

## Selectmen's Meeting

May 26 2009

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 Michael J. Donaroma, Chairman, Margaret E. Serpa, & Arthur Smadbeck. Town Administrator Pamela M Dolby was present.

At 4:00 pm Mr. Donaroma opened the public hearing for a seasonal liquor license for Vineyard Venue LLC d/b/a Nectar's formerly known as Outerland to obtain a seasonal liquor license. Attorney Howard Miller was present to represent the applicant. Also present were Noel Donellan, Manager, Chris Walsh, from the Burlington, VT Nectar's and Barry Rosenthal representative for BAR LLC, Owner of Property.

Mr. Miller presented that the applicants are experienced in this type of business. They own a similar facility in Burlington, Vermont also called Nectar's. They would keep the same hours as Outerland and hope to be opened ASAP. They will be leasing the property from BAR LLC. They have had and passed the inspection from the Building Inspector & Fire Department and have approval from the Airport Commission. The Board of Health has not approved yet.

Chief Condlin just wanted to maintain that closing time would remain the same as Outerland.

Mr. Donaroma closed the public hearing at 4:10.

Ms. Serpa moved to approve and include the Chief's prerequisite closing time. Mr. Smadbeck seconded. Unanimous.

Mr. Donaroma at 4:12 opened the floor to Mr. Bob Carroll, who had requested an appointment with the Selectmen to cover various issues he felt needed to be addressed by the Town. Present with Mr. Carroll were Huck Look, Ted Morgan, and Peter Bettencourt. Also present were Norman Rankow, Chairman of the Dredge Committee, and Jane Varkonda, Conservation Agent.

Mr. Carroll began by voicing his disappointment in how the Bend in the Road Beach turned out after the dredging project. The Beach was a flat bathing beach that had easy access for mothers and children and a person could sit in their car and view the ocean before the project. The new beach dune is too high and has ruined that access and view. There is also nowhere to sit on the beach because of the grass and the angle of the new beach.

Mr. Look agreed and supported what Mr. Carroll stated.

Mr. Morgan agreed and added that the vista and the access for people with chairs and children had been ruined. He would like to know why this was necessary.

Mr. Bettencourt supported and agreed with the others and wanted to know what the Selectmen's opinion was.

Mr. Smadbeck agreed with all points raised. He thought beach restoration meant a bathing beach. The next step would be to fix the problem.

Ms. Serpa agreed that this is a family part of the beach and it should be accessible.

Mr. Donaroma stated that most people thought this would be a restoration of a bathing beach not a conservation project.

Ms. Varkonda pointed out that this was just phase 1 of the project. Phase 2 would be next winter and would provide more sand and flatten out the beach more. There is to be a meeting at the Beach on Thursday May 28<sup>th</sup> at 10am to discuss what to do.

Mr. Rankow wanted to voice his support for the dune restoration. The beach has gained a great deal of volume. The Town "should not bulldoze down to the level that it was."

Mr. Carroll reiterated his dislike of the dune and that it had to go. He then moved on to a list of streets he felt were inadequate for travel. They included Katama Rd., School St., and Dock St.

At 4:20 pm Mr. Donaroma opened the discussion with Vineyard Pedicab. Present were Kevin Murphy, & Will & John Vesquina as owner/applicants. Police Chief, Paul Condlin was also present.

They briefly explained the company. The company started as a way to raise money for the PanMass Challenge. The drivers get paid in tips. They have been working in Oak Bluffs for three weeks and feel it has been a positive experience. Their main goals are to raise money for Dana Farber and provide green transportation. The drivers go through a training program from the Mass Bike Coalition. They have four sponsors and they are all green companies. The bikes are made in the USA in Colorado. They have headlights, brakelights, and blinkers. The company is fully insured and registered.

Chief Condlin stated he was not in favor of bringing this form of transportation to Edgartown. He believes it would create more traffic problems downtown. Additionally the Pedicabs are not permitted to operate on the bike path which could create hazards on outer roads such as Katama Rd and going toward Ocean Heights. This would be especially dangerous if they are driving people home from bars at night.

Mr. Smadbeck questioned what coverage area they are planning. Are they planning on staying just downtown or further a field? He felt that the pedicabs would just exacerbate the traffic issues that already exist. He was not convinced of their conduciveness.

Mr. Will Vesquina answered that they had not laid out an area of service yet and that they thought they could use the taxi stands to pick up and drop off.

Mr. Alan Gowell, citizen, then relayed a story of his observations of the pedicabs in Oak Bluffs. The first was an incident on the bike path where a young man had to move out of the way and stop to let a pedicab pass. The second was of his own frustration being behind a slow moving pedicab in traffic while the driver seemed to be chatting up the passengers and taking his time.

Ms. Claire Thacher, citizen, pointed out that pedicabs may be safer than the bikers from the Harborview going the wrong way down North Water St.

Mr. Donaroma then stated that the Town may not be ready for pedicabs. The Town has lots of complaints about taxis pulling over. Vineyard Pedicab should work with the Chief.

Mr. Smadbeck pointed out that the Chief is not agreeable with the idea and they should work with him toward a solution.

The Board then approved the following items:

A permit to excavate to repair a sidewalk at 41 South Water St. for Conover Restoration.  
Mr. Donaroma abstained.

To setup a hearing for the Shellfish Committee to change the Shellfish Committee by-law for June 15 at 4pm.

A Yard Sale for David Corfield, 14 Boldmeadow Rd., for May 30<sup>th</sup> from 9-2.

The Contract for the Falmouth Ferry for 2009.

Mr. Donaroma then called Executive session at 4:55 pm.

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At 5:20pm General Session reconvened.

The Board then approved the following items:

To appoint the list of Special Summer Officers.

To extend the Shellfish Committee appointments to June 22, 2009.

To disband the Edgartown School Building Use Committee

To appoint and reappoint the attached list to Town Boards and Committees.  
(Mr. Donaroma abstained from the vote reappointing himself to the Land Bank Advisory Board as Representative for the Planning Board)

Ms. Dolby gave an update on the Old School. She spoke with Town Counsel and he is working out a sample lease with the Superintendent's Office. The theater group will probably sublease from them. The matter will probably go before the Town at a Special Town Meeting in the fall.

At 5:30 pm Ms. Serpa moved to adjourn. Mr. Smadbeck seconded. Unanimous.

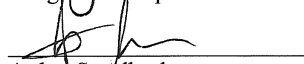
Approved:



Michael J. Donaroma, Chairman



Margaret E. Serpa



Arthur Smadbeck  
Board of Selectmen

Respectfully submitted,

Kristy Rose  
Assistant

May 26, 2009