

Board of Selectmen Meeting

**Remote Participation Only**

August 25, 2020

Present: Chairman Jason Balboni, Selectmen Gail Barmakian, Gregory Coogan, Brian Packish, Ryan Ruley. Also present: Town Administrator Robert Whritenour, Executive Assistant Alice Ryan Butler.

**Meeting called to order at 4:32 p.m.**

A moment of silence was observed for Dennis daRosa.

**Appointments**

Request for appointment as the Local Inspector. Matthew Rossi

***Selectman Coogan motioned to appoint Matthew Rossi as the Local Inspector, seconded by Selectman Ruley. Vote was:***

***Chairman Balboni Aye***

***Selectman Coogan Aye***

***Selectman Packish Aye***

***Selectman Ruley Aye***

Request for reappointment as the Conservation Commission representative to the Community Preservation Commission. Joan Hughes

Did not attend.

Request for re-appointment to the Affordable Housing Committee.

Karen Tewhey.

***Selectman Coogan motioned to re-appoint Karen Tewhey to the Affordable Housing Committee, seconded by Selectman Ruley. Vote was:***

***Chairman Balboni Aye***

***Selectman Coogan Aye***

***Selectman Packish Aye***

***Selectman Ruley Aye***

Selectman Barmakian entered the meeting.

Katie Donohue

***Selectman Coogan motioned to re-appoint Katie Donohue to the Affordable Housing Committee, seconded by Selectman Barmakian. Vote was:***

***Chairman Balboni Aye***

***Selectman Barmakian Aye***

***Selectman Coogan Aye***

**Selectman Packish Aye**  
**Selectman Ruley Aye**

Request for appointment to the Vineyard Long-Range Transportation Task Force. Jack Law  
**Selectman Packish motioned to appoint Jack Law to the Steamship Authority's Vineyard Long Range Transportation Task Force, seconded by Selectman Ruley. Vote was**

**Chairman Balboni Aye**  
**Selectman Barmakian Aye**  
**Selectman Coogan Aye**  
**Selectman Packish Aye**  
**Selectman Ruley Aye**

### **Minutes**

July 14, 2020

**Selectman Coogan motioned to accept the Minutes of July 14, 2020, seconded by Selectman Barmakian.**

**Chairman Balboni Aye**  
**Selectman Barmakian Aye**  
**Selectman Coogan Aye**  
**Selectman Packish Aye**  
**Selectman Ruley Aye**

### **Old/New Business**

Joint meeting with the Affordable Housing Trust to approve funds of \$1,500 for a septic test.

Members of the Affordable Housing Committee: Peter Bradford, Mark Crossland,

Karen Tewhey, Jim Bishop, Mark Leonard.

**Chairman Balboni called the meeting to order at 4:51 p.m.**

Mr. Crossland explained that the lot involved was adjacent to the Ice Arena and would cost \$1,500 for a septic test, not \$3,000 as originally stated.

**Mr. Bradford motioned to approve \$1,500 for a septic test for the lot adjacent to the Ice Arena, seconded by Selectman Coogan.**

Selectman Barmakian asked why the lot should be tested for a septic system, since that area will be sewered? Selectman Packish said that when that would happen was unknown.

Mr. Bradford said sewerage could be part of phase two and the developer would be involved.

**Chairman Balboni Aye**  
**Selectman Barmakian Aye**  
**Selectman Coogan Aye**  
**Selectman Packish Aye**  
**Selectman Ruley Aye**  
**Mr. Bishop Aye**  
**Mr. Crossland Aye**  
**Ms. Tewhey Aye**

**Selectman Coogan motioned to close the Hearing, seconded by Mr. Bradford. Vote was:**

**Chairman Balboni Aye  
Selectman Barmakian Aye  
Selectman Coogan Aye  
Selectman Packish Aye  
Selectman Ruley Aye**

Request for Emergency Appointment of two Interim Constables to serve in the State Primary on September 1, 2020 and the Presidential Election on November 3, 2020. Until the next Annual Town Meeting in April of 2021.

There is currently only one Constable, recently elected and not yet trained. Town Clerk suggested Deborah Holtzer Potter and Raymond J. Moreis, Jr.

**Selectman Ruley motioned to appoint Deborah Holtzer and Raymond J. Moreis, Jr. as Interim Constables until the next Annual Town Meeting in April, 2021, seconded by Selectman Coogan. Vote was:**

**Chairman Balboni Aye  
Selectman Barmakian Aye  
Selectman Coogan Aye  
Selectman Packish Aye  
Selectman Ruley Aye**

### **Public Hearing**

Pursuant to MGL Chapter 140, Section 157 the Board of Selectmen will hold a Hearing on Tuesday, August 25, 2020 at 5:00 p.m. regarding a dog complaint against Ben Durrell, 2 Gull Landing, Oak Bluffs, MA at which Hearing a bond may be placed on the dog.

Animal Control Officer Grace Burke reported on the incident of Mr. Durrell's dog biting a woman which required Emergency Room Care. ACO Burke quarantined the dog for ten days and filed a report on a Nuisance Dog. The victim, Sallyann Kakas gave her report on the incident. Her injuries may require surgery.

Mr. Durrell reported that it is not the first time the dog has bitten someone. The dog has been part of his family for over eight years, he has young children, and doesn't feel that the dog is a threat to them. However, Ms. Kakas is more important than the dog. He has installed a \$12,000 fence and is willing to install more fencing. He also feels the dog should be classified as "dangerous" rather than a "nuisance" he is willing to have the dog "put down" but would first like to take two weeks to find a facility off Island that would be willing to take the dog. He has spoken to two prospective places.

Chief Blake suggested the Selectmen leave the Hearing open, work with ACO Burke, secure the fence, try to re-home the dog, put a bond on the dog.

The Selectmen discussed the remedies suggested by MGL, Chapter 140, Section 157 which involved continuing the Hearing, restraining, confining, \$100,000 proof of insurance, muzzling, euthanizing. Mr. Durrell asked for two days to find a suitable facility for the dog.

**Selectman Coogan motioned to close the Hearing, seconded by Selectman Ruley. Vote was:**

**Chairman Balboni Aye**  
**Selectman Barmakian Aye**  
**Selectman Coogan Aye**  
**Selectman Packish Aye**  
**Selectman Ruley Aye**

**Selectman Ruley rescinded his second of the motion**

**Selectman Packish motioned to re-open the Hearing and continue it for two weeks, to classify the dog as “dangerous” and work with ACO Burke, also he should be restrained, confined, and muzzled while looking for an appropriate home, seconded by Selectman Coogan.**

**Chairman Balboni Aye**  
**Selectman Coogan Aye**  
**Selectman Packish Aye**  
**Selectman Ruley Aye**

#### **Town Administrator’s Report**

- Seaport Economic Council – North Bluff
- Town Hall Update
- Fire Department Update
- Streetscape Project
- Post Office Outreach  
(Attached)

#### **Selectmen’s Update**

Selectman Ruley thank Town Administrator Whritenour and Chairman Balboni for “staying on top” of the Post Office problem. He also suggested having an update each meeting on the Fire Department.

Selectman Packish announced a ZOOM meeting on the Streetscape Committee.

#### **Adjourn**

**Selectman Coogan motioned to adjourn at 6:50 p.m., seconded by Selectman Ruley. Vote was:**

**Chairman Balboni Aye**  
**Selectman Coogan Aye**  
**Selectman Packish Aye**  
**Selectman Ruley Aye**

Respectfully submitted,

Alice Ryan Butler  
Executive Assistant