

**Board of Selectmen
December 6, 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 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 the Edgartown Selectboard 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, the Edgartown Selectboard 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 and addressed the first item on the agenda which was the request to have the Housing Bank article on the Town Meeting Warrant. This item was on a previous agenda and referred to Town Counsel for review. Present were Town Counsel Ron Rappaport and several advocates for the Housing Bank. Speaking for them were John Abrams and Laura Silber.

Atty. Rappaport asked the Board to vote to determine he did not have a financial interest in the matter as the representative for five of the six Island towns.

Ms. Serpa moved to sign the disclosure form. Mr. Smadbeck seconded. Unanimous.

Atty. Rappaport then moved through his written response dated December 3, 2021. Outlining his concerns with the draft of the Housing Bank legislation. The full response is available in the office. Below is a summary of each item:

1. Process for Adoption: As written, the legislation indicates that after being approved at Town Meeting that 2/3 of the Selectboards of the towns voting in favor of the Act may approve any changes made before or during the legislation. The Land Bank Act, as a comparison, required a second town meeting vote to approve the final legislation.
2. Membership: The legislation indicates that it will move forward to the state with approval from four of the six towns, but does not indicate what happens with the towns that do not vote in favor.
3. Withdrawal: There is no process indicated for if a Town would like to withdraw from the Housing Bank.
4. Town Advisory Board Approval: The Housing Bank Act does not require approval for projects in town by an advisory board like the Land Bank does. The Town may want to require that in the legislation.
5. Eligibility Requirements: The section on eligibility needs clarification. It also enables the Housing Bank to have equity participation loans that are exempt from the income requirements. The Board may want to look into this more deeply and consider deleting this exemption.
6. Oversight: The Land Bank has written detailed oversight. The Housing Bank does not yet.
7. Compensation of Commissioners: There is no restriction or oversight of compensation of commissioners. The Land Bank specifies commissioners shall not be compensated. He suggests the Board make an amendment to specify their wishes.
8. Permanent Protection: There needs to be specification on what entity will hold the housing restrictions.

Atty. Rappaport understood that the final Act is not written and that they were coming to the Board to be approved to hold a place on the Town Meeting Warrant, but these are the questions that should be addressed.

After some discussion between the Board, John Abrams and Laura Silber from the Housing Bank, it was decided that Atty. Rappaport would work with the lawyers from the Housing Bank. The Housing Bank will keep in touch with the Town Administrator.

Mr. Donaroma then moved on to the next item which was Christmas in Edgartown Events. The Board approved the following items:

- To move the One Day Liquor License for the Vineyard Trust from the Daniel Fisher House to the Carnegie Library.
- To allow the lights on Dock Street with the restrictions set by the Town.
- To allow the Polar Express with a route of Dock Street, to Mayhew Ln, through the parking lot and down Kelley St with the train stop being the Kelley House loading zone. Following traffic rules and yielding to traffic.
- The annual Teddy Bear Trot race.

The Selectboard then approved the following items:

To accept the surrender of the Terrace Liquor License.

Renewal of a Class II Auto Dealer License for Bertel Autobrokers

Travel Vouchers for the Police and Harbormaster.

The minutes of 11/29/2021.

The weekly payroll and bill warrants.

At 4:44 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