

Selectmen's Meeting
February 16, 2010
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 Serpa; & Arthur Smadbeck. Also present was Town Administrator, Pamela Dolby.

At 4:00 pm Ms. Serpa opened the meeting and the public hearing for certain articles for April Town Meeting. She read the notice aloud and started with the first item. It being a 2% addition to the room and occupancy tax for the Town.

Mr. Steve Callieri, from the Victorian Inn, stated that he considered it a bad idea. The tax would then be 11.75%. His business year was one of the worst in 17 years.

Ms. Alison Cannon, concerned resident, stated that it was "heartbreaking" to see all the empty businesses in town and that the inns and small places were important to the economy.

Mr. Thad Hyland, from the Harborview Hotel, stated that he understood the Town's need for the money, but reminded the Board that it was harder for people to get here because of the boat or flight involved. Middle income guests are getting priced out even in the shoulder season. He felt it would be tough on the businesses.

Mr. Rodrick, from the Winnetu, stated that the shoulder and wedding seasons were very important and the proposed change would not be good for business. If the Town were to institute the change, he would like the money to be used to promote the hotels.

Ms. Serpa replied that the Chamber of Commerce had approached the Town about getting a portion of the income from the increase. The Town could not give money to a private company.

Mr. Callieri pointed out that a lot of small hotels and B&Bs have closed in recent years and pointed out that his house was worth more as a one family home than an inn. He estimated that the town has lost 150 beds in the past couple of years.

Ms. Serpa replied that she understands and has seen what's happening in Town.

Mr. Rick Bailey, from Edgartown Commons, stated that he was "not crazy about the idea". Once the tax got over 10% it would be unappealing and he felt that it took advantage of the summer guests. They try to keep things affordable.

There being no further comment, Ms. Serpa moved on to the .75% increase in the meals tax and opened the floor to comment.

Mr. Bob O'Neal, from David Ryan's, said he was opposed to the addition. The state recently raised the tax to 6.25% in May and they had to adjust prices to keep competitive. The extra money doesn't always come from the consumer.

Ms. Cannon stated that as a year round resident, she enjoyed the nice breaks in the winter and admitted to following the various 2 for 1 and other deal nights. She understood that people are going out less and this increase may deter the people who still go out.

Mr. O'Neal pointed out that the cost of supplies such as flour had also gone up and this meant that restaurateurs were being hit from both sides.

Ms. Carol McManus, from Espresso Love, questioned what the funds would be used for.

Mr. Smadbeck replied that the funds would go into the general receipts and would increase general revenue. He then stated that he did not previously realize that there was so much opposition to this issue and was thinking now that the increase may cost more than the town gains.

Ms. Dolby stated that the Board was just taking direction from the governor, who allowed the options to the towns.

Ms. McManus stated that she had been in business for 18 years and didn't want to lose customers. She asked if any of the other towns were putting it on their warrant.

Ms. Dolby answered that she knew it was on the Oak Bluffs warrant but was unsure of the other towns.

Mr. Callieri stated that he felt the Town should cut back.

Ms. Dolby replied that there had been a lot of trimming without cutting important items. The town had worked very hard at cutting back.

Mr. Smadbeck stated that in light of the issues expressed, he would like to move to remove both the increases in the hotel and rooms tax and the meals tax. Ms. Serpa agreed and seconded. Unanimous.

Ms. Serpa then moved on to the proposed noise bylaw. It would restrict disturbing noise to between the hours of 7:00am-10:00pm.

Ms. Claire Thacher took the opportunity to bring up a certain business on Main St. that had speakers outside their door last summer.

Ms. Dolby replied that issue had been taken addressed.

Mr. Callieri stated that the proposed hours made for a long day.

Ms. Georgiana Greenough, Assistant to the Planning Board, stated that there was a subcommittee of the Planning Board that worked on this by-law change. They would also like to recommend a restriction on work requiring a building permit between July 1 and Labor Day downtown. She stated that she did a random personal poll of construction professionals and they did not have a problem with restriction.

Mr. Ben Hall Jr. stated that he felt the proposed by-law as written could apply to anything a neighbor felt noisy including a conversation. Some people have back up generators and pool pumps. He wondered if the proposed by-law would apply to air conditioners. He stated that he would hate to see neighbors using it against neighbors in a malicious nature.

There being no further discussion, Ms. Serpa moved on to the next proposed by-law pertaining to restrictions on curb cuts in the downtown area.

Mr. Stuart Fuller, Highway Superintendent, stated that he felt there was a need for curb cut restrictions downtown because every time a new one was established, traffic was affected and public parking spots disappeared. This would try and regulate exceedingly large and multiple spot curb cuts.

Mr. Smadbeck stated that the punishment for non-compliance was unclear.

Ms. Serpa wanted to know it would be enforced.

Mr. Hall thought that at least one curb cut should be allowed per property.

Ms. Bridgette Minicus, owner of 10 Norton St., voiced her support of this type of regulation. Her neighbor across the street had recently built a 3 car garage with accompanying curb cut. She was concerned that they took public parking spaces to do this and that the spots in front of her house would be affected if the neighbors could not pull out of their driveway. The loss of spaces overall in Town was troubling to her.

Ms. Dolby stated that perhaps these issues need to be addressed when the building permit is applied for. It should be part of the process.

Ms. Serpa suggested the proposed by-law needed more work and should go back to the committee. Mr. Smadbeck agreed.

Ms. Serpa then moved on to the snow shoveling issues in Town. She read aloud Town By-law #97 which states that abutting owners are responsible for shoveling their sidewalks in Town.

Ms. Dolby stated that the Board had received a couple of complaints that all the sidewalks weren't shoveled in Town and wanted to let the public know that it was the property owner's responsibility.

Mr. Fuller stated that his crew worked 32 hours straight during the most recent snow storm.

Mr. Smadbeck stated that he thought they had done a good job. The “20 Miler” was this weekend and all the bike paths were clear.

The Board then approved the following items:

The minutes for January 25, 2010 and February 1, 2010.

A Lodging House License for Rozetta Hughes d/b/a The Sundial.

Travel Vouchers for the Highway Department and the Police Department.

To send a letter to Mr. Stephen Kuehne that he has defaulted on his Fishermen’s Depot Lot Lease.

To accept the bid by JP Uranker for the interior signs of the Town Hall for \$7286.

Mr. Smadbeck moved to adjourn at 4:52 pm. Ms. Serpa seconded. Unanimous.

Approved:

Respectfully submitted,

Kristy Rose
Assistant

Michael J. Donaroma, Chairman

Margaret E. Serpa

Arthur Smadbeck
Board of Selectmen

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