

**Selectmen's Meeting**  
**November 14, 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 Donaroma; and Margaret E. Serpa. Also present was Ms. Pamela Dolby.

At 4:00 p.m. Mr. Smadbeck opened the meeting. The first item of business was an update from the Water Department. Present for the discussion were the Water Commissioners: Mr. Robert Burnham, Mr. William Erickson, and Mr. John Lovewell. Also present was Ms. Kimberly Kane, Town Accountant; Mr. Fred Domont, Water Superintendent; and Ms. Pia Webster, Water Department Administrative Assistant.

Mr. Burnham started by opening the meeting of the Water Commissioners.

Ms. Serpa asked if the requested bills had been submitted to the USDA.

Ms. Kane replied that the requested bills had been sent to Mr. Ron Koontz at the USDA. She thought they may follow up with a request for all the bills from all the projects. She had also sent up all the bills she could find from the largest vendor on the project Barbato Construction which added up to over \$2.1 million. Mr. Koontz is going through the information and he hasn't called back yet.

Mr. Domont stated that he thought they had to go back to the beginning and wanted an independent accountant. He stated that Tate & Howard say they have not been paid, he thought they had been paid at least partially. He thinks everything has been paid.

Ms. Serpa replied that the town has an accountant and that there was no need for a separate one. Ms. Kane has been working hard with Ms. Webster on the issue.

Mr. Burnham stated that the Water Commissioners may hire one with Water Department money.

Ms. Serpa reminded Mr. Burnham that it was still town money.

Ms. Kane stated that she could call Mr. Koontz to get an update. It was all in his hands and he was working on it as far as she knew.

Mr. Smadbeck stated that it looked like the situation was a lot closer to being resolved and thanked everyone for coming.

Mr. Burnham then closed the meeting of the Water Department at 4:07pm

Mr. Smadbeck then raised the issue of the Martha's Vineyard Commission (MVC) approval of the roundabout. He felt it is an issue that affects Edgartown residents and that there was a lack of sufficient information to base a decision upon. He was open to appealing the decision.

Ms. Serpa stated that it was unfortunate.

Mr. Donaroma asked if any of the other towns were discussing an appeal.

Mr. Smadbeck stated that he was sure of West Tisbury and possibly Tisbury.

Mr. Donaroma stated that he had no strong opinion on the roundabout itself. He did have concerns about the lack of actual information in the plan approved of what will exist.

Mr. Donaroma made a motion to appeal the MVC decision on the roundabout due to a lack of sufficient information. Ms. Serpa seconded. Unanimous.

At 4:10pm Mr. Smadbeck opened the duly advertised and posted public hearing on the removal of an oak shade tree at 42 Morse Street. Present to represent the Hvides who own the property was Mr. Norman Rankow.

Mr. Rankow stated the tree was damaged from storms and disease. It had become ugly and was a weird slingshot shape. He would like to remove the tree and replace it with a suitable replacement. If the large stump removal affected the sidewalk it would be fully restored.

Mr. Stuart Fuller, Town Tree Warden, stated that Mr. Rankow had Mr. Hagerty look at the tree and that he concurs that the tree is diseased and a potential hazard. He requested that Mr. Rankow replace the outgoing tree with two new shade trees. One on the Morse St. side of the lot and one on the North Summer St. side of the lot.

Ms. Serpa moved to approve the removal of the tree with replacement to be two trees of species and location at Mr. Fuller's approval. Mr. Donaroma seconded. Unanimous.

Ms. Serpa asked about the red tree in the back yard.

Mr. Rankow replied that Mr. Hagerty told him that the tree had blight and had a 50/50 chance. They are trying to treat and see if it recovers.

Ms. Serpa encouraged Mr. Rankow to try and save the tree.

Mr. Smadbeck then recognized Ms. Susan Sigel Goldsmith. She was in to tell the Board all about Jawsfest 2012.

Ms. Goldsmith stated that she had come in to give the Board information on Jawsfest 2012 to be held from August 9-12, 2012. She planned to come in and update the Board and request permission to do specific events that would need permits as the dates got closer and the plans became more defined. She handed out a draft schedule to the Board and explained that it was an outline of planned activities and events. She shared that the Dr. Daniel Fisher House and grounds would be the "main campus" and that a lot of events would be held there. They planned on the event being even larger than Jawsfest 2005 and were working with the Discovery Channel by having the event at the beginning of their "Shark Week".

