



## Edgartown Yellow House Committee Meeting Minutes

JANUARY 29, 2018

### **I. CALL TO ORDER:**

Chris Scott called to order the meeting of the Yellow House Committee at **12:00pm** on **Monday, January 29, 2018**, at the **Edgartown Town Hall Meeting Room**.

### **II. ROLL CALL:**

The following persons were present:

**MEMBERS:** MJ LOOK  
CHRIS SCOTT  
GAIL CROTEAU  
CAROL FLIGOR  
JIM SHANE  
SAM SHERMAN

### **III. OPEN ISSUES:**

1. The members of the Yellow House Committee handed in their written evaluations of the Trademark proposal to Ms. Mulinare. Ms. Mulinare provided Mr. Scott with Trademark's sealed price proposal to be opened while the evaluations were tallied.
2. Ms. Burke stated that an email from Mr. Ben Hall was received by the Committee and herself just prior to the meeting and should be reviewed. Mr. Scott read the letter from Mr. Hall into the record (attached).
3. Ms. Mulinare announced the final tabulation of the comparative criteria for the Trademark proposal: 32 Highly Advantageous ratings, 15 Advantageous ratings, and 3 Not Advantageous ratings.
4. Mr. Scott read the price proposal details aloud: total lease payments to the Town would be \$49,000, backloaded to start at year 21 of the lease.
5. Ms. Croteau asked how maintenance costs would play into the lease payments. Mr. Scott stated that the Developer would maintain the "leased area" as it's presented in the proposal.
6. Ms. Mulinare asked if the Trademark team intended to offer the construction of the mini park, should the Town choose to accept their offered lease terms. Mr. Berger said it would be a little more complicated than that, but they are open to discussion.
7. Mr. Scott stated that the appropriateness of the price proposal should be left to the discretion of the Selectmen. Mr. Scott asked if any committee members needed clarification on anything and then called for a vote.
8. Motion placed on the floor by Mr. Shane to approve the Trademark proposal and pass it along to the Selectmen. Ms. Croteau seconds. Discussion: Ms. Burke recommended an amendment to the motion that it be conditional upon the discovery of the relevance of the Ben Hall letter. Ms. Mulinare stated her opinion that this was a consideration for the Selectmen, the Yellow House Committee was formed simply

to evaluate the proposals themselves and make a recommendation to the Selectmen based on that information only; any information based on previous legal matters should be considered by the Selectmen before they vote but is not within the purview of the Yellow House Committee. Mr. Scott stated that Mr. Hall had an option to submit a proposal but did not so the issue he brings up is from a non-responder. Mr. Shane agreed that the Hall letter was not something the Committee needed to condition their approval on. The Committee discussed the issue further – Mr. Sherman said he was concerned about the new information and even though it was submitted at the last minute, it shouldn't be pushed aside while the Committee rushes to judgment. Ms. Croteau commented that the Committee was never supposed to conduct an evaluation based on engineering of any sort, that's for the Building Inspector and the HDC to weigh in on; the Yellow House Committee was formed to evaluate the responsibility of the developer and the quality of the design. Mr. Scott stated that Town counsel will review the information submitted by Mr. Hall and will offer an opinion to the Selectmen, who will decide whether to postpone the vote or not. Mr. Scott called for a vote on the motion on the floor: Five members in favor, Mr. Sherman abstains and Mr. Carter is absent, motion carries.

Mr. Scott adjourned the meeting at 12:30pm.

Minutes submitted by: Juliet Mulinare

MINUTES VOTED & APPROVED:

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Chris Scott, Chairman

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Date