

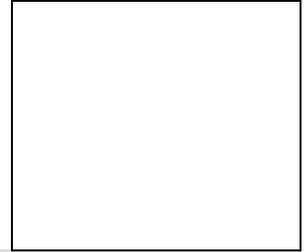


MEETING POSTING

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting **notices and agenda** must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)



Committee/Board/s | Finance Committee

Day, Date, and Time | Wednesday, March 30, 2016 at 1:00pm

Location / Address | 4 Fairgrounds Road Community Room

Signature of Chair or Authorized Person | Lynell Vollans

WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

1. Call to Order
2. Announcements
 - a. The Finance Committee Meeting is Being Video/Audio Recorded
3. Public Comment
4. Approval of Minutes from Meetings on February 29, 2016, March 1, 2016, March 7, 2016 and March 8, 2016
5. Declaration of Emergency to Allow for Snow and Ice Expenditures
6. Discussion of Possible Technical Amendments to Warrant Articles
7. Adjournment



Town of Nantucket Finance Committee Joint with Board of Selectmen

www.nantucket-ma.gov

Committee Members: James Kelly (Chair), Clifford Williams (Vice-chair), Matthew T. Mulcahy, John Tiffany, David Worth, Stephen Maury, Craig Spery, Joseph T. Grause Jr.; Peter McEachern

MINUTES

Monday, February 29, 2016

4 Fairgrounds Road, Community Room – 4:00 p.m.

FinCom called to order at 4:03 p.m.

BOS called to order at 4:03 p.m.

Staff in attendance: Libby Gibson, Town Manager; Gregg Tivnan, Assistant Town Manager; Brian Turbitt, Director of Finance; Lynell Vollans, Assistant Director of Finance; Kara Buzanoski, Director DPW; Terry Norton, Town Minutes Taker

Attending Members: Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Absent Members: None

Late Arrivals: None

Early Departures: None

Town Counsel: John Giorgio, Kopelman & Paige, P.C.

BOS Attendees: Bobby DeCosta, Matt Fee, Rick Atherton, Dawn Hill-Holdgate

Documents used: Citizen Warrant Articles for 2016 Annual Town Meeting.

I. ANNOUNCEMENTS

1. None

II. PUBLIC COMMENT

1. None

III. JOINT MEETING WITH BOARD OF SELECTMEN (BOS): ARTICLE 18 FUNDING

1. Article 18 (Appropriation: Sewer project/Nantucket Harbor Shimmo; Plus Infill Parcels in Town Sewer District)

Sitting Williams (acting chair), Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused Kelly

Discussion **DeCosta** – The BOS voted to set split at 60/40. In the research he’s done, he found the unlisted cost over the betterment is another \$20,000-\$25,000.

Maury – Everyone on the island benefits. Given the \$20,000-\$25,000 average per home is on the low side. He would support less than the 60% Betterment.

Mulcahy – Suggested talking about the number.

Worth – The Sewer Planning Work Group (SPWG) voted for a 50/50 split.

Hill-Holdgate – For each property with a potential for a second dwelling, asked if that second dwelling is included.

Turbitt – That’s included in the numbers.

Fee – The reason it switched from the initially discussed land valuation assessment is because some out-lying areas were exorbitant and that is not defensible. The uniform method is accepted throughout the state.

Spery – Asked what the BOS vote was on the 60/40 split.

Fee – 3-2.

DeCosta – The BOS was leaning toward the 60/40 because of the ability to spread out the betterment over the 30 years of the payment and the zero percent financing. Personally, he would support a 30/70 split: 70% on the tax base and 30% betterment.

Turbitt – Reviewed the 30/70 split numbers.

Fee – There are people on septic who likely won't ever be connected to sewer; feels the impact on them has to be considered.

Worth – He believes that clean harbor water is worth \$100 for everyone on the island, as that is roughly the tax impact with 100% on the tax base.

Fee – Asked how the betterment for commercial properties is calculated.

Turbitt – The betterment is calculated based upon a formula equivalent to an equal number of bedrooms under Title 5.

Fee – Asked about the increase of the tax bill for commercial businesses.

Atherton – Suggested it is instructive to look back at the first go-round for the Surfside Treatment Plant upgrades and expansion several years ago. In his opinion, people not on sewer might feel put upon. We need to recognize that, in terms of getting the ballot vote.

Worth – There are properties on septic in these watershed areas that will have to upgrade.

Atherton – The Board of Health has a regulation for the Harbor Watershed District that will require the upgrade of a septic over time. The intent of the regulation is that in time all lots in watershed areas will hook up to sewer.

Worth – An important point that needs to be solved is that the cost of hook up to sewer is equivalent to putting in a septic system.

Discussion about equity for septic users.

DeCosta – This is an unfunded mandate from the state. We have an opportunity, now, to qualify for zero percent financing which equals a saving of about \$26 million. If we don't do this now and get that zero percent, it will cost a lot more in the future.

Grause – Asked what percentage of the island will end up on sewer.

Buzanoski – Each area will add about 600 users.

Hill-Holdgate – She wants to be comfortable with this split as it will likely set a precedent for the future projects. Noted the cost of the project will increase over time.

Spery – Noted that areas that have sewer have an unfair advantage to max out their property over properties on septic systems. People on septic would end up subsidizing people on sewer.

Turbitt – Zoning allows everyone to have two dwelling units; unless otherwise documented and approved, each property would be charged 1½ sewer equivalent units. Explained that potential subdividing is included in assessing the betterment.

Nancy Wheatley, SPWG Chair – There is no evidence that being on sewer increases the value of a property. The SPWG looked for a solution that was agreeable to the majority of its members if not all. In her opinion, the value of the Island water resource is immeasurable.

Mulcahy – His concern is looking at this project in the context of all proposed capital projects and the effect of all those projects on the tax payer. He agrees that betterment for these users is very high and it is more equitable to spread them out over the tax base, as long as that also includes Madaket later on.

DeCosta – It is important to look at the long-term capital goal and plan; we need to do this now because it is about \$26 million in interest alone and Madaket is probably another \$30 million in interest; that interest accounts for a large amount of capital expenditure for the next 10 years. If we don't move forward now and get the zero percent financing, we will end up funding the sewer alone and none of the other capital projects we want.

Mulcahy – Asked if this is held for a Special Town Meeting (STM) would the Town still qualify for zero percent.

Turbitt – The application would be made in August.

Tiffany – Asked if we would be legally locked in with the same split for additional sewer projects.

Giorgio – Legally Town Meeting votes for the split for all projects. If the Town Meeting vote is silent as to the method of assessment or the split, it is up to the Sewer Commissioners. Stated he has never seen a sewer project assessed based on the land valuation assessment method; the uniform unit method is a more standard procedure. Whatever method is used, it has to be reasonable and proportional; the uniform unit method is the most legally defensible.