Ms. Goldsmith shared that the impact on town would not be largely disruptive. They were planning on having "popup events" all over the Island by reenacting scenes from the movie, but were not planning on using the Town Hall. The businesses in town that wanted to participate would use their Amity signs for the duration of the festival with the town's permission. There would be a request to hang a banner over Main Street. The only issue she foresaw would be the parking of satellite trucks for the television stations. They were still working on developing a solution.

Mr. Smadbeck asked Ms. Goldsmith to keep in contact with the Chiefs of Police and Fire; Ms. Dolby; and the principal at the school, Mr. Stevens. He stated that the Board was excited to have the festival.

Ms. Dolby stated that she would send Ms. Goldsmith the email addresses for the people Mr. Smadbeck listed.

Mr. Smadbeck then stated that the Library Board of Trustees were present to vote in a new member with the Board of Selectmen to serve until the next election in April. The two people that had expressed interest in the position were present: Ms. Pia Webster and Ms. Denise Searle.

Ms. Julie Lively, Chairman of the Library Board of Trustees, nominated Ms. Searle. Ms. Serpa seconded. Unanimous in the Library Board of Trustees and the Board of Selectmen.

Mr. Smadbeck thanked Ms. Webster for her interest and service in other positions in town.

The Board then approved the following items:

The Minutes from November 7, 2011.

To sign the Annual Liquor License for Atria.

To allow the Square Rigger to close from January 1, 2012 to February 3, 2012 for annual maintenance and cleaning.

A travel voucher for the Harbormaster.

To appoint Ms. Edith Blake as an alternate member to the Historic District Commission.

To support house bill 1972 to improve access for the military to be able to vote.

To sign a letter to a Dr. Schluter at Mass. Natural Heritage in reference to endangered species at Katama Farm.

Mr. Smadbeck then recognized Mr. Steve Barrett. Mr. Barrett is the project manager for the town's tidal energy project.

Mr. Barrett stated that the Department of Energy grant would end in December 2011 and that there would be a thick report issued. He made a report in Washington D.C. the previous week. This presentation was the first report. He introduced Ms. Pat Hughes and Mr. Owen Nichols from the Provincetown Center for Coastal Studies who study protected species. He then turned the floor over to Ms. Hughes.

Ms. Hughes reported on species of animals in and around the Muskeget Channel such as whales, turtles, and seals and the lack of information for that area. She stated that information was mostly based on opportunistic sightings. The concerns associated with the project are collisions and the artificial reef effect causing wildlife to gather around the turbines and possibly cause damage to themselves or the unit.

She continued by stating that the Center for Coastal Studies recently been awarded and started recently an RFP for long term aerial studies of whale traffic south of the Island for the Mass Clean Energy Center and were allowed to add Muskeget Channel to the survey. They just started aerial studies twice a month of the areas and were allowed to put a sonar buoy in the area as well.

Mr. Barrett stated that they are now doing long term studies with the support of many groups.

The Board thanked Mr. Barrett and Ms. Karen Fuller.

Mr. Donaroma stated that it looked like they had a lot more work to do.

Ms. Dolby then gave her weekly update. She started by stating that the Board had received an email from a vendor for the Town Wharf project stating that they had not been paid. The town had paid the contractor. Ms. Dolby was requesting to consult Town Counsel. Ms. Serpa moved to approve Ms. Dolby's request. Mr. Donaroma seconded. Unanimous.

Ms. Dolby reminded the Board of the FINCOM meeting on Wednesday, November 16<sup>th</sup>. She stated that she had already sent out the deadlines for salaries, articles, and budgets. The COLA request would be the November average.

There being no further business, Mr. Donaroma moved to adjourn the meeting at 4:49pm. Ms. Serpa seconded. Unanimous.

Approved:

\_\_\_\_\_  
Arthur Smadbeck, Chairman

\_\_\_\_\_  
Michael J. Donaroma

\_\_\_\_\_  
Margaret E. Serpa  
Board of Selectmen

Respectfully submitted,

Kristy Rose  
Assistant