

Board of Selectmen
June 14, 2021
4:00 pm

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

At 4:00 pm Mr. Donaroma 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.*

Mr. Donaroma, Ms. Serpa 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. Donaroma then started the meeting and the first item on the agenda which was a Liquor License Hearing for Katama Kitchen at the Katama Airport for an All Alcohol Seasonal Common Victualer License. Present were Manager Evan Shai, Zared Shai and Jessica Shai. Also present was Karen Fuller, Liquor License Administrator for the Town and Conservation Agent Jane Varkonda. Mr. Donaroma read the notice aloud.

Mr. Z. Shai stated that they would like an all alcohol license. The permitting for the restaurant has been through all other applicable departments and they are up and running recently with no alcohol while in the process of getting a license.

Ms. Fuller asked about the bar on the deck. She understood the Building Inspector determined the deck could not support a bar. The bar is in the description on the Form 43.

Mr. E. Shai responded that the issue was the weight on the deck.

Ms. Serpa suggested striking the outside bar to avoid confusion. When they were permitted to add the bar, they can apply for an alteration of premises in the future.

Ms. Varkonda asked about service at the picnic tables. The picnic table area is a public space.

Mr. Z. Shai responded that there would be no service in the picnic table area. The restaurant area stops at the deck.

Mr. Fuller responded that the picnic table area was in the liquor license application description of premises. She suggested the Board strike it out in their motion. She also suggested signage on the deck advising patrons that no alcohol was allowed off the deck.

Mr. Smabeck asked about closing times.

Mr. Z. Shai responded that their agreement with the Airport Commission says sunset.

Mr. Smadbeck moved to approve an All Alcohol Seasonal Common Victualer's License with the amendments to the description of striking out the wording "which includes an outdoor bar" and "250' x 150' fenced in grass area, 80' x 150' parking area". Ms. Serpa seconded. Unanimous.

Mr. Donaroma then moved on to the next item which was an Eversource Pole Hearing for 49 Curtis Lane. Present were Highway Superintendent Allan deBettencourt and Ms. Marissa Jackson, Right of Way Agent for Eversource. Mr. Donaroma read the notice aloud.

Ms. Jackson stated that it was a straight forward service to a property across the street.

Mr. deBettencourt stated that he has reviewed and approved.

There being no further comment, Mr. Donaroma closed the hearing.

Mr. Smadbeck moved to approve. Ms. Serpa seconded. Unanimous.

Mr. Donaroma then moved on to the next item which was an Eversource Pole Hearing for 33 Fuller Street. Present were Highway Superintendent Allan deBettencourt and Ms. Marissa Jackson, Right of Way Agent for Eversource. Mr. Donaroma read the notice aloud.

Ms. Jackson described the project.

Mr. deBettencourt stated that he has reviewed and approves of the project.

There being no further comment, Mr. Donaroma closed the hearing.

Mr. Smadbeck moved to approve. Ms. Serpa seconded. Unanimous.

Staying on the same property, Mr. Donaroma addressed the next item which was an Excavation Permit for Farrissey Telecom to do the Eversource work at 33 Fuller Street.

Mr. deBettencourt stated that he had reviewed the project and approves.

Ms. Serpa moved to approve the Excavation Permit. Mr. Smadbeck seconded. Unanimous.

Mr. Donaroma then moved on to the next item on the agenda which was the MV Marathon and Half Marathon on September 25, 2021. Mr. Lee Ann Yarbor was present.

Ms. Yarbor stated that it was the same race they had done in previous years before the pandemic. She would work with Police and Emergency Services and keep them updated when she had more idea of numbers of entrants.

Ms. Serpa moved to approve. Mr. Smadbeck seconded. Unanimous.

Mr. Donaroma then recognized Mr. Steve Ewing, Chair of the Memorial Wharf Committee. Also present were members of the Committee and their assistant Juliet Mulinare.

Mr. Ewing stated that the Committee and their engineer firm Childs Engineering had reviewed the bids and recommend the bid from BTT with Option #1. The total bid amount with Option #1 was \$2,510,330.

Mr. Smadbeck moved to award the bid to BTT with Option #1 for the stated amount. Ms. Serpa seconded. Unanimous.

Mr. Donaroma then opened the next item on the agenda which was the reincarnation of the MVRHS Building Committee. Present was School Superintendent Matthew D'Andrea.

Mr. D'Andrea had submitted a letter stating the mission of the new committee and that he would like a representative from Edgartown from the Board.

Mr. Smadbeck replied that he had read the letter and it refers to the High School as a Community Center and Adult Education Center. The Board would like the Committee to focus on the High School Children and what was best for them. Education for our Island High School aged children.

Mr. D'Andrea stated that he appreciated the feedback and understood.

Mr. Smadbeck thanked him and stated that they would find someone appropriate and let him know.

Mr. Donaroma then moved on to the next item which was an update on the Local Rapid Recovery Grant. Present were Ms. Julia Tarka and Ms. Laurie Zapalac.

Ms. Zapalac then gave a brief presentation.

The Board thanked them for all their hard work.

The Board then approved an Excavation Permit for Fenner Construction at 33 Rd. to the Plains.

Mr. Donaroma opened the next item on the agenda which was an Access Permit for Shaun Palma onto 19th Street for Assessors Map 12B Lot 44. Present was Mr. Palma and a neighbor Marsha Johnston.

Mr. deBettencourt stated that Mr. Palma would like to clear access to his property. There used to be a path there, but it has grown over. There is wetland in the area that has been considered. He and the Conservation Agent will be present to oversee and mark out the area to be cut.

Mr. Palma added that he would still grant access to his neighbor Mr. Coogan for his property. None of that would change.

Ms. Johnson asked if this would be a step toward her having access to her property by 19th Street.

Mr. deBettencourt responded that would be a separate application and procedure.

Mr. Smadbeck moved to approve Mr. Palma's Access Permit. Ms. Serpa seconded. Unanimous.

The Board then approved the following items:

An Emergency Block the Rd. Permit for Andrew Fligor on Kelley St. on June 10th from 12-2.

A Common Victuallers License for Little House Café.

A Donation to the Council on Aging of \$1500 from the Elder Services of the Cape and Islands of Cares Act Funds for the purchase of a new freezer.

Commitments and Abatements for the Harbormaster.

The Minutes of June 7, 2021.

The Warrants and Payrolls for the week.

The Board appointed the list of Seasonal Officers for the Police Department.

At 5:01 PM Ms. Serpa moved to adjourn. Mr. Smadbeck seconded. The Board did a rollcall vote and all voted Aye. Unanimous

Approved:

Michael J. Donaroma, Chairman

Margaret E. Serpa

Arthur Smadbeck
Board of Selectmen

Respectfully submitted,

Kristy Rose
Administrative Assistant