Williams – Agrees with the point that everyone benefits from clean harbor water. Asked what happens when someone says they don't have the money.

Turbitt – A real estate lien goes on the tax bill when the betterment is apportioned to the property.

DeCosta – Sewer Commissioners can waive the hook up and the privilege fees.

Williams – Asked if the connection fee can be lowered with the addition of new hook-ups.

MacEachern – Asked how productive the sewer plant becomes with additional hook ups.

Buzanoski – It doesn't change. The Town just received a permit to increase the capacity of the plant; the permit encompasses the full build-out of projects in the 20-year plan. The more users, the more cost effective.

Spery – There is a lot here; how is all this information going to be presented in a legible form before ATM.

DeCosta – We need a percentage to take to ATM.

Discussion opened to the public 4:59 p.m.

Paul Bennett – Asked if the sewer betterment assessment has ever been used on Nantucket.

DeCosta – Never.

Bennett – People's taxes have paid for sewer going down various roads where now developers are putting up subdivisions and not paying a betterment fee.

Turbitt – At 100% on the tax base, it would be \$130 a year for a \$1.2 million home.

Giorgio – Privilege fees and betterments are both assessments; the difference is the betterment is paid up front whether or not someone hooks up; a privilege fee is paid upon hook up.

Patty Meyers – Asked what people on fixed income or working class would be expected to do; that's a lot of money for them.

Jim Cooper – Asked what happens when someone puts in a 30-house subdivision with sewer lines out to the main line; asked if the betterment fee is for one line or 30 houses.

Giorgio – The betterment assessment would be based upon zoning build-out potential.

Hill-Holdgate – Confirmed that if a property is restricted to one dwelling, there is no charge for a second dwelling.

Williams – All options should be presented at ATM.

Spery – He thinks people getting sewer are getting an advantage.

Cooper – If some fee could be waived, that should be pointed out at ATM.

Michael Glowacki – The question is "where is the public interest?" The BOS and FinCom should trust the public. Asked why Nantucket Harbor-Shimmo and Madaket/Warrens Landing/Somerset can't be done at the same time.

Giorgio – Reviewed Article 17 – Acceptance of Massachusetts General Law: Sewer betterment Deferral. Explained how people would qualify for exemptions to enter into a Deferral and Recovery Agreement with the Sewer Commissioners.

Worth – The other part of this whole equation is getting the pipe to the house, cost of installation, and abandonment of the septic, which can be equal to the betterment. There is no deferment for those charges.

Hill-Holdgate – The septic eventually has to be replaced; once on sewer, there is no maintenance or replacement for the property owner.

Alan Myers – In his opinion, what will get this passed at ATM is looking at ways to help people finance the hook-up fee over a period of time.

Cooper – Asked if the betterment lien has to be paid at sale or can it be carried it to the new owner. Some people might be paying on loans of \$40,000 to \$55,000 for a new I/A septic system.

Turbitt – The betterment lien is typically cleared at sale.

Lucinda Young – The SPWG recommendation, public outreach, and notification of impacted properties should have all started no later than last August. She didn't hear about this until a month ago. Also, need to get the community on board in regards to the whole Comprehensive Wastewater Management Plan (CWMP). Allocating the split differently for other areas is very unfair.

David Gray, Wastewater Treatment Plant Chief Operator – No matter where you live, you use the sewer facility: in public buildings and restaurants and that's where the pumped septic effluent is dumped. This isn't all just new construction; also pump stations will be upgraded and other fixes made.

Dual MacIntyre – On behalf of septic users, we do get benefits but we have to maintain our systems, which is a considerable expense. Additional fees on the tax base that benefits other parts of the island is hard to swallow. Last election 58% of voters came from areas on septic only. Suggested following the SPWG recommendation of 50/50 split.

Worth – There has been a lot of discussion of how to address people permanently on septic so that equity smoothes out.

Myers – This discussion is bringing out issues that should be ironed out if this article is to pass.

DeCosta – Other areas were sewered without betterment and we repaired the downtown sewer without betterment. The big issue is that the zero interest rate will save a lot of money long term. Noted that this discussion has been going on for two years and includes: storm run-off, fertilizer, and CWMP. The issue we don't know at this moment is the percentage on betterment. Discussion on the motion among the board members about the percentage on the tax base.

Motion Motion to Approve 100% on the tax base. (made by: DeCosta/seconded by: Hill-Holdgate for BOS) (made by: Mulcahy/seconded by: Worth for FinCom)

Vote Not Carried 1-3 BOS
Not Carried 4-4 FinCom

Motion Discussion on the motion among the board members on the 20/80 split.
Motion to Approve 20/80 split. (made by: Hill-Holdgate /seconded by: for BOS) (made by: Worth/seconded by: MacEachern for FinCom)

Vote Not Carried 2-2 BOS
Carried unanimously FinCom
BOS will revote at the March 2 meeting.

Discussion among FinCom about friendly amendment to 25/75.

Giorgio – BOH has accessed funds from the state to issue low-interest loans to homeowners for septic system repairs. The question is whether or not the Town can do a similar program for sewer connections. That would be complicated and might take special legislation to supplement the SRF program.

Motion **Motion to Approve 25/75 split.** (made by: Hill-Holdgate /seconded by: Fee for BOS)

Motion to make a friendly amendment of 25/75. (made by: Maury/seconded by: Williams)

Vote Carried unanimously BOS
Carried unanimously FinCom

IV. NEXT MEETING DATE/ADJOURNMENT

Date: Tuesday, March 1, 2016; 4:30 p.m.; 10 Surfside Road, NHS Cafeteria
Topics: Motions on Articles.

Adjourned: 5:55 p.m.

Submitted by:
Terry L. Norton



Town of Nantucket Finance Committee

www.nantucket-ma.gov

Committee Members: James Kelly (Chair), Clifford Williams (Vice-chair), Matthew T. Mulcahy, John Tiffany, David Worth, Stephen Maury, Craig Spery, Joseph T. Grause Jr.; Peter McEachern

MINUTES

Tuesday, March 1, 2016

10 Surfside Road, NHS Cafeteria – 4:30 p.m.

Called to order at 4:31 p.m.

Staff in attendance: Libby Gibson, Town Manager; Brian Turbitt, Director of Finance; Lynell Vollans, Assistant Director of Finance; Andrew Vorce, PLUS Director

Attending Members: Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Absent Members: None

Late Arrivals: None

Early Departures: None

Documents used: Citizen Warrant Articles for 2016 Annual Town Meeting.

