

## Board of Selectmen

July 13, 2020

3:45 pm

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

At 3:45 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 addressed the first item on the agenda which were the end of year transfers. Present was also the Financial Advisory Committee: Chairman Donna Lowell-Bettencourt, Rob Coad, Les Baynes and Steve Jordan. Ms. Lowell-Bettencourt opened their meeting and Mr. Hagerty called a rollcall to which all answered present.

The following transfers were then voted and approved be roll call vote. Unanimously first by the Financial Advisory Committee and then the Board of Selectmen:

\$31,125.95 into Legal 01151 from BC&BS 0191005-517003

\$1756.30 into Tax Title/Foreclosure 0115805-530010 from Issuance 0114505-592501

\$8548.63 into Veteran's Benefits from BC&BS 0191005-517003

\$9800.00 into Insurance 0194505-57400 from BC&BS 0191005-517003

\$1475.00 into Town Reports 0119505-578000 from BC&BS 0191005-517003

\$16,500.00 into Service Contracts 0151005-530000 from Food Inspector 0151002-511043

Mr. Smadbeck thanked the Financial Advisory Committee. The Fincom then closed their portion of the meeting and departed.

The Board then had some time before the first item on the agenda so took care of some regular business. They approved the following items:

The minutes of June 29, 2020.

A Donation to the Council on Aging for \$5,000.

A Block the Road permit for the MV Museum on School St. at the Cooke House on July 15<sup>th</sup>.

The Board then approved the following renewals for Commercial Marine Licenses: Ed Gentle III, Ed Gentle Jr., Catboat Charters and the Harborside Inn.

There was an issue with renewal of Sky High Kiteboarding. The Marine Advisory Committee recommended not approving any further Kiteboarding licenses in Cape Pogue.

Mr. Mark Begle, owner of Sky High Kiteboarding, stated that it was not his company making trouble and disagreed with the decision. The matter was continued to the following week.

Mr. Smadbeck then opened the Eversource hearing to run cable and conduit to 86 School Street. He read the notice aloud. Eversource and Tom Pierce the contractor were not present. *Later they contacted the Board and apologized. They both had issues getting into the remote meeting.* Highway Superintendent Allan deBettencourt was present.

Mr. deBettencourt stated that he had reviewed the application and had no issue with it as presented. There would need to be an excavation permit, Farrissey is working on the application and on the agenda for the following week.

There being no one else to speak for or against the application, Mr. Smadbeck closed the hearing. Ms. Serpa moved to approve. Mr. Donaroma seconded. Unanimous.

Mr. Smadbeck then addressed the next item on the agenda which was a request from Stephanie Wolf who would like to have sales outside on the lawn of the building her shop is in on Fridays and Saturdays. Present was Lisa Morrison, Asst. to the Zoning Board and Reade Milne, Building Inspector as well as Ms. Wolf.

Ms. Wolf stated that her shop is on the second floor inside and her business is down 73%.

Mr. Smadbeck started by stating that he understood the reasons for Ms. Wolf's request. However, the governor's order exempted restaurants from some local restrictions but did not cover retail establishments.

Ms. Morrison stated that outdoor displays are covered by the Sign Committee.

Ms. Milne stated that this was probably covered by the Sign By-Law, the interpretation was beyond her scope here. This summer is a very special circumstance and she did not see an issue with allowing her to temporarily for this one special time do what she is requesting on a trial basis just for this summer if the Board saw fit to allow it.

Julia Tarka from the Board of Trade spoke in favor of allowing the request.

Mr. Donaroma moved to allow Ms. Wolf to have outdoor sales on the lawn of her building on Fridays and Saturdays on a trial basis to be revisited if there were any issues. Ms. Serpa seconded. Unanimous.

The Board then reappointed Skip Tomassian and Julia Tarka and appointed Christina Cooke to the Sign Advisory Committee.

The Board then approved the weekly bill and payroll warrants.

At 4:29 PM Ms. Serpa moved to adjourn the meeting. Mr. Smadbeck seconded. Unanimous

Approved:

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Arthur Smadbeck, Chairman

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Michael J. Donaroma

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Margaret E. Serpa  
Board of Selectmen

Respectfully submitted,

Kristy Rose  
Administrative Assistant