

Board of Selectmen Meeting
Library Meeting Room
March 27, 2007

Present: Chairman Duncan Ross, Selectmen Gregory Coogan, Ronald DiOrio, Kerry Scott, Roger Wey. Also present: Town Administrator Michael Dutton, Administrator Alice Ryan Butler.

Meeting called to order at 5:00 p.m.

Recognition of Conservation Commissioner Paul Strauss

Paul Strauss was named Commissioner of the year by the Massachusetts Conservation Commission.

Chairman Ross read quotations from the nominators.

Mr. Strauss accepted the citation from Mr. Ross, flowers from Liz Durkee, Conservation Administrator, and spoke a few words of acceptance.

Martha's Vineyard Regional Transportation Authority, Angela Grant

VTA Administrator Angela Grant reported on the pilot program, which is increased service in the off season. Ridership increased 21% in the first off season and did better than that in the second season. The VTA received a grant and as a result, each town will only have to pay \$250,000 instead of the usual \$410,000.

Selectmen's Update

Selectman DiOrio discussed changes to the entertainment application.

Selectman DiOrio motioned to refer all town insurances to the Finance Committee for their review, seconded by Selectman Coogan. Vote was unanimous.

Selectman DiOrio motioned to ask the Finance Committee to review the projected 2% restaurant meals tax and return their recommendation, and consider creating a restricted receipt account that would be used to make necessary repairs in the town, seconded by Selectman Scott. Vote was unanimous.

Selectman Coogan asked for a time line to make a decision on the two town trash district. There are ninety days to act. The Boards of both towns will meet on April 24, 2007.

Selectman Scott reported that the first meeting of the Resident/Hospital Committee had been held, and a lot had been accomplished.

By consensus, the Board agreed to write to the Wastewater Commissioners and ask them to consider tying in the seven homes near the hospital.

Chairman Ross announced that five people had applied for the position of Fire Chief. The first meeting of the screening committee will be held on April 3, 2007.

Selectman Wey said that the County would form a Committee to maintain Eastville Beach.

Selectman Wey motioned to support the idea of forming a committee to maintain Eastville Beach, seconded by Chairman DiOrio. Vote was unanimous.

Chairman Ross said that Chief Blake, Herb Putnam, Helen Scarborough, Doug Abdelnour, Kerry Scott, Chairman Ross will be on the Committee to deal with entertainment licenses.

He also reported that the cruise ship trade show was very successful.

Town Administrator's Report

Selectman DiOrio motioned to estimate the summer population to be 39,043 for ABCC purposes, seconded by Selectman Coogan. Vote was unanimous.

A draft of the Annual and Special Town Warrant has been mailed to all voters.

Della Hardman Day will be July 28, 2007 and will feature an art show, a musical event and an essay contest for school children.

The Library Board of Trustees have created a five year plan for the library, it is available in the Selectmen's office.

The bulkhead project is almost ready to go out to bid.

All Department Heads will be notified that the Warrant for Town Meeting will be due much earlier next year, which will allow for better planning.

Selectman Wey suggested that it was time to make some renovations to the Town Hall.

Selectman DiOrio requested that the IT Manager be invited to a BOS meeting to discuss the web site.

Old/New Business

Request for Special Permit for a Home Based business, a Child Day Care Center. Valci Carcalho

Mr. Carcalho explained his plans for a Child Day Care Center. He has offered to lease his Church building to the hospital for a temporary day care center while the hospital is being renovated.

Selectman DiOrio questioned the appropriateness of the request for a home based business since Mr. Carcalho does not live in the building. He also pointed out that the building had been listed as a church and was therefore tax free. He questioned whether it should be taxed for those activities that are not church related.

Massachusetts General Law 40A, Section 3 states that day care centers are not subject to zoning laws.

Ken Chisholm, MVH explained that during hospital renovations, the twenty eight children and six employees needed a temporary facility (they must move before May 15, 2007) and Mr. Carcalho had offered his site.

Various neighbors addressed the issue of the church/residence/day care center.

Selectman Scott suggested that the project should be referred to the Martha's Vineyard Commission.

Russell Wendt, a neighbor questioned the water supply on the road. Several people have suffered from cancer that could be linked to the water supply. Several years ago, as a result of legal action, the water district received money from Johns Manville to change the water mains but the District neglected to do so. He is concerned that 34 additional people will add to the water problem.

Selectman Wey motioned to close the Hearing, seconded by Selectman DiOrio Vote was unanimous.

Selectman Wey motioned to take the matter under advisement, seconded by Selectman Coogan. Vote was unanimous.

Pursuant to MGL Chapter 138, Chapter 12, the Board of Selectmen will hold a Public Hearing on Tuesday, March 27, 2007 at 6:30 p.m. in the Library Meeting Room, 56R School Street regarding an application for a transfer of license from Mad Corp, LLC dba Tsunami to JZR Associates, Inc. dba Tsunami located at 6 Circuit Avenue, Extension, Oak Bluffs, MA. This application is on file in the Selectmen's office for review Monday through Friday, 8:30 a.m. to 4:00 p.m.

Attorney Howard Gaynor represented JZR Associates.

Attorney Gaynor presented his request for a transfer of license. Bob O'Neil, the proposed manager has had several years of experience in the liquor industry, including managing David Ryan's in Edgartown.

There were several questions concerning the management of both David Ryan's and Tsunami by the same manager. The Town Administrator will research the answer.

Selectman Coogan motioned to approve the transfer of Tsunami's license pending the answer to the management question, seconded by Selectman Wey. The vote was unanimous.

Hearing on Seasonal Entertainment Licenses.

The Links at Martha's Vineyard dba Farm Neck Golf Club

Douglas Island Development dba Nancy's
Mad Corp, LLC dba The Oyster Bar Grill
Lampost, Inc. dba Lampost/Rare Duck
It's Us, Inc. dba Island House.

The licenses were renewed until May 15, 2007.

Selectman Coogan motioned to approve the renewal of the entertainment licenses listed above, seconded by Selectman Wey. Vote was unanimous.

Accept Minutes

March 13, 2007

Selectman Scott motioned to accept the Minutes of March 13, 2007, seconded by Selectman Wey. Four voted in favor, Selectman Ross abstained.

Public Communications

Selectman DiOrio requested a list of all alcohol licenses, broken down by category.

Public Comment

Rene Balter reminded the group that the town already has a 9.7% room tax and that an additional 2% meals tax would be a financial burden to tourists.

Dianne Ball read a statement concerning the appointment of members to the Board of Directors at the Council on Aging.

Executive Session

Selectman DiOrio motioned to enter into Executive Session for the purpose of discussing Union negotiations, not to return to regular session, seconded by Selectman Scott.

*Chairman Ross Aye
Selectman Coogan Aye
Selectman DiOrio Aye
Selectman Scott Aye
Selectman Wey Aye*

Respectfully submitted,

Alice Ryan Butler
Administrator