

**Selectmen's Meeting**  
**February 3, 2020**  
**4:00 pm**

A meeting of the Board was held on the above date in the meeting room of Town Hall. Members present were: Margaret E. Serpa, Chairman and Arthur Smadbeck. Also present was Town Administrator James Hagerty.

At 4:00 pm Ms. Serpa opened the meeting and the first item on the agenda which an alcohol license hearing for Bad Martha's for a Change of Ownership Interest and Change of LLC Managers. Present was Attorney Sean Murphy.

Mr. Murphy explained that one of the majority shareholders was buying out one of the minority shareholders as a result the change of LLC managers also needed to be approved.

There being no public comment, Ms. Serpa closed the hearing.

Mr. Smadbeck moved to approve the Change of Ownership Interest and Change of LLC Managers. Ms. Serpa seconded. Unanimous.

Ms. Serpa then moved on to the next item on the agenda which was Ms. Dorothy Dropick who wanted to talk about her concern with the most recent Chappaquiddick Ferry rate increases. Present was a large contingent of Chappaquiddick residents as well as Chappy Ferry owners Peter Wells and Sally Snipes.

Ms. Dropick stated that she and a group of Chappy residents had concerns about the ferry and felt the Board needed more oversight. They felt the recent rate increase for Chappaquiddick residents was not warranted. They also did not agree with the rules set by the ferry owner to qualify for resident rates. She introduced Rick Biros who then gave a slide show.

Mr. Biros stated that the committee had four "recommendations" for the Board. 1. They want the Board to review and approve all rates not just the highest base rate. 2. They want the rates rolled back until an audit was done. 3. They want a different definition of a resident. They felt the current rule is too restrictive. 4. They want a governing board formed by the Selectmen.

Mr. Smadbeck responded that those requests raised a lot of legal questions. He referred to Town Counsel Ron Rappaport who was present.

Mr. Rappaport went on to explain that some of these questions had been addressed in 2007 when the town consulted with special attorney Jeffrey Swopes who is a public utilities specialist. His response is available and is a public document. Mr. Swopes time is very expensive so he suggested coming up with a small list of specific questions to send to him.

This was followed by much animated discussion on what the questions should be, what they should cover and who should have say in approving them. After much deliberation, the Board decided to create a steering committee of 5-7 people including Chappy Residents, the Chappy Ferry Owner, and the Town Administrator. Letters of interest to the Board are due by March 2<sup>nd</sup>.

The Board then approved the following items:

A Common Victuallers license for: The Seafood Shanty, Tropical Bakery and Rosewater Market.

Weekday and Sunday Entertainment Licenses for the Seafood Shanty.

Lodging House Licenses for the Lightkeepers Inn and Edgartown Commons.

Permission to block a public way for the Edgartown Inn for a portion of Simpson's Ln.

A Yard Sale Permit for the Morgans on North St.

To sign an agreement of landscape architectural services with Horiuchi Solien Inc. for the Yellow House Park.

To sign the disclosure filed by James Joyce.

Approve the minutes of January 27<sup>th</sup>.

To appoint Julia Livingston and Robert Sarno as alternates to the Zoning Board of Appeals.

To appoint Scott Morgan as alternate to the Financial Advisory Committee

At 5:05 PM Mr. Smadbeck moved to adjourn the meeting. Ms. Serpa seconded. Unanimous

Approved:

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Margaret E. Serpa, Chairman

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Arthur Smadbeck

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Michael J. Donaroma  
Board of Selectmen

Respectfully submitted,

Kristy Rose  
Assistant