

**Town of Edgartown
Selectboard
March 13, 2023
4:00 pm**

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

At 4:00 pm Ms. Serpa 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. Smadbeck and Mr. Donaroma 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 meeting 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.*

Ms. Serpa then addressed the first item on the agenda which was a discussion on the "Nip" Bottle Ban that will be on the Town Meeting Warrant. Present were some concerned citizens and persons in the island liquor business.

Mr. Smadbeck stated that the Board has received dozens of pieces of correspondence on this matter heavily weighted toward wanting to have it on the warrant. He thought it was a good idea to have it on the warrant and to let the town meeting discuss and decide.

Julia Tarka, owner of Rosewater Wine & Spirits, asked if this was added because of the litter problem and asked the Board to enforce the current litter problem by issuing tickets for littering. The business community would be happy to work with the town to provide more recycling containers. She also wanted to know if this was a single serving plastic reduction issue. If so, she stated that the warrant article should be rewritten to specify that. This would also ban all premixed single serving

cocktails and other items that are sold in tin and glass which are a large part of income. She asked that the warrant article be tabled, reconsidered and rewritten.

Mr. Smadbeck stated that this was a citizen request to go on the warrant and not the Selectboard. He felt the Board owed it to the community to have it on the warrant as requested and the discussion to happen at Town Meeting.

Mr. Brion McGroarty asked about the State Deposit program and if the Board had discussed petitioning the state to raise the deposit amount.

Mr. Hagerty responded that it was not up to the Town to petition the State on the issue. He could see a letter being written, but it was up to the Board.

Mr. McGroarty asked if there was wording in the warrant article about being instituted only if Oak Bluffs passes, like Oak Bluffs has in theirs.

Mr. Hagerty responded that there was not, but it could be added on the floor of Town Meeting.

Ms. Julia Livingston stated that this was not just about litter downtown. People throw them out their car windows. They are all over the side of the road and get in the storm drains.

Mr. Vinny Mandarano asked about the language on the warrant.

Mr. Hagerty read it aloud.

Mr. Mandarano asked about adjusting the language to say plastic only.

Mr. Hagerty stated that can be changed on Town Meeting floor.

Ms. Chick Stapleton from Island Spirit Kayak and Friends of Sengekontacket stated that a lot of the nips they find on the beaches are glass.

The Board thanked everyone for coming in.

Ms. Serpa then addressed the next item on the agenda which was an amendment to the buried gas tank license at 141 Upper Main Street. This amendment would make the license current to what already exists.

Mr. Smadbeck moved to approve. Mr. Donaroma seconded. Unanimous.

Ms. Serpa then addressed the next item which was a request to add a 500 gallon underground propane storage tank to supplement an outbuilding at 60 Pohogonut Rd. This would be in addition to the 2,000 gallon tank they have for the main house. The agent Brian Casey was not present.

Mr. Smadbeck moved to approve the additional 500 gallon tank. Mr. Donaroma seconded. Unanimous.

The Board then approved three Excavate in a Portion of the Street Permits for Farrissey at: 1 North St; School St. near Norton St.; and 8 Meshacket Rd.

Ms. Serpa then addressed the next item which was the Special and Annual Town Meeting Warrants for April 11, 2023.

Mr. Smadbeck moved to approve the warrants. Mr. Donaroma seconded. Unanimous.

The Board then approved the following items:

The license agreement renewal with the Falmouth Ferry Service aka the Pied Piper.

To accept a gift of brick and granite repair to the sidewalk at 92 S. Water Street. Mr. Donaroma abstained from the vote.

Four travel vouchers for the Wastewater Department.

The minutes of March 6, 2023.

The weekly bill and payroll warrants.

At 4:26pm Mr. Smadbeck moved to adjourn. Mr. Donaroma seconded. The Board did a rollcall vote and all voted Aye. Unanimous

Approved:

Margaret E. Serpa, Chairman

Arthur Smadbeck

Michael J. Donaroma
Selectboard

Respectfully submitted,

Kristy Rose
Administrative Assistant

Documents included in meeting: Agenda, Applications, New licenses and permits, Special and Annual Town Meeting Warrants and Travel Vouchers.