

Selectmen's Meeting
December 14, 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 Donaroma, Chairman; Margaret Serpa; & Arthur Smadbeck. Also present was Pamela Dolby, Town Administrator.

At 4:00 pm Mr. Donaroma opened the meeting. The first item on the agenda was the Library Trustees. Present were Ms. Felicia Cheney and Ms. Patricia Rose. They would like to put an article on the April Town Meeting Warrant to raise the difference of what they have raised and what they need to meet the amount needed to qualify for the \$4.6 million grant. They have received an extension to raise the amount through June 2010 and feel they won't meet that deadline without the warrant article.

Ms. Serpa questioned how much had been raised so far in their fundraising efforts.

Ms. Rose responded that so far the Treasurer has \$748,491.06 received in donations. There is also in addition \$645,794. in committed pledges that have not come in.

Ms. Dolby spoke that she would like to discuss the subject with Town Council and Town Auditors to find out how to proceed. So far this has been a private fundraising and developing process and she would like to know what the technicalities of making it a public Town project would be. She questioned why the Library had not gone to the Capital Programs Committee with the request to be considered with all the other capital projects. She also questioned how the grant would work and if the Town would be responsible to cover it until it was paid.

Mr. Smadbeck spoke that he supports letting the Town make the decision. But, that the Library trustees need to work closely with Ms. Dolby to develop what will surely be a more complicated article.

Ms. Cheney replied that the grant would be doled out in the following manner: 30% before construction; 30% on ground breaking; 40% at some point during construction.

Mr. Donaroma reiterated Ms. Dolby's question as to why this project wasn't brought to the Capital Programs Committee. This is a bigger project than any other items they reviewed. It should have gone to them first.

Ms. Cheney replied that she wrote a letter in July and didn't receive a response and then did not follow up.

Mr. Donaroma wanted the Library Trustees to fully understand that this now would become a "Town" project.

Ms. Dolby pointed out that the Police Station, Town Hall, and Wastewater Plant were all Town Projects and there was an extensive public hearing process. The auditor and Town Counsel would have to look at how the project has progressed so far and develop a plan to go forward and how the article should be written.

At 4:10 Mr. Donaroma opened the floor to Mr. Tom Wallace. Mr. Wallace wanted permission from the Board to dredge the Edgartown Great Pond in three areas in addition to the opening: the sluiceway, the channel, and Wilson's Landing.

Ms. Serpa asked if the appropriate permits were in place.

Mr. Paul Bagnall, member of the Dredge Committee and Shellfish Constable, answered that these were all part of the Town's application for a ten year comprehensive permit of dredge projects for the whole Town with the State. The application is still in the process of being approved.

Mr. Wallace volunteered that all work would be approved and overseen by Mr. Bagnall as representative of the Dredge Committee.

Mr. Donald Benefit, Member of the Shellfish Committee, requested that all work in the Great Pond receive Shellfish Committee approval due to the nature of shellfish population in the Pond.

Mr. Smadbeck moved to approve Mr. Wallace's request to dredge the three areas with the approval of the Shellfish Committee, the proper permits, and on the direction of Mr. Bagnall. Ms. Serpa seconded. Unanimous.

Mr. Donaroma then opened the hearing for Détente to have an extended closing period this winter to renovate the second floor. They have passed the ZBA and now need to go through the building permit process. They would like to close from February 18, 2010 to April 1, 2010.

Ms. Serpa moved to approve the extended closing and told the Crowells to please come back if they needed more time. Mr. Smadbeck seconded. Unanimous.

Mr. Donaroma then opened the floor to Mr. Dick Knight, member of the committee in favor of a Chappaquiddick bike path. He wanted to get the Board's approval of a group of North Eastern University students coming down and doing a project on designing a bike path and come up with solutions for safety improvement. These would just be ideas and there would be no obligation or cost to the Town. He would like to utilize the Town Hall meeting room for informational sessions.

Mr. Jeff Kontje and Mr. Roger Becker voiced their opposition to the project. Citing unknown parameters of the study and there not being an established need.

Mr. Donaroma saw it as an opportunity to look at creative ideas. He did not however, see a need for Board approval. He also stated that the Town Hall is a public building. Anyone can sign up to use the meeting areas.

Mr. Donaroma then opened the floor to Mr. Donald Benefit. Mr. Benefit was unhappy about the raising of the commercial scallop limit without a proper hearing by the Shellfish Committee and that some people are heaping their catches and it's supposed to be "struck". He also felt that there was an issue with enforcement. He would like to have a public meeting to discuss the situation.

Mr. Bagnall responded that the Shellfish Committee has a meeting every first and third Tuesday of the month. They decided in the first meeting in December to heap instead of "struck". The consensus of the fishermen was to raise the limit as well.

Ms. Serpa asked if the vote to raise the limit was a canvas vote by phone or a vote at a Shellfish Meeting.

Mr. Bagnall answered it was a canvas and that the Shellfish Committee was an advisory committee.

Ms. Serpa asked if that was a legal vote. A vote has to be made at a meeting according to the open meeting law.

Mr. Smadbeck stated that the Board was under the impression when they voted the change that the vote had been held at a meeting.

Mr. Donaroma stated that Shellfish Committee will meet the next day, December 15th and that he will attend and discuss it with the Committee.

The Board then approved the following items:

The minutes from 12/9/09

Travel Vouchers for the Police, Council on Aging, and Tax Collector.

For the Boathouse Bar to remain open until 2am on New Year's Eve.

To allow the Harbormaster to raise the mooring fees to \$175 for a mooring and \$360 for a stake.

For Atria to have outdoor music on October 16, 2010 until 8:30 pm

To approve the Rotary Club road race on February 13, 2010 with approval of the Police Chief and the Highway Department.

A Lodging House license for the Hob Knob Inn

Sale of Used Car Licenses for Russel Swartz, Airport Fuel Service, and AA Island Auto.

Ms. Dolby stated that there would be no meeting on December 21st due to the Town Christmas Party at 4pm.

Ms. Serpa moved to adjourn at 5:10 pm. Mr. Smadbeck seconded. Unanimous.

Approved:

Respectfully submitted,

Kristy Rose
Assistant

Michael J. Donaroma, Chairman

Margaret E. Serpa

Arthur Smadbeck
Board of Selectmen

December 14, 2009