I. ANNOUNCEMENTS

II. APPROVAL OF PRIOR MEETING MINUTES

- February 4, 2016; February 9, 2016; February 11, 2016; February 16, 2016 – Held

III. PUBLIC COMMENT

- Bruce Mandel, 10 Midland Avenue – In regards to financial aspects of Articles 90, 91, & 92, the Town has no bylaws dealing with renewable energy; he has submitted a draft bylaw that lists protections for the Town. Reviewed and discussed some of those protections, which he feels need to be in place prior to any agreement being entered into. Also, the State gives Nantucket a smaller allocation of net metering and his concern is giving that to a developer takes it away from a resident or small business; it should be corrected. Turbitt – Explained that many of Mr. Mandel’s concerns would be part of the RFP process. He doesn’t believe it has to be in the Warrant Articles. Discussion about whether bylaws addressing these issues are necessary or if they can be addressed in the motion of comments.
- Michael Glowacki – In regards to the sewer articles, a major breakthrough is work of Town Administration and Finance Department resulting in the spreadsheet which will help people understand the cost of new sewers on individual property owners. However, his concern revolves around the existence of a vocal minority in the community which is controlling votes which he feels played out at the February 29 joint FinCom/BOS meeting.

IV. WARRANT ARTICLES FOR 2016 ANNUAL TOWN MEETING (ATM)

- Article 1(Receipt of Reports)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion None

Motion **Motion to Adopt to motion.** (made and seconded)

Vote Carried unanimously

2. Article 2 (Appropriation: Unpaid Bills)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion None

Motion **Motion to Adopt.** (made and seconded)

Vote Carried unanimously

3. Article 3 (Appropriation: Prior Year Articles)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Mulcahy** – Asked if the prior year appropriation for Our Island Home would be used for repairs.

Gibson – Yes.

Motion **Motion to Adopt.** (made and seconded)

Vote Carried unanimously

4. Article 6 (Fiscal Year 2016 General Fund Budget Transfers)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Turbitt** – Still being worked on.

Motion **No action at this time.**

Vote N/A

5. Article 8 (Appropriation: Fiscal Year 2017 General Fund Operating Budget)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion None

Motion **Motion to Adopt.** (made and seconded)

Vote Carried unanimously

6. Article 10 (Appropriation: General Fund Capital Expenditures)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Turbitt** – This has to be held.

Motion **No action at this time.**

Vote N/A

7. Article 11 (Appropriation: Fiscal Year 2017 Enterprise Funds Operations)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion None

Motion **Motion to Adopt.** (made and seconded)

Vote Carried unanimously

8. Article 12 (Appropriation: Enterprise Funds Capital Expenditures)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion None

Motion **Motion to Adopt.** (made and seconded)

Vote Carried unanimously

9. Article 13 (Enterprise Funds: Fiscal Year 2016 Budget Transfers)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion None

Motion **Motion to Adopt.** (made and seconded)

Vote Carried unanimously

10. Article 14 (Appropriation: Airport Aviation and Administration Building Project)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Kelly** – This is for a settlement of a dispute negotiated down to \$400,000, which will come out of retained earnings and not hit the Airport operating budget.
Motion **Motion to Adopt.** (made and seconded)
Vote Carried unanimously
11. Article 15 (Appropriation: School)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Turbitt** – If this passes Town Meeting, it will go to a ballot vote.
Mulcahy – Explained his discomfort with this additional appropriation for the school in the face of the large appropriation voted last year for the new school.
Discussion about what brought about this additional appropriation and why it is necessary; the \$4.5 million is for contingencies.
Discussion about the process for releasing contingencies: that is the purview of the School Committee.
Motion **Motion to Adopt.** (made and seconded)
Vote Carried 8-1//Mulcahy opposed
12. Article 18 (Appropriation: Sewer project/Nantucket Harbor Shimmo; Plus Infill Parcels in Town Sewer District)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Gibson** – Do not yet have a motion fully reviewed for this article.
Motion **No action at this time.**
Vote N/A
13. Article 19 (Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Changes)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Gibson** – There are properties still under review for inclusion/exclusion from this article.
Motion **No action at this time.**
Vote N/A
14. Article 22 (Appropriation: Ambulance Reserve Fund)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Turbitt** – Have included the expectation that there will be two new paramedics in January 2017. Have removed the second ambulance and reallocated those funds for this.
Worth – Asked if the Fire Chief has done a business plan on the upgrade to Advanced Life Support (ALS). Concerned that raising the rates 300% on non-Medicare/-Medicade users is usury.
Kelly – Suggested deferring this for receipt of the pro forma. Pointed out that the Fire Chief indicated Nantucket rates are significantly lower than the regional standard and that the rate he proposed was higher than what the BOS finally approved.
Worth – Suggested a private vendor might be willing to provide those services at that rate. If our current operation breaks even, asked why the rates need to be raised.
Gibson – ALS-trained paramedics command higher salaries and the overall program is more costly; the idea is to cover as much of it as possible through the ambulance rates.
Turbitt – Has a business plan showing the adjusted rates; he will provide those to the members.
Motion **No action at this time.**
Vote N/A

