

Selectmen's Meeting
February 4, 2008
4:00 P.M.

A meeting of the Board was held on the above date in the second floor meeting room of the Peter O. Bettencourt Town Hall. Members present were Margaret E. Serpa, Chairman, and Arthur Smadbeck. Selectman Michael J. Donaroma was absent. Also absent was Town Administrator Pamela M. Dolby.

The applicant for a public hearing on a request to remove a public shade tree was not present at 4:00 p.m., the scheduled time to begin the hearing.

Selectman Smadbeck made a motion to vote that the Selectmen authorize and direct the Town Administrator to confirm Edgartown's participation in the consortium (New England Marine Energy Consortium), subject to the constraint that in her judgment, the final statement of the organization's Mission and Purpose is substantially consistent with that in the attached draft. Chairman Serpa seconded and it was so voted, 2-0. Passage of the motion had been recommended by Kitt Johnson, Chairman of the Edgartown Energy Advisory Committee.

Ed Charter, representing Donna Vose/Gregory Palermo, arrived for the public hearing on removal of a shade tree at 96 School St. Chairman Serpa said she had looked at the tree and asked if he intends to replace it. Chairman Serpa referred to a letter from Hagerty Tree Service that recommended removal of the tree because of extensive rot. The American Linden tree is 45 feet high. Tree Warden Stuart Fuller showed pictures of the tree to the Board. Selectman Smadbeck asked what it would be replaced with and about the dimensions of the replacement. Mr. Charter said it is the applicants' intent to replace it with an American Linden or American Bass. Tree Warden Fuller added that the tree was listed in the 2000 inventory and recommended for taking down. He recommended an American Linden with a 5" caliper replacement. Chairman Serpa said it was up to the Tree Warden's final approval.

Chairman Serpa closed the public hearing. Selectman Smadbeck moved to grant application and accept replacement of the American Linden with another 5" caliper or something similar agreed upon between the applicant and the Tree Warden. Chairman Serpa seconded and it was so voted.

The Board voted to approve Lodging House licenses to: Raymond St. Pierre, Katama Guest House; and Rozetta Hughes, The Sundial, 54 Road to the Plains.

The Board then spoke of the puff back at the Edgartown Public Library.

Selectman Smadbeck read the declaration: "I move that the Board declare than an emergency exists at the Edgartown Library in connection with the soot and oil damage produced

by the recent furnace ‘puff back’ occurrence under Section 8 of the Uniform Procurement Act and for the purpose of incurring financial liabilities in excess of current appropriations. The Board further determines that the time required to comply with the advertising requirements of the Uniform Procurement Act will endanger the health and safety of the public, town employees, and town property and that moving forward with the library cleanup as expeditiously as possible is necessary in the public interest.

“I also move that the Board authorize the Chair to send a letter to the Director of Accounts at the Department of Revenue requesting authority to pay the above noted liabilities in excess of appropriation up to \$130,000.” Selectman Smadbeck also read an opinion by Town Counsel Ronald H. Rappaport supporting this. The motion was seconded and so voted.

There being no further business, the regular session ended at 4:15 p.m.

APPROVED:

Margaret E. Serpa, Chairman

Arthur Smadbeck

Michael J. Donaroma

BOARD OF SELECTMEN

Respectfully submitted,

Karen M. Fuller, Secretary to the
Selectmen and

Hope Waingrow, secretary