

Board of Selectmen

March 29, 2021

4:00 pm

A meeting of the Board was held on the above date via Zoom Teleconference. Members present were: Arthur Smadbeck, Chairman; Michael J. Donaroma and Margaret E. Serpa. Also present was the Town Administrator James Hagerty.

At 4:00 pm Mr. Smadbeck opened the meeting then recognized Mr. Hagerty.

Mr. Hagerty read out the following statement:

As a preliminary matter, this is James Hagerty, Town Administrator. Permit me to confirm that all members and persons anticipated on the agenda are present and can hear me.

• *Members, when I call your name, please respond in the affirmative. State each members' name.*

Ms. Serpa, Mr. Donaroma and Mr. Smadbeck all answered in the affirmative.

Mr. Hagerty then continued:

Good afternoon. This Open Meeting of Edgartown Board of Selectmen is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus." In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely. The Order allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment.

For this meeting, Edgartown Board of Selectmen are convening by via Zoom App as posted on the Town's Website identifying how the public may join for "Zoom" Meetings.

Please note that this meetings is being recorded, and that some attendees are participating by video conference. Accordingly, please be aware that other folks may be able to see you, and that take care not to "screen share" your computer. Anything that you broadcast may be captured by the recording.

Meeting Business Ground Rules:

Before the meeting is opened by the Chair, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

- o Please remember to mute your phone or computer when you are not speaking;*
- o Please remember to speak clearly and in a way that helps generate accurate minutes*

For Items with Public Comment:

After members have spoken, I will afford public comment as follows:

- I will first ask members of the public who wish to speak to identify their names and addresses only;*
- You will then be called upon one at a time to speak.*

Mr. Smadbeck then started to address the first item. He addressed regular business before starting the scheduled hearing.

The Board took the following actions on the following items:

Approved a Travel Voucher for the Water Department.

Approved a Block a Portion of the Public Way Permit at 33 Fuller Street

Approved the weekly bill warrants for the town.

Mr. Smadbeck then opened the public hearing to discuss outdoor dining for the Summer Season due to the Covid 19 pandemic. He recognized Mr. Hagerty to start.

Mr. Hagerty gave the history of outdoor dining allowances in the pandemic and Covid Order #35.

Mr. Smadbeck then opened the floor to comments from the restaurants. Restaurant owners from Chesca's, 19 Raw, l'etoille, Détente and Sharky's all spoke in favor and praised the town for the effort and keeping them in business.

Mr. Smadbeck then opened the floor to abutters.

Mr. Marc Glasser who owns a shop next to the Wharf asked the Board to make an effort to keep the sidewalks open to walk through traffic. The blocking of the sidewalk in front of the Wharf greatly affected his business.

Mr. Jonathan Chatinover who abuts Détente stated that he was in favor of the outdoor dining. It was great last year.

Mr. Smadbeck then opened the floor to anyone else.

Ms. Erin Ready from the Board of Trade stated that they had many members with many different types of businesses and were letting them speak for themselves. The BOT was not taking a position on the issue.

Mr. Matt Poole, Board of Health Agent, stated that he was comfortable with the outdoor dining this summer. They can make it work. There's a low risk for food safety. The traffic can be sorted out case by case.

Mr. Smadbeck asked about sidewalks.

Mr. Poole responded that he was not comfortable with tables on traveled sidewalks, but it can be worked out on a case by case basis.

Fire Chief Schaeffer stated that he can be creative and work it all out.

Police Chief McNamee agreed.

Mr. Donaroma stated that freeing up sidewalks should be something that should be looked at.

Ms. Serpa stated that it seemed it could be worked out. The sidewalk and alcohol issue needs to be figured out.

Mr. Hagerty stated that Summer 2021 is looking like it's going to be very busy. The indicators all point to lots of people. Allowing outdoor dining will be helpful but different than last year.

Mr. Donaroma moved to allow the Town Administrator to administer the application process in the same manner as 2020. Ms. Serpa seconded. Unanimous.

At 4:28 PM Ms. Serpa moved to adjourn. Mr. Donaroma seconded. The Board did a rollcall vote and all voted Aye. Unanimous

Approved:

Arthur Smadbeck, Chairman

Michael J. Donaroma

Margaret E. Serpa
Board of Selectmen

Respectfully submitted,

Kristy Rose
Administrative Assistant