15. Article 25 (Rescind Unused Borrowing Authority)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Turbitt** – Reviewed the reasons for the remaining authorizations. Stated that unused portions cannot be used for anything other than what is appropriated and how that is reconciled.
Motion **Motion to Adopt.** (made and seconded)
Vote Carried unanimously
16. Article 28 (Appropriation: Collective Bargaining Agreement/Laborer’s Union)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Turbitt** – Not yet ready.
Motion **No action at this time.**
Vote N/A
17. Article 33 (Zoning Bylaw Amendment/Home Rule Petition: Coastal Erosion Liability Waiver)
18. Article 34 (Zoning Map Change: RC (Residential Commercial) to CMI (Commercial Mid-Island) -Bayberry Court, Cherry Street, Chin’s Way, Dave Street, Freedom Square, Hooper Farm Road, Orange Street, Pleasant Street, Sanford Road, Sparks Avenue and West Creek Road)
19. Article 35 (Zoning Map Change: RC-2 (Residential Commercial-2) to CMI (Commercial Mid-Island) - Hanabea Lane, Nobadeer Farm Road, Old South Road and Wampanoag Way)
20. Article 36 (Zoning bylaw Amendment: Commercial Mid-Island)
21. Article 37 (Zoning Map Change: RC-2 to CTEC and R-5 – Bartlett Road and Marble Way)
22. Article 38 (Zoning Map Change: RC-2 and CTEC to R-10 or R-20 – Marble Way)
23. Article 39 (Zoning Map Change: RC-2 to CN and R-5 – Fairgrounds Road, Vincent Circle and Ticcoma Way)
24. Article 40 (Zoning Map Change: R-1 to ROH – Various Locations)
25. Article 41 (Zoning Map Change: R-20 to VR - Quidnet)
26. Article 42 (Zoning Map Change: Village Residential/Swimming Pool)
27. Article 43 (Zoning Map Change: R-20 to R-40 or LUG-1 – Crooked Lane, Grove Lane and Madaket Road)
28. Article 44 (Zoning Map Change: SR-20 to SR-5/Clifton Street, Comeau Lane and Sconset Avenue)
29. Article 45 (Zoning Map Change: CDT, ROH, R-1, R-20 and LUG-2 to R-40 - Town Open Space)
30. Article 46 (Zoning Map Change: R-20, VR, LUG-1, and LUG-2 to LUG-3 – Country Open Space)
31. Article 47 (Zoning Map Change: VTEC to VR, VTEC to LUG-3, and LUG-3 to VTEC – Hummock Pond Road)
32. Article 48 (Zoning Map Change: LUG-2 to R-40 – Evergreen Way, Daffodil Lane and Airport Road)
33. Article 49 (Zoning Map Change: LUG-2 to LUG-1; 8 Masaquet Avenue)
34. Article 50 (Zoning Map Change: LUG-2 to LUG-1 Surfside South – Boulevarde, Okorwaw Avenue and Lover’s Lane)
35. Article 51 (Zoning Bylaw Amendment: Tertiary Dwelling)
36. Article 52 (Zoning Bylaw Amendment: ‘Tiny House Unit’ District)
37. Article 53 (Zoning Bylaw Amendment: ‘Tiny House Village’ District)
38. Article 54 (Zoning Bylaw Amendment: Secondary Lots)
39. Article 55 (Zoning Bylaw Amendment: Secondary Lots – Qualified Family Member)
40. Article 56 (Zoning Bylaw Amendment: Secondary Lots – Qualified Family Member)
41. Article 57 (Zoning Bylaw Amendment: Major Commercial Development)
42. Article 58 (Zoning Bylaw Amendment: Adult Use)
43. Article 59 (Zoning Bylaw Amendment: Abandoned Vehicles)
44. Article 60 (Zoning Bylaw Amendment: Miscellaneous Technical Changes)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Gibson** – The public hearing for the zoning articles will be on March 3 and March 7.
Motion **No action at this time.**
Vote N/A

45. Article 67 (Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Changes)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – The property owner did not get the requisite points to be included into the sewer district. This received a negative recommendation.

Motion **Motion to Not Adopt.** (made and seconded)

Vote Carried unanimously

46. Article 68 (Bylaw Amendment: Board of Sewer Commissioners/Town Sewer District Map Changes)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Gibson** – This received a positive recommendation.

Motion **Motion to Adopt.** (made and seconded)

Vote Carried unanimously

47. Article 82 (Home Rule Petition: Community Housing and Sewer Funding)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Kelly** – The FinCom motion is still under development.

Motion **No action at this time.**

Vote N/A

48. Article 89 (Real Estate Acquisition: 42 Nobadeer Avenue)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – This received a positive recommendation with a change that there is no appropriation. Read the motion. There is already authority to convey this property; this article clears the title.

Motion **Motion to Adopt the motion as read.** (made and seconded)

Vote Carried unanimously

49. Article 97 (Real Estate Acquisition: Poplar Street)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – This received a negative recommendation; the motion is not to adopt.

Motion **Motion to Not Adopt.** (made and seconded)

Vote Carried unanimously

50. Article 98 (Real Estate Disposition: Poplar Street)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – This received a negative recommendation; the motion is not to adopt.

Motion **Motion to Not Adopt.** (made and seconded)

Vote Carried unanimously

51. Article 99 (Real Estate Acquisition: 40 & 42R Sparks Avenue, 42 & 44 Sparks Avenue)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – This duplicates a previous authority; there is only one parcel to be focused on.

Mulcahy – Asked what is the funding source for this.

Vorce – Assessed at about \$400,000. Because a non-profit and facility would be built on this, Town Counsel felt it would be better to have money set aside in the budget.

Gibson – The amount for damages is not easy to determine and there is no funding source identified. Suggested getting an appraisal before seeking a funding source.

Worth – He would like to see a business plan and source of financing before approving this.

Kelly – Asked if a group is overseeing this rather than it being in the hands of one private individual.

Worth – He does not feel it is appropriate for the Town to do invest time and energy in a not-for-profit business.

Tiffany – He agrees with Mr. Worth. Asked why a not-for-profit entity isn't identified in this article. He would not support this article.

Discussion on the motion.

Mulcahy – This has been going on for several years and FinCom has been very transparent about what is needed before the FinCom can approve the article.

Vorce – There was a 2014 article to acquire and convey for open space or the cemetery but not a non-profit business.

Motion **Motion Not to Adopt.** (made and seconded)

Vote Carried unanimously

52. Article 100 (Real Estate Acquisition: Wanoma Way)

53. Article 101 (Real Estate Disposition: Wanoma Way)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – Forwarded a positive motion to FinCom for these two articles. Reviewed the intent of the articles.

Motion **Motion to Adopt Articles 100 and 101.** (made and seconded)

Vote Carried unanimously

54. Article 102 (Real Estate Acquisition: Saccacha Avenue)

55. Article 103 (Real Estate Disposition: Saccacha Avenue)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – The Real Estate Advisory Committee (REAC) made a positive recommendation on these articles.

Worth – Asked who sets the price.

Vorce – Explained that the BOS sets the price and reviewed the bidding process. The REAC is putting together guidelines for the BOS for setting prices.

Motion **Motion to Adopt Articles 102 and 103.** (made and seconded)

Vote Carried unanimously

56. Article 105 (Appropriation: Capital Projects Stabilization Fund)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Turbitt** – Summarized the Capital Projects Stabilization Fund; the source is free cash. It requires ATM authorization for use.

Discussion about the purpose for this fund.

Motion **Motion to Adopt.** (made and seconded)

Vote Carried unanimously

57. Article 106 (Appropriation: Stabilization Fund)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Mulcahy** – This is well within the guidelines set by the BOS.

Tiffany – Noted that the policy is very restrictive and should be looked at.

Motion **Motion to Take No Action.** (made and seconded)

Vote Carried unanimously

58. Article 107 (Appropriation: Free Cash)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion None

Motion **Motion to Take No Action.** (made and seconded)

Vote Carried unanimously

V. NEXT MEETING DATE/ADJOURNMENT

Discussion about what work that is left for the FinCom to complete.

Article 87 (Real Estate Acquisition: Airport Property): **Vorce** – This article has been acted upon: motion to adopt. The REAC recommended the article but wanted the beach easement preserved. Asked if the FinCom wants to add that to the motion.

Article 82 (Home Rule Petition: Community Housing and Sewer Funding)

Tiffany – Asked about the status of Article 82 motion. Explained he doesn't understand how this Fund would work.

Kelly – Technical revisions are being done. Suggested a break out of the bullet points: funding, uses, etc. for review at the Monday March 7 meeting.

