

BOARD OF SELECTMEN

Minutes of the Meeting of April 20, 2016. The meeting took place in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket, MA 02554. Members of the Board present were Rick Atherton, Robert DeCosta and James R. Kelly. Matt Fee and Dawn E. Hill Holdgate were absent.

I. CALL TO ORDER

Chairman Kelly called the meeting to order at 6:01 PM.

II. BOARD ACCEPTANCE OF AGENDA

Chairman Kelly previewed the agenda. He noted that some of the public hearings have been vetted by staff and have received staff recommendations so he would like to open them as a block and approve them by consent as a block. The agenda was unanimously accepted as presented.

Mr. Fee joined the meeting at 6:04 PM.

III. ANNOUNCEMENTS

1. Chairman Kelly announced that the Board of Selectmen meeting is being video/audio recorded.
2. Chairman Kelly announced that April 29, 2016 is Arbor Day and that the Department of Public Works will be holding a seedling giveaway on Saturday, April 23 and Sunday, April 24, 2016 from 8:00 AM to 12:00 PM at Nantucket Landfill (Materials Recovery Facility Area). Mr. DeCosta read a proclamation for Arbor Day 2016. The proclamation was approved by acclamation.
3. Chairman Kelly reviewed 2016 committee/board/commission vacancies and timeline for appointments, noting interested citizens can consult the Town's website for further information.

IV. PUBLIC COMMENT

None.

V. NEW BUSINESS

None.

VI. APPROVAL OF MINUTES, WARRANTS, PENDING CONTRACTS

1. Approval of Minutes of April 13, 2016 at 10:00 AM. The minutes of April 13, 2016 at 10:00 AM were approved by the unanimous consent of the Board.
2. Approval of Payroll Warrants for Weeks Ending April 10, 2016; April 17, 2016. The payroll warrants for weeks ending April 10, 2016 and April 17, 2016 were approved by the unanimous consent of the Board.
3. Approval of Treasury Warrants for April 13, 2016; April 20, 2016. The treasury warrants for April 13, 2016 and April 20, 2016 were approved by the unanimous consent of the Board.
4. Approval of Pending Contracts for April 20, 2016 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Chairman Kelly noted that unless a Board member has specific questions on a contract, the pending contracts will be approved by consent. Mr. DeCosta asked that the Glyn's Marine contract be reviewed. Mr. Atherton noted he finds full review of the pending contracts helpful and said he doesn't agree with approving them by consent without review and discussion. Mr. Fee concurred. Mr. DeCosta said he doesn't mind approving them as consent but he does want to discuss the Glyn's Marine contract. Town Manager C. Elizabeth Gibson reviewed the Glyn's Marine contract and answered questions from

Board members. Mr. DeCosta said the contract amount is "exorbitant" and "excessive" for two boats and feels "checks and balances" need to be in place. Discussion among Board members followed on this contract. The Board consensus is to table the Glyn's Marine contract and Ms. Gibson will find out how much was spent to Glyn's Marine in FY 2015 and which boats are covered under the contract. Chairman Kelly asked if Board members wished to review any other contracts. Mr. Atherton again expressed his concern that all contracts are not being reviewed by the Town Manager and said review of pending contracts is helpful to him and the public. Chairman Kelly said it is the pleasure of the Board. Ms. Gibson reviewed the remaining pending contracts and answered questions from Board members. Mr. DeCosta moved to approve the pending contracts with the exception of the Glyn's Marine contract; Mr. Fee seconded. So voted 4-0.

VII. CONSENT ITEMS

1. Resignation Acceptance: Finance Committee. Mr. Atherton moved to accept Chairman Kelly's resignation from the Finance Committee; Mr. DeCosta seconded. So voted 4-0.

VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Bartlett Tree Experts: Request for Waiver of Town Noise Bylaw from 5:00 AM to 8:00 AM, April 15, 2016 to September 15, 2016. Jim Cook of Bartlett Tree Experts noted that they asked and were approved for a similar waiver in 2014. He explained that the early morning is the best time of day for treatment of trees and shrubs, for ticks and mosquitoes, and noted that they use the quietest trucks available. Mr. Cook answered questions from Board members. Mr. DeCosta moved to approve the request for a waiver of the Town Noise Bylaw as presented; Mr. Atherton seconded. So voted 4-0.

2. Request for Approval of Change of Manager of Seasonal All-Alcoholic Beverages Innholder License for Nantucket Island Management LLC d/b/a Jared Coffin House from James Storey, Manager to Michael Sharlet, Manager, for Premises Located at 29 Broad Street. Attorney Bryan Swain, representing the applicant, was present to answer questions. Mr. Atherton moved to approve the change of manager application for the Jared Coffin House as requested; Mr. DeCosta seconded. So voted 4-0.

3. Request for Approval of Change of Manager of Annual All-Alcoholic Beverages Restaurant License for Island Event Services LLC d/b/a Starlight Theatre and Café from Mark Watson, Manager to Jeffrey H. Weiner, Manager, for Premises Located at 1 North Union Street. Mr. Atherton moved to approve the change of manager application for the Starlight Theatre and Café as requested; Mr. DeCosta seconded. So voted 4-0.

IX. PUBLIC HEARINGS

Chairman Kelly clarified that he is trying to create some "efficiencies" and said that the Town Manager and staff have reviewed the public hearing applications and have noted when they feel there are no issues. Ms. Gibson noted that items 1 - 4 are all utility petitions and have been reviewed by staff and staff recommends that approval be conditioned on departmental comments; item 5 is recommended to be tabled pending further information; items 6 - 8 and 10 - 11 are all in order and there are no issues of particular concern on these. Chairman Kelly said he would like to try this new method tonight.

1. Public Hearing to Consider Petition for National Grid/Nantucket Electric Company Plan # 21225681 to Install 3" Conduit from Handhole 3-1 Southeasterly 26' Along the Side of Back Street then Southwest Underneath Back Street to New Handhole 3-2 for Service at 10 Back Street. Chairman Kelly opened the public hearing. There was no public comment. Chairman Kelly closed the public hearing. Mr. DeCosta moved to approve National Grid petition # 21225681 with conditions noted in the departmental comments sheet (attached); Mr. Atherton seconded. So voted 4-0.

2. Public Hearing to Consider Petition for National Grid/Nantucket Electric Company Plan # 20679617 to Install a Combination of 2-3" and 1-3" Conduit Along Side of Madaket Road from Pole 23 281' Easterly to New Transformer Pad and Handhole for Service to Four New Houses. Chairman Kelly opened the public hearing. There was no public comment. Chairman Kelly closed the public hearing. Mr. Atherton moved to approve National Grid petition # 20679617 with conditions noted in the departmental comments sheet (attached); Mr. DeCosta seconded. So voted 4-0.

3. Public Hearing to Consider Petition for Verizon Communications Plan # MA 2016-10 to Maintain Underground Conduit for Approximately 265' from Pole 28/22 to Pole 28/19 Along the Northerly Side of Milk Street Extension through Intersection with Winn Street. Chairman Kelly opened the public hearing. There was no public comment. Chairman Kelly closed the public hearing. Mr. DeCosta asked how the Verizon strike will affect this work which is related to the Town's Milk Street bike path project. Mr. DeCosta moved to approve Verizon plan # MA 2016-10 with conditions noted in the departmental comments sheet (attached); Mr. Atherton seconded. So voted 4-0.

4. Public Hearing to Consider Petition for Verizon Communications Plan # MA 2016-11 to Maintain Underground Conduit for Approximately 321' from Pole 34/12 to Pole 28/32 Along the Northerly Side of Milk Street Extension through Intersection with Hawthorne Lane, then 24' Crossing Milk Street Extension to Side of Milk Street Extension to Existing Serving Area Box. Chairman Kelly opened the public hearing. There was no public comment. Chairman Kelly closed the public hearing. Mr. DeCosta moved to approve Verizon plan # MA 2016-11 with conditions noted in the departmental comments sheet (attached); Mr. Atherton seconded. So voted 4-0.

6. Public Hearing to Consider Application for New Common Victualler License for Bug and Birdcage LLC d/b/a Town Pool, Sean Dew, Manager, for Premises Located at 31 Easy Street. Chairman Kelly opened the public hearing. There was no public comment. Chairman Kelly closed the public hearing. Mr. Atherton moved to approve a new Common Victualler license for Town Pool, as presented; Mr. DeCosta seconded. So voted 3-0. Mr. Fee abstained.

7. Public Hearing to Consider Application for New Entertainment License for R.J. Diamond, Inc. d/b/a A.K. Diamond's, Richard Diamond, Manager, for Premises Located at 16 Macys Lane. Chairman Kelly opened the public hearing. There was no public comment. Chairman Kelly closed the public hearing. Mr. Atherton moved to approve a new entertainment license for A.K. Diamonds, as presented; Mr. Fee seconded. So voted 4-0.

8. Public Hearing to Consider Application for New Common Victualler License for Faros 17 Broad LLC d/b/a Greydon House, Jeffrey Allen David, Manager, for Premises Located at 17 Broad Street. Chairman Kelly opened the public hearing. There was no public comment. Chairman Kelly closed the public hearing. Mr. Atherton moved to approve a new Common Victualler license for Greydon House, as presented; Mr. Fee seconded. So voted 4-0.

10. Public Hearing to Consider Application for New Common Victualler License for J. Etc. LLC d/b/a Oran Mor Bistro, Jon Tancinco, Manager, for Premises Located at 2 South Beach Street. Chairman Kelly opened the public hearing. There was no public comment. Chairman Kelly closed the public hearing. Mr. Atherton moved to approve a new Common Victualler license for Oran Mor Bistro, as presented; Mr. Fee seconded. So voted 4-0.

11. Public Hearing to Consider Application for New Entertainment License for J. Etc. LLC d/b/a Oran Mor Bistro, Jon Tancinco, Manager, for Premises Located at 2 South Beach Street. Chairman Kelly opened the public hearing. There was no public comment. Chairman Kelly closed the public hearing. Mr. Fee moved to approve a new entertainment license for Oran Mor Bistro, as presented; Mr. Atherton seconded. So voted 4-0.

5. Public Hearing to Consider Application for New Dealer in Junk, Old Metals and Second Hand Articles License for James Robinson, Inc. at 2 South Beach Street. Chairman Kelly opened the public hearing. Mr. DeCosta moved to continue the public hearing to April 27, 2016 pending receipt of additional information; Mr. Atherton seconded. So voted 4-0.

9. Public Hearing to Consider Application for New Entertainment License for Faros 17 Broad LLC d/b/a Greydon House, Jeffrey Allen David, Manager, for Premises Located at 17 Broad Street. Chairman Kelly opened the public hearing. Ms. Gibson noted the Board has received two letters of opposition. Attorney Sarah Alger, representing the applicant, spoke in favor of the application and reviewed the entertainment being requested. She noted that the property is a hotel so to protect the hotel guests as well as the neighbors the applicant has installed sound proofing. Ms. Alger and managing partner Jeff David answered questions from Board members. Mr. David noted there will be no exterior entertainment or speakers, and no outside alcohol service. Ms. Gibson reviewed the letters of opposition. Ms. Alger said the applicant is willing to eliminate the acoustic aspect of the application to 11:00 PM, but would like to keep the background music throughout the day. Chairman Kelly closed the public hearing. Mr. DeCosta said he is fine with quiet background music from 7:00 AM to 1:00 AM, but he does have an issue with acoustic/live music during those times. Mr. DeCosta moved to approve a new entertainment license for Greydon House with acoustic/live music on weekends from noon to 11:00 PM and weekdays from 4:00 PM to 11:00 PM; and, quiet background music seven days a week from 7:00 AM to 1:00 AM; Mr. Fee seconded. So voted 4-0.

12. Public Hearing to Consider Application for Alteration of Premises for Seasonal All-Alcoholic Beverages Restaurant License for Fish in the Spread LLC d/b/a Slip 14, Jonas Baker, Manager, for Premises Located at 14 Old South Wharf. Chairman Kelly opened the public hearing. Business License Inspector Amy Baxter requested that the public hearing be continued, noting the application is incomplete. Slip 14 owner Jonas Baker said he brought his financial documents with him to the meeting and didn't submit them with his application because he didn't want the public to have access to his bank accounts. Mr. DeCosta moved to continue the public hearing to April 27, 2016 pending receipt of the required information; Mr. Fee seconded. So voted 4-0.

13. Public Hearing to Consider Application for New Seasonal All-Alcoholic Beverages Restaurant License for Tuscany Enterprises, Inc. d/b/a Arno's, Dylan Ray Baker, Manager, for Premises Located at 41 Main Street; Request for Determination that the Premises is Not Detrimental to the Spiritual Activities of Three Churches Pursuant to Section 16C of MGL Chapter 138. Chairman Kelly opened the public hearing. Ms. Gibson noted there was some confusion on this application because an existing license for the premises had not yet been surrendered, but she said it was surrendered today, which the Board should accept. Mr. DeCosta moved to accept the surrender of the seasonal all-alcoholic beverages restaurant license for Joseph V. Arno d/b/a Arno's Breakfast and Seafood Restaurant, located at 41 Main Street; Mr. Atherton seconded. Attorney Kenneth Gullicksen, representing the property owner, reviewed and spoke in favor of the application. Chairman Kelly closed the public hearing. Mr. Atherton moved to approve a new seasonal all-alcoholic beverages restaurant license for Arno's, as presented; Mr. Fee seconded. So voted 4-0. Mr. DeCosta moved to determine that the premises is not detrimental to the spiritual activities of the Unitarian Universalist Church, St. Mary's Church and Rectory or the United Methodist Church; Mr. Fee seconded. So voted 4-0.

14. Public Hearing to Consider Application for New Annual Wine/Malt Beverages Restaurant License for Forty-Five Surfside Road LLC d/b/a 45 Surfside, Rebecca A. Moesinger, Manager, for Premises Located at 45 Surfside Road; Request for Determination that the Premises is Not Detrimental to the Educational Activities of a School Pursuant to Section 16C of MGL Chapter 138. Chairman Kelly opened the public hearing. Mr. Fee recused himself from this matter. Chairman Kelly noted the applicant has been before the Board previously with an all-alcoholic beverages license request which