

Selectmen's Meeting
May 5, 2008
4:00 P.M.

A meeting of the Board was held on the above date in a temporary meeting room on the second floor. Members present were Arthur Smadbeck, Chairman, Selectman Michael J. Donaroma and Selectman Margaret E. Serpa. Also present was Town Administrator Pamela M. Dolby.

Chairman Smadbeck opened the meeting and said the continued public hearing on the Chappy Ferry rate increase was first on the agenda. Peter Wells, owner of the Chappy Ferry, and his wife Sally Snipes Wells were present. Mr. Wells said he would like to reiterate some of the principal reasons justifying an increase—the cost of diesel fuel (up 23% in 3 months), wear and tear on the ferries, insurance (liability and vessel insurance has increased by 25%), a cost of living salary increase for the captains (salary expense has increased by 41%. He has increased the number of personnel on duty and has increased salaries by 5%. There are two Captains present during times when two boats are needed.), health insurance (health insurance expense has increased by 39%), and planned construction of a new ferry. He then passed out copies of a letter to the Selectmen, which included the details of expenses above. It also noted that he has not spoken to any of the Selectmen outside of the hearing forum, believing it inappropriate as the operator of a Town-licensed service to contact any of them outside of an open meeting. Secondly, he said, he wanted to clarify that this is a hearing to consider only an increase in the maximum automobile fare and an increase in the maximum passenger fare.

Terrence Forde, speaking as an individual and not a representative of the Chappaquiddick Island Association, said he uses the ferry almost every day year round. He said he supports Mr. Wells's requests, noting that a lot had been let go by the previous owner and that the employees need adequate wages and benefits.

Dorothy Dropick asked about the questions that were referred to Counsel and warned of the need for regulatory oversight. She gave copies of the current fare schedules to the Selectmen and noted the increase in the commercial vehicle rate is at the maximum. She said users should not have to expect increases without warning. She said the increases for buses and trucks were very significant hikes.

Town Administrator Dolby read the advice of Jeffrey Swopes of a Boston law firm that the Selectmen in setting the rates for automobiles and passengers should word it as "not to exceed \$XX per passage". This would allow the owner to establish discount plans, etc.

Selectman Serpa said she had spoken to Town Counsel, noting that the Board of Selectmen are not familiar enough with rates to judge them, and Town Counsel spoke with someone that is a rate specialist, he worked on the water company when the town took it over and he said he would be happy to review these rates. Dorothy Dropick said her career had been in federal regulations and people would sit down with their financial advisors and figure out a fair price. She noted there is only 3 months of data from the slowest time of the year right now and we need a whole year's figures to work with. Laura Jamison spoke of fairness. Bob Fynbo said he has known Mr. Wells for a number of years and that the new owner would not be here asking for an increase if he didn't need it. He said the request is for a relatively small increase that will mainly affect tourists.

Richard Knight said Mr. Wells is really running a different operation and a responsible one. He added that it is really expensive to live on Chappaquiddick and maybe it is not for everyone to do so. Edith Potter said that Mr. Wells has done a fabulous job and that we are very lucky to have him.

Ann Floyd asked about the committee that is to interface between the Board of Selectmen and the Chappy Ferry. She was advised to go to the committee with any concerns. Laura Jamison said the ferry is a monopoly and an essential service.

Selectman Serpa said the Selectmen, Mr. Wells and the committee will work together. Town Administrator Dolby said the process is one that evolves.

Chairman Smadbeck closed the public hearing and invited Board discussion. Selectman Serpa noted the Board could use the suggested "not to exceed" language to extend the passenger and automobile rates until the end of October and then use a rates person recommended by the lawyers. She also noted that the last rate increase was in 2004.

Town Administrator Dolby told Mr. Wells that the rates person would review the financials with Mr. Wells, that his financial information would remain private between him and the rates person, who would then report back to the Board. A motion was then made to permit increased automobile and passenger rates "not to exceed" going from \$10 to \$12 for a vehicle and from \$3 to \$4 for a passenger, and to review the matter at the end of October. This was seconded and so voted, unanimously. Selectman Donaroma mentioned that the commercial rate seems to him to be astounding, and suggested they look at it again in October. Chairman Smadbeck spoke of the Chappy Ferry Committee. Bob Fynbo expressed his concern about the parameters of what the committee was going to do. He thought they should be clear before advertising for members. He said the last committee, which he served on, had no defined outline of what they were to do, what their purpose was. The Board decided not to appoint the committee at this time, it will be discussed in the fall.

Highway Superintendent Stuart Fuller asked permission of the Board to close the Dark Woods Parking Lot for three to four weeks when he and his crew will be working there. Town Administrator Dolby said she will put an advertisement in the newspaper concerning this. She then added that there have been requests for the Highway department to repair holes in the auxiliary parking lot near Chappy Point and suggested that this work could be done at night or early morning. Mr. Fuller said he would get to it at the end of the month.

Members of the Dark Woods Association have brought a plan of the parking lot to the Planning Board for their review. Town Administrator Dolby said they are meeting tomorrow night at 8:15 p.m.. Mr. Fuller said the project is scheduled to begin tomorrow. Selectman Donaroma offered to attend the Planning Board meeting to represent the Selectmen and report back to them. Claudia Canerdy of the Board of Trade complimented the plan.

The Board voted the following:

To approve the minutes of April 28, 2008 as written and to dispense with the reading of same.

To grant a request for a license to occupy a portion of the sidewalk from William F. O'Brien IV at 1A Dock St., May 10-14, 2008.

To approve a one-day all alcoholic beverages license to the Firemen's Association, for a Mothers Day Brunch, Sunday, May 11, 2008, 11:00 a.m. to 2:00 p.m., at the Edgartown Fire Station, 52 Pease's Point Way.

To approve a Yard Sale for Susan C. Johnson, 25 Mill St., May 24, 2008, rain date May 25.

To grant Steamship Authority travel vouchers for members of the Library (2).

To sign a deed for a lot on 10th Street, Arbutus Park, to the Island Housing Trust Corporation, which also has to be signed by Habitat for Humanity and Island Housing Trust. It was noted that there are 210 persons on the list of the Dukes County Housing Authority, seeking affordable housing.

To authorize the Chairman to sign an agreement with Tyler Technologies for computer service.

To schedule a public hearing on Shellfish regulations for May 27, 2008 at 4:00 p.m.

To reappoint Paul Bagnall, Shellfish Constable/Marine Biologist/Herring Warden, and Warren Gaines and Francis Fisher III, Deputy Shellfish Constables/Herring Wardens, all for 3-year terms.

To support a request from Falmouth Marine to change the number of passengers carried on Sundays from 90 to 135, and to have the Harbormaster send them a letter approving the request.

The Board received a letter from the Town of Tisbury sent to all towns that there will be a meeting of the All Island Board of Selectmen on May 7, 2008 at 7:00 p.m. in the Tisbury Senior Center. All of the Edgartown Selectmen agreed to attend.

The Board received a Proclamation citing the month of May as Older Americans' Month. Chairman Smadbeck read the proclamation and the Board members declared themselves in support of it.

The Board then voted the following appointments to Boards, Committees and Commissions under the Board's jurisdiction:

Airfield Commission, Fred B. Morgan, Jr., 3 years; Beautification Advisory Committee, Anne Vose, Carol Fligor, Gerret Conover, Stuart Fuller and Cammie Naylor, all one year; Board of Fire Engineers, Scott Ellis, Assistant Chief, one year, Alex Schaeffer, Deputy Fire Chief, two years, and Richard Kelly, Peter W. Look, Laurence Thomas and Joseph Cressy, all one year; Board of Registrars, Irene Resendes, 3 years; By-Ways Committee, Michael Jackson, Dudley Levick, William Bassett, Robert M. Green, Jr. and Jonathan Thibodeau, all one year; Cemetery Commission, Susan Brown, 3 years; Conservation Commission, Robert Avakian and Pamela Dolby, 3 years; Council on Aging, Nancy Shemeth, 3 years; Dredging Advisory Committee, David Nash (Vineyard Conservation Society representative) and Paul B. Schultz (Trustees of Reservations representative) one year; Dukes County Regional Housing Authority representative, Melissa Norton Vincent; Edgartown Ponds Advisory Committee, John MacKenty, Dudley Levick, Janet Bailey and Floyd Norton, all for 3 years; Edgartown members of the Martha's Vineyard Cultural Council, Nis Kildegaard, John Walter, and Pia Webster, all for 3 years; Historic District Commission, Catherine Finch, James Cisek and William Bishop, all for 3 years; Marine Advisory Committee, Lee Welch, 3 years; Shellfish Wardens, Robert Ozycz, Gus BenDavid, Joseph Cressy, Everett J. Francis, Douglas Hathaway, Roy Hayes, Jeffrey Jeffers, John MacKenty, Floyd Norton, Paul Schultz and Nelson C. Smith, all one year; Zoning Board of Appeals, Richard Knight and John Magnuson, both for 3 years; Town Counsel, Ronald H. Rappaport, one year.

The Board also appointed Alison Cannon to replace Roger Becker to represent the Planning Board on the Community Preservation Committee, one year, and Margaret E. Serpa to replace Deborah Edmunds to represent the Board of Selectmen on the Community Preservation Committee, two years.

Town Administrator Dolby reported that there have been complaints about old cars stored on property in Ocean Heights and Building Inspector Leonard Jason is getting the situation cleaned up. The Town Administrator also reported that the Town's new website will be launched on Monday.

There being no further business, the meeting ended at 5:10 p.m.

APPROVED:

Respectfully submitted,



Hope Waingrow, secretary



Arthur Smadbeck, Chairman



Michael J. Donaroma



Margaret E. Serpa

BOARD OF SELECTMEN