Article 18 (Appropriation: Sewer project/Nantucket Harbor Shimmo; Plus Infill Parcels in Town Sewer District)

Discussion about proposed and existing outreach opportunities with media outlets and the public.

Consensus is to cancel the Thursday meeting.

Date: Thursday, March 4, 2016; Cancelled

Adjourned 6:15 p.m.

Submitted by:

Terry L. Norton



Town of Nantucket Finance Committee

www.nantucket-ma.gov

Committee Members: James Kelly (Chair), Clifford Williams (Vice-chair), Matthew T. Mulcahy, John Tiffany, David Worth, Stephen Maury, Craig Spery, Joseph T. Grause Jr.; Peter McEachern

MINUTES

Monday, March 7, 2016

4 Fairgrounds Road, Community Room – 4:00 p.m.

Called to order at 4:00 p.m.

Staff in attendance: Libby Gibson, Town Manager; Brian Turbitt, Director of Finance; Lynell Vollans, Assistant Director of Finance; Andrew Vorce, PLUS Director; Leslie Snell, PLUS Deputy Director; Paul Rhude, Fire Chief; Steve Tuzik, Human Resources Director; Terry Norton, Town Minutes Taker; Tucker Holland, Affordable Housing Consultant; Ann Kuszpa, Director Housing Nantucket

Attending Members: Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Absent Members: None

Late Arrivals: Mulcahy, 4:18 p.m.

Early Departures: None

Documents used: February 4, 9, 11, 16, & 18, 2016 minutes; Warrant Articles for 2016 Annual Town Meeting; Warrant article worksheet.

I. ANNOUNCEMENTS

II. APPROVAL OF PRIOR MEETING MINUTES

1. February 4, 2016: **Motion to Approve.** (made by: Tiffany) (seconded by: Maury) Carried 6-0//Kelly & Worth Recused
2. February 9, 2016: **Motion to Approve.** (made by: Tiffany) (seconded by: Maury) Carried 6-0//Kelly & Worth Recused
3. February 11, 2016: **Motion to Approve.** (made by: Tiffany) (seconded by: Maury) Carried 6-0//Kelly & Worth Recused
4. February 16, 2016: **Motion to Approve.** (made by: Tiffany) (seconded by: Maury) Carried 6-0//Kelly & Worth Recused
5. February 18, 2016: **Motion to Approve.** (made by: Tiffany) (seconded by: Maury) Carried 6-0//Kelly & Worth Recused

III. PUBLIC COMMENT

1. None

IV. DISCUSSION AND MOTIONS ON WARRANT ARTICLES FOR 2016 ANNUAL TOWN MEETING (ATM)

1. Article 6 (Fiscal Year 2016 General Fund Budget Transfers)

Sitting Kelly, Williams, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion Discussion about the reasons for the transfers.

Spery – Asked if there was any movement as to offering HMOs.

Turbitt – Reviewed the status of HMOs; hopefully those will be offered soon.

Motion **Motion to Adopt.** (made by: McEachern) (seconded by: Tiffany)

Vote Carried unanimously

2. Article 10 (Appropriation: General Fund Capital Expenditures)

Sitting Kelly, Williams, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Kelly** – We had asked for an appropriation of \$1 million to be transferred to Affordable Housing Trust.

Turbitt – It was voted by the Board of Selectmen (BOS) to add that appropriation to the article; the \$1 million will come from free cash.

Consensus is not to vote on this until after the discussion of Article 82, which addresses the Affordable Housing Trust Fund.

Motion **No action at this time.**

Vote N/A

3. Article 18 (Appropriation: Sewer project/Nantucket Harbor Shimmo; Plus Infill Parcels in Town Sewer District)

Sitting Williams (acting chair), Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused Kelly

Discussion **Turbitt** – A motion was made for the 25/75 split but FinCom still needs to make a motion for Article 18 because it has the uniform allocation method, and is contingent upon a debt exclusion vote. Right now he has very good planning data but there are restrictions that must be reviewed. Doesn't expect the budget to change.

Grause – Asked if the BOS has voted on the definition for “single sewer unit.”

Turbitt – A 4-bedroom dwelling equals a single sewer unit.

Spery – There was a discussion about property owners deferring payments; asked if that is factored in.

Turbitt – Deferrals don't change the sewer equivalent number. If there is a cost overrun, the betterment can bear it as long as it doesn't exceed the preliminary assessment.

Discussion on how a betterment fee is assessed against a property whether or not the property is developed to its fullest potential at the time of assessment.

Turbitt – The motion is to authorize \$41 million in spending and to allocate 25% as betterment and 75% as tax rate using the uniform allocation method and the debt exclusion contingent on a successful ballot vote.

Motion **Motion to Adopt.** (made by: Grause) (seconded by: Spery)

Vote Carried 7-0

4. Article 19 (Bylaw Amendment: Board of Sewer Commissioners/Sewer District Map Changes)

Sitting Williams (acting chair), Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused Kelly

Discussion **Gibson** - After some review, there are seven deletions from the Nantucket Harbor-Shimmo district and three modifications but nothing has been added.

Motion **Motion to Adopt.** (made by: Maury) (seconded by: Tiffany)

Vote Carried unanimously

5. Article 22 (Appropriation: Ambulance Reserve Fund)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Turbitt** – Reviewed changes made based upon the BOS vote. We don't start to break even until 2020 due to the additional cost of upgrading the ambulances and purchase of a new ambulance. The motion language has not changed.

Rhude – Nationally 70% of calls result in advanced-life support (ALS); locally 70% of our calls qualify as ALS, which we do not currently provide.

Worth – Asked if a basic-life support (BLS) type call would be billed under BLS or under ALS.

Rhude – If the treatment provided is BLS-level care, the patient would be billed for a BLS call. The billing is the result of the treatment provided. Noted Nantucket is the last community in Massachusetts that does not provide ALS; that is now the national standard.

Worth – Finds the increase in charges for services to be a significant burden and feels Nantucket has functioned well with just BLS paramedics. We don't have greater the distances and transfer time as the main land.

Discussion about the benefits of being able to provide ALS treatment before reaching the hospital.

Maury – Asked about the revenue projections. For 2017, you have \$666,000 projected revenue for BLS and only \$150,000 for ALS.

Rhude – The projected revenue is the difference between ALS and BLS calls; the total revenue is about \$800,000. \$450,000 is projected new revenue.

Discussion about how bad debts are handled and that the fire department has very few non-collected bills.

Spery – Asked if the revenue projections are based upon what the BOS approved.

Rhude – Yes. A BLS charge is \$450; ALS charge is \$1,950; and ALS-2 is \$3,010. Explained how he calculated the new rates. ALS for Medicare is \$350; for private insurance it would be \$1,950 and insurance would pay all but the deductible.

Motion **Motion to Adopt.** (made by: Grause) (seconded by: Maury)

Vote Carried 8-1//Worth opposed

6. Article 28 (Appropriation: Collective Bargaining Agreement/Laborer's Union)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Grause** – The educational amount seems like a large amount of money.

Turbitt – That relates to having an advanced degree. This contract is consistent with all other union contracts.

Spery – Two managers were removed from the union and the new Visitor's Services Director won't be union. It seems that this should be consistent with those and be out of the union.

Tuzik – This agreement has been in full effect since July 1, 2015 and runs through June 30, 2018; no changes can be implemented at this time. Changes are being made as applicable when the opportunity arises.

Turbitt – If there were a vacancy or the contract were up for renewal, there would be internal discussion as to whether or not that is an opportunity to change.

Discussion about the existence of brackets and tiers on union positions for Town employees.

McEachern – Asked the reason for not showing vacations, holiday, training, and sick leave.

Turbitt – Explained that it is hard to project any of those; there are limits to the carry over. This has a positive vote from the BOS.

Motion **Motion to Adopt.** (made by: Maury) (seconded by: Tiffany)

Vote Carried unanimously

7. Article 33 (Zoning Bylaw Amendment/Home Rule Petition: Coastal Erosion Liability Waiver)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – Explained that the public hearing for zoning articles was held and the Planning Board closed 8 of the remaining zoning articles and five are expected to be closed at the March 7 meeting.

The Planning Board motion is to take no action with a comment to defer to the BOS for a work group to look at this in detail. Reviewed technical flaws with the definition of an area subject to erosion.

Motion **Motion to Support the Planning Board recommendation.** (made by: Worth) (seconded by: Grause)

Vote Carried unanimously

8. Article 36 (Zoning bylaw Amendment: Commercial Mid-Island)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion Vorce – Not completed yet.
Motion **No action at this time.**
Vote N/A

9. Article 37 (Zoning Map Change: RC-2 to CTEC and R-5 – Bartlett Road and Marble Way)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – The Planning Board gave this a positive motion.
Motion **Motion to Support the Planning Board recommendation.** (made by: Maury) (seconded by: Williams)
Vote Carried unanimously

10. Article 38 (Zoning Map Change: RC-2 and CTEC to R-10 or R-20 – Marble Way)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – The Planning Board gave this a recommendation to take no action.
Motion **Motion to Support the Planning Board recommendation.** (made by: Worth) (seconded by: Maury)
Vote Carried unanimously

11. Article 49 (Zoning Map Change: LUG-2 to LUG-1; 8 Masaquet Avenue)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – The Planning Board gave this a positive recommendation.
Motion **Motion to Support the PB recommendation.** (made by: McEachern) (seconded by: Grause)
Vote Carried unanimously

12. Article 50 (Zoning Map Change: LUG-2 to LUG-1 Surfside South – Boulevarde, Okorwaw Avenue and Lover's Lane)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – The Planning Board gave this a positive recommendation with a minor technical change in the motion. The ½-acre lots would get an increase in ground cover but remain pre-existing non-conforming.
Motion **Motion to Support the Planning Board recommendation.** (made by: Spery) (seconded by: Mulcahy)
Vote Carried unanimously

13. Article 52 (Zoning Bylaw Amendment: 'Tiny House Unit' District)

14. Article 53 (Zoning Bylaw Amendment: 'Tiny House Village' District)

15. Article 55 (Zoning Bylaw Amendment: Secondary Lots – Qualified Family Member)

16. Article 56 (Zoning Bylaw Amendment: Secondary Lots – Qualified Family Member)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion None
Motion **No action at this time on Articles 52, 53, 55, & 56.**
Vote N/A

17. Article 57 (Zoning Bylaw Amendment: Major Commercial Development)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – This is a clean-up article with a positive recommendation

Motion **Motion to Support the Planning Board recommendation.** (made by: Tiffany) (seconded by: Williams)

Vote Carried unanimously

18. Article 59 (Zoning Bylaw Amendment: Abandoned Vehicles)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Vorce** – Slight change in language are necessary to be consistent with existing bylaws; this received a positive motion. A property may have only one unregistered vehicle on it at a time.

Snell – Explained a work group addressed “problem properties”; there were different enforcement standards for the police and Zoning Enforcement Officer. This will standardize the enforcement of the regulation for both entities. Abandoned vehicles can be considered an attractive nuisance, an eyesore, and become a home for rodents.

Gibson – Enforcement would be complaint driven and based on several complaints.

Maury – Expressed his concerns in regards to this article.

Williams – Asked if vehicles housed in temporary structures would fall under this bylaw.

Snell – Not if the temporary barn is for that purpose. Stated that vehicle repair shops are covered by their permits.

Motion **Motion to Support the Planning Board recommendation.** (made by: Grause) (seconded by: Williams)

Vote Carried 8-1//Maury opposed

19. Article 60 (Zoning Bylaw Amendment: Miscellaneous Technical Changes)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Snell** – The Planning Board closed this; proposed changes to the height of structures did not move forward; so height remains the same.

Maury – Asked what affect the proposed heights will have on buildings in the CMI district.

Snell – In CMI only, structures could be up to 40 feet with the exception of Madaket, which has a maximum height of 25 feet. Will need a technical amendment to strike Number 3.

Worth – The height limitations went from 28 to 30 feet in the flood plain heights.

Snell – Those structures could go up to 40 feet. The Planning Board decided to accommodate height limitations in local zoning.

Motion **Motion to Support the Planning Board recommendation.** (made by: Maury) (seconded by: McEachern)

Vote Carried unanimously

20. Article 65 (Bylaw Amendment: Town of Nantucket Right to Farm)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Gibson** – The only question for the motion is about the definition of Agri-tourism.

Discussion about the definition of Agri-tourism being too broad and allowing for abuse of the intent of this article.

Motion **Motion to Adopt the motion as written with the striking out of the term “Agri-tourism” under the definition.** (made by: Maury) (seconded by: Tiffany)

Vote Carried unanimously

21. Article 70 (Bylaw Amendment: Nuisance Animals)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Gibson** – This board previously adopted the concept but the motion itself was not written until now.

Discussion about whether or not “disturbing the peace” is defined.

Motion **Motion to Adopt.** (made by: Tiffany) (seconded by: Spery)

Vote Carried unanimously

22. Article 82 (Home Rule Petition: Community Housing and Sewer Funding)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion **Maury** – We had suggested a sunset provision. Asked if that has been added and who crafted this article.

Holland – This article has origins in an attempt from 2008 and a group that arrived at this current version. A sunset provision might be appropriate but there wasn’t a definitive consensus among the group that put this article together.

Maury – Without goals and objectives; we don’t know the problems we want to solve; if we get to 25% Affordable housing and there is still a stream of revenue, we are competing with other housing. Suggested the affordable housing program could drive up housing costs.

Linda Williams, Affordable Housing Trust Fund (AHTF) Chair – She doesn’t agree this will drive up housing costs. The AHTF put the \$2 million threshold so that it exempts most of the mid-island, year-round population. Does not agree with a sunset date; this can be voted out if the goals and objections are met. This needs to get going now with the \$100,000 threshold as voted by the BOS as it will take time to get it through the State legislature.

Kelly – Asked if there is a projection on the trajectory to meet the 10%.

Vorce – there are projects in the pipeline that might lead to reaching the 10%. Numbers currently working off are good to 2020. Right now, if Richmond Development moves forward, that will bring to 7%; that gap can be filled with other projects that are being discussed; safe harbor can be reached within one or two years.

Worth – Pointed out that a limited liability corporation could be set up to divided and sell a property to keep it under the \$2 million threshold.

Holland –The Nantucket Islands Land Bank has provided recommendations on how to certify transactions and assistance in projecting the revenue range.

Maury – The 25% is intended to go back into the capital fund but presently looks to be going into the general fund; that could be viewed as a tax. Asked if there is a way to segregate the 25% to get to its intended purpose.

Vorce – The Capital Stabilization Fund was identified by Town Counsel as the place for this; it would take a vote of Town Meeting to use the money. There is language that requires this to go back to legislation for any adjustment; that could be reworded to include being adjusted to zero for closure of the program.

Consensus of the board would like to see that language.

Maury – Asked if there was a projection on the number of properties AHTF could purchase on \$1 million.

L. Williams – No; looking at options presently. Currently they don’t have any funding.

Motion **No action at this time.**

Vote N/A

23. Article 87 (Real Estate Acquisition: Airport Property)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Recused None

Discussion None

Motion **No action at this time.**

Vote N/A

V. NEXT MEETING DATE/ADJOURNMENT

Date: Tuesday, March 8, 2015; 4:30 p.m.; 10 Surfside Road, NHS Cafeteria

Topics: Motions for Article 10, Zoning Articles 36, 52, 53,55, 56, Article 82, & Article 87

Adjourned 6:14 p.m.

Submitted by:

Terry L. Norton

PROPOSED



Town of Nantucket Finance Committee

www.nantucket-ma.gov

Committee Members: James Kelly (Chair), Clifford Williams (Vice-chair), Matthew T. Mulcahy, John Tiffany, David Worth, Stephen Maury, Craig Spery, Joseph T. Grause Jr.; Peter McEachern

MINUTES

Tuesday, March 8, 2016

10 Surfside Road, NHS Cafeteria – 4:30 p.m.

Called to order at 4:35 p.m.

Staff in attendance: Libby Gibson, Town Manager; Brian Turbitt, Director of Finance; Lynell Vollans, Assistant Director of Finance; Andrew Vorce, PLUS Director; Tucker Holland, Affordable Housing Consultant

Attending Members: Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern

Absent Members: Worth stepped out between 5:10 to 5:12 p.m.

Late Arrivals: None

Early Departures: Tiffany, 5:38 p.m.

Documents used: Warrant Article 10, Article 15, Zoning Articles 36, 52, 53,55, 56, Article 82, Article 96, & Article 99 for 2016 Annual Town Meeting.

I. ANNOUNCEMENTS

1. None

II. APPROVAL OF PRIOR MEETING MINUTES

1. None

III. PUBLIC COMMENT

1. Article 18 (Appropriation: Sewer project/Nantucket Harbor Shimmo; Plus Infill Parcels in Town Sewer District) ((Kelly recused))

James Cooper – In regards to the betterment fee, the cost for abandonment of an existing septic and hook up to sewer is such that people who have put in I/A systems have spent up to \$70,000. Wonders if there is a way to allow those people to get a four-or five-year waiver before they have to tie into the sewer.

Gibson – The avenue for a property owner to seek a waiver is through the Board of Health; there is no way to put it into the article.

Discussion about granting waivers from the Board of Health regulation requiring 6 months to hook up to Town sewer and getting language to the effect at Town Meeting.

Michael Glowacki – Asked what the rationale is for any amount of betterment.

Mulcahy – The answer is that it is a politically pragmatic solution. This article will be called at Town Meeting and different scenarios will be available for discussion.

Discussion about public feedback on this article and reconsidering the FinCom recommendation and put 100% on the tax base.

Gibson – The Board of Selectmen (BOS) should be given the opportunity to weigh in. It's too late to post a meeting for Thursday for reconsidering the motion; the warrant goes to the printer on Friday. Could do a technical amendment for a change to 100% on the tax base.

Further discussion on whether or not to reconsider the FinCom vote.

IV. DISCUSSION ON MOTIONS FOR WARRANT ARTICLES FOR 2016 ANNUAL TOWN MEETING (ATM)

1. Article 36 (Zoning bylaw Amendment: Commercial Mid-Island)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – The Planning Board concluded its hearing. Article 36 received a positive recommendation with a change to Section 1; reviewed the change.
Motion **Motion to Support the Planning Board recommendation.** (made and seconded)
Vote Carried unanimously
2. Article 52 (Zoning Bylaw Amendment: ‘Tiny House Unit’ District)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – The Planning Board gave this a motion not to adopt. The issue is mobility of the dwelling and that the tertiary dwelling allowance allows for everything here except the trailer capability and ability to hook into utilities or sewer.
Maury – Asked if there was discussion about districts where a tiny house would be allowed if the trailer were struck.
Vorce – There was discussion about limiting it to same districts as tertiary dwellings; it came down to the mobility and that trailered structures are not permitted. A structure less than 500 square feet can still be built in those districts and in such a way that it could be moved.
Motion **Motion to Support the Planning Board recommendation.** (made and seconded)
Vote Carried unanimously
3. Article 53 (Zoning Bylaw Amendment: ‘Tiny House Village’ District)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – The Planning Board motion was not to adopt.
Motion **Motion to Support the Planning Board recommendation.** (made and seconded)
Vote Carried unanimously
4. Article 55 (Zoning Bylaw Amendment: Secondary Lots – Qualified Family Member)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – The Planning Board gave this a positive motion with the caveat that to fully implement the article, there would have to be home rule petition and amendment to the bylaws, that would have to be accomplished at a Special Town Meeting.
Motion **Motion to Support the Planning Board recommendation.** (made and seconded)
Vote Carried unanimously
5. Article 56 (Zoning Bylaw Amendment: Secondary Lots – Qualified Family Member)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – The Planning Board gave this a motion not to adopt.
Motion **Motion to Support the Planning Board recommendation.** (made and seconded)
Vote Carried unanimously
6. Article 87 (Real Estate Acquisition: Airport Property)
Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Vorce** – Believes the FinCom voted on this. The Real Estate Advisory Committee (REAC) recommended moving forward with the inclusion of, “ shall be one-big-beach easement”.
Motion Motion to Reconsider Article 87. (made and seconded)
Vote Carried unanimously
Motion **Motion to Accept the recommended changes and add to the motion.** (made and seconded)
Vote Carried unanimously

7. Article 96 (Real Estate Disposition: Woodbine)

Sitting Kelly, Williams, Mulcahy, Tiffany, Maury, Spery, Grause, McEachern
Recused Mr. Worth stepped out.
Discussion **Vorce** – The REAC want to ensure the beach easement was maintained.
Motion **Motion to Adopt.** (made and seconded)
Vote Carried 8-0

8. Article 15 (Appropriation: School)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Kelly** – The comment came from the school board explaining the reasons for this additional appropriation.
Gibson – Read back an addition to the comment suggested by the board.
Motion **Motion to Adopt the comment as amended.** (made and seconded)
Vote Carried unanimously

9. Article 99 (Real Estate Acquisition: 40 & 42R Sparks Avenue, 42 & 44 Sparks Avenue)

Sitting Kelly, Williams, Mulcahy, Tiffany, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Kelly** – Read the drafted comment expressing FinCom concerns.
Motion **Motion to Adopt the comment.** (made and seconded)
Vote Carried unanimously

10. Article 82 (Home Rule Petition: Community Housing and Sewer Funding)

Sitting Kelly, Williams, Mulcahy, Worth, Maury, Spery, Grause, McEachern
Recused None
Discussion **Kelly** – Reviewed the discussion from March 7.
Holland – With the help of Town Counsel, crafted language for ending the program without going back to the legislature.
Williams – There seems to be considerable restrictions to prevent frivolous spending. Considering the time and effort put into the article, he's in favor of it.
Vorce – The Housing Production Plan (HPP) is scheduled to be approved by the State Legislature before the vote on this article. The HPP has been approved by the BOS and Planning Board. Reviewed efforts since 1986 to get resources for affordable housing. The \$2 million value is between the median house price and the average on Nantucket.
Worth – It takes a long time to get through the state legislature and some natural foes might be the real estate industry. Asked if proponents might be back next year for an additional \$1 million.
Vorce – If the \$1 million provided under Section 10 were advanced, would have to make a call closer to next year. If that is approved, it's under the jurisdiction of the BOS. The BOS asked for an article that would look at this whole issue.
Mulcahy – This committee has an opportunity to send a message on how constituents feel; affordable housing is a big problem. Feels it is dicey at best that this article will make it through the legislature. The money in Article 10 is that we as a community can move forward to develop ideas, plans, and buy land for affordable housing so that this island won't be at the mercy of 40B developments.
Maury – Agrees with Dr. Mulcahy. He supports the \$1 million under Article 10. His concern about Article 82: haven't defined goals, the tax might not generate sufficient funds for several years, and talking about generate a lot of money in perpetuity. He'd like to see something in this article about what happens when the Town achieves its set of objectives then this tax goes away. A semi-governmental entity is going to get a lot of money, which he feels will at some point make it difficult for people at the lowest rung to purchase non-subsidized housing.
Kelly – Asked if when the HPP is adopted would it become the standard by which success of the Affordable Housing Trust Fund (AHTF) is measured.

Vorce – There is now a mechanism to reduce the money collected and that can be done locally; if we want to raise the threshold, that also can be done by a local vote; there can be a local vote to end it as well.

Kelly – He has received feedback about the 75% housing/25% Town capital split.

Vorce – The Town has also received similar feedback on that; perhaps we should focus solely on housing and not include the capital. The article has been provided with two options: 100% housing and the split.

Sperry – Supports Article 82 and the \$1 million from Article 10 as well. Anything to reach safe harbor.

Grause – Asked why the \$2 million sale value was picked.

Vorce – This was an extra amount needed to generate funds to rectify the problem and it is believed it affects a smaller group with more of an ability to pay. We have a more severe housing problem and its different than in other communities. Our property tax rates are lower than any other in the state.

McEachern – The CPC tax is deductible; asked that whether or not this tax would be deductible be looked into. Asked if the legislature could construe this request as an attempt to get out of 40B housing and use it against us.

Vorce – The state wants to see towns reach their 10% goal; that is the Town’s goal. There are also safe harbors along the way. Noted other towns that have protected themselves proactively. In 2010, there was a state-wide ballot to repeal 40B; that lost by a significant margin.

McEachern – Asked if there is a sense that if ATM approves Article 10, could that hurt us in getting Article 82 through the legislature.

Vorce – He doesn’t feel that is a risk. The issue here is to establish a reliable revenue stream to be used to put resources towards fixing the housing problem. Article 10 is a stop-gap measure.

Maury – Asked if the State would look more or less favorably on a version with a threshold lower than the \$2 million.

Vorce – The point is that it is viewed as a luxury tax for a limited group of people in a community that has a severe problem. Lowering the threshold brings it more into the orbit of other communities and could get more people to oppose it.

Maury – Suggested putting a time limit in Section 8 of this Article 82 with ATM to reauthorize it at that time.

Holland – Suggested a 10-year horizon with 5-year renewals.

Consensus supports Mr. Holland’s suggestion.

Vorce – He will talk to Town Counsel about change the wording to put on a 10-year duration from time of adoption with a 2/3 ATM vote to renew every 5 years.

Kelly – The next item is the 75Housing/25 split or 100% housing.

Motion **Motion to Adopt amended with striking the 75/25 language and change to 100% housing and change to add 10-year after date of adoption with 5-year increments deferring to Town Counsel for the proper language.** (made and seconded)

Vote Carried unanimously

11. Article 10 (Appropriation: General Fund Capital Expenditures)

Sitting Kelly, Williams, Mulcahy, Worth, Maury, Sperry, Grause, McEachern

Recused None

Discussion See Article 82 discussion.

Motion **Motion to Adopt.** (made and seconded)

Vote Carried unanimously

V. NEXT MEETING DATE/ADJOURNMENT

Discussion about uses for the Ferry Seasonal Embarkation Fee.

Date: Wednesday, March 30, 2016; 1:00 p.m.; 4 Fairgrounds Road Community Room

Topics: Review of Technical Amendments

Adjourned 5:58 p.m.

Submitted by:

Terry L. Norton

PROPOSED

Technical Amendments to Motions for 2016 ATM
As of 03/25/16

ARTICLE 30 (Appropriation: FY 2017 Community Preservation Committee)

Modify the Finance Committee Motion under the Historic Preservation section as follows:

Replace the words “Preservation Institute Nantucket” with “Nantucket Preservation Trust with Preservation Institute Nantucket”