June 13, 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: Arthur Smadbeck, Chairman; Michael J. Donaroma, and Margaret E. Serpa. Also present was Ms. Pamela Dolby, Town Administrator.

At 4:00 p.m. Mr. Smadbeck opened the meeting and addressed the first issue being the public access trail from the corner of Starbuck Neck and North Water St. to Fuller Street. The Schwartz property had been to the ZBA on another matter and it had been conditioned that they put up a "Public Walkway" sign. It had also been brought up that they had installed as many as 3 or 4 private property signs at the entrance to the path and that the shrubbery was impeding on the ten foot right of way.

Ms. Serpa remarked that the Fuller St. end could also use some trimming.

Mr. Donaroma thought that the shrubbery was fine with a small walkway and not the full 10 feet. He felt that the narrowness kept the motor vehicles from trying to enter.

The matter was referred to the Conservation Commission since they oversee the area.

Ms. Dolby asked when the Vietor property on South Water St. would be ready to be discussed.

Ms. Varkonda stated that there needed to be another meeting with DEP. Correspondence was due by June 23rd.

The Board added the Vietor issue to the agenda for June 20, 2011.

Mr. Smadbeck then recognized Mr. Sean Murphy, legal representative for Atlantic Restaurant. He asked the Board if the company that provided valet parking in the loading zone in front of Atlantic could do it this year also. He also requested that they expand their operation to include the loading zone in front of the Colonial Inn. They would have the same set up and park at a private lot. He had spoken with Mr. Fuller and Chief Bettencourt.

Chief Bettencourt suggested that they might have to change some signage at the Colonial Inn loading zone. There is a taxi stop there too and they maybe should be switched around.

Ms. Serpa suggested that they all get together and also talk with the taxi companies.

Chief Bettencourt also stated that he was concerned with causing back ups on North Water St. He stated that the valets need to learn to drive around the block instead of blocking the road.

Ms. Serpa moved to approve the use of the lower Main St. loading zone and for the applicants to come back with the logistics of the Colonial Inn. Mr. Donaroma seconded. Unanimous.

Ms. Dolby stated that the opportunity was open to any valet service that wanted to operate in Edgartown with permission from the Board.

Mr. Smadbeck then moved on to the next item which was the construction project on the corner of Cottage St. and North Water St. There had been complaints about the project such as that the Cottage St. boat launching ramp was constantly blocked by machinery, the aesthetics and proximity to the road of the granite pillars that had been installed, and that they were also making a new entrance on the Cottage Street side where the people using the boat ramp usually park and that they needed permission for that. Present was Mr. John Nugent, Contractor.

Mr. Nugent stated that he understood the right of way on Cottage St. and that he had moved the offending machinery. He also stated that he had been working with Ms. Jane Varkonda, Conservation Agent on repairing the road and that they had been grating and will add hardpack if needed. He brought pictures of what he said was the gate and stated that it had been there 20+ years. He stated that he had a plan from Schofield & Barbini that showed the drive.

Mr. Smadbeck informed him that the driveway had never been approved and that is a parking area for the ramp. The entrance would not be guaranteed not to be blocked. People will park there.

Ms. Georgiana Greenough, Planning Board Assistant, asked if the gate was used for vehicular access. There was no record of permission.

Ms. Dolby asked to see the approved plan and when it was dated.

Mr. Nugent stated that he did not have the plans on him and did not know of the date.

Ms. Dolby stated that the Town has many plans and that when the Giordanos owned it, there was no access on that plan.

Ms. Serpa moved to refer the issue to the Planning Board. Mr. Donaroma seconded. Unanimous.

Mr. Nugent then asked testily if it was typical for town employees to visit construction sites.

Mr. Smadbeck stated that the item was on the agenda and for him to fully understand the situation he asked Ms. Dolby to take him down there. He stated that this was a regular practice when there were complaints about a construction site to go and see it to grasp the situation fully to make educated decisions.

Ms. Dolby stated that Mr. Smadbeck asked her to take him down there and that she had made one other site visit with Jane Varkonda on a lunch hour.

Ms. Greenough stated that she goes on all the site visits with the Planning Board.

To which Mr. Nugent replied that he was aware of that.

Ms. Joan Norton stated that she was concerned about the granite pillars that have been installed. They are not in character with the street. Especially after the large restoration and burying of the wires.

Ms. Dolby stated that she believed that issue was in front of the Historic District Commission and she would let Ms. Norton know when the hearing is.

Mr. Smadbeck then moved on to the next item which was an application from Fenner Construction for an emergency excavation permit to run a sewer line from the Square Rigger under the street across to the sewer connection in front of Edgartown Pizza. Mr. Keith Fenner, owner of Fenner Construction, and Mr. Stuart Fuller, Highway Superintendent, were present.

Mr. Fuller stated that he had talked to Mr. Fenner about the project and approved. They would bore under the road and the road would not be blocked. He had also offered to do the project in off hours, maybe early in the morning to avoid traffic disruption.

Ms. Serpa moved to approve the sewer line on the condition he co-ordinate his project with the Highway Department and the Police. Mr. Donaroma seconded. Unanimous.

Mr. Smadbeck then moved on the correspondence. The first item being a letter from the Edgartown Affordable Housing Trust (EAHT) to grant \$6000 to the MV Joint Affordable Housing Group (MVJAHG) for a portion of a Housing Needs Assessment.

Mr. Mark Hess, EAHT Chairman, stated that they needed viable data and that the data available was too old. The Trust had approved the request with conditions.

Ms. Christine Flynn, housing person for the MVC and member of the MVJAHG, stated that they would like to hire an outside consultant and have an RFP process.

Mr. Smadbeck wanted to know how they knew how much it would be if they hadn't done the RFP yet.

Ms. Flynn replied that they had done a comparison of other similar projects in other areas to come up with the funding amount.

Mr. Smadbeck asked why this hadn't been included with the Island Plan that the town had paid extra for in addition to it's annual assessment of \$300,000 to the MVC. This is what that money is for. He pointed out that if the MVC had accepted the offer of the county to share accounting services the MVC would have enough money to fund the study. He was not convinced that it is needed and pointed out that it only passed the EAHT vote 3-2 on the second vote where it failed the first vote. He also stated that he didn't feel there was a lot of co-operation from the MVC to see how they spend the money the town already gives them.

Ms. Serpa stated that she had been to both EAHT meetings. It bothers her that Edgartown has the largest assessment on the Island. She wanted to know why it wasn't included in the Island Plan that the town had paid extra for. She felt it should have been included if it was so important.

Ms. Flynn replied that the Island Plan recommended updating the study and that it was very important to have updated information. The West Tisbury Affordable Housing Trust awarded their portion only if all of the towns participated and they looked at other funding sources.

Mr. David Vigneault, from Dukes County Regional Housing, stated that in 2000 the study was privately funded. He also stated the last decade has been very productive in housing needs. He feels that there needs to be an updated study.

Mr. Donaroma stated that Edgartown was doing pretty well with affordable housing opportunities. He felt that sometimes the MVC gets in the way.

Ms. Flynn stated that the whole project had a cap of \$30,000.

Mr. Smadbeck stated that he also thought that the trust money should not be spent on studies.

Ms. Serpa stated that she feels that the MVC has enough of the town's money and that they can spend some of their own.

Ms. Flynn replied that the MVC hadn't thought of using their own money exclusively because they wanted to hire an outside person. She stated that it wasn't budgeted.

Ms. Serpa added that she didn't like that this item was not brought up when they had their budget hearings.

Mr. Vigneault stated that they were discussing planning it into the budget in the future. He also understands why it should be an outside company doing the work.

The item was not on the agenda for this week so the Board put it on the following week so they could make an official vote.

The Board then approved the following items:

The minutes of June 6, 2011

A Conservation Commission request to use Town Counsel as long as it was after July 1, 2011.

A Chapter 90 request from Mr. Fuller.

A One Day Liquor License for Wheel Happy's grand opening on June 20 from 6-8pm

A Transient Vendor License for Blu Buoy at 10 Main St.

Commercial Marine License renewals for Harborside Condo Trust, Mad Max Marina, Mad Max Sailing Adventures, Ed Jerome d/b/a Wayfarer Charters, Edwin B. Gentle Jr., Edwin B. Gentle III, & MV Shipyard Inc.

Yard Sales for: Wendy Ulrich at 27 Crocker Drive, July 2nd; Kathleen Buonagurio at 8 Night Heron Rd, June 17th; Rush & Fisher for Tony Puwal at 260 Katama Rd., June 18th; Amanda Termini at 11 Katama Dr., June 18th; Rush & Fisher for Cynthia Meisner & Janet Wansack at 52 S. Summer St., June 26th.

The Board voted to extend negotiations with Comcast to September 16, 2011.

The Board voted to accept a gift from the Friends of Sengekontacket of \$2000 for cleanup of Wilson's Landing.

To accept a resignation from Ned Southworth from the Edgartown Library Board of Trustees and to send a letter thanking him for his service to the town.

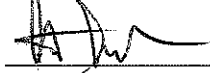
Ms. Dolby stated that the opening would be advertised and then a new person would be appointed by a joint vote of the Board of Selectmen and the Board of Trustees to fill out his term through April 2012.

The Board voted to allow Elmer Vanderhoop to take his vacation pay after the date of his retirement on June 30th through the four weeks of July.

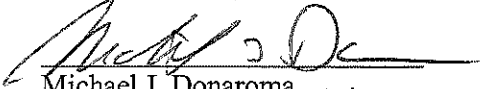
At 5:05pm The Board voted by roll call vote each voting aye to go into executive session to discuss pending litigation not to return to public session.

Respectfully submitted,

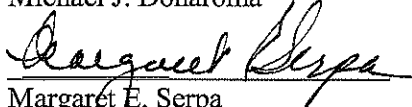
Approved:



Arthur Smadbeck, Chairman



Michael J. Donaroma



Margaret E. Serpa
Board of Selectmen

Kristy Rose
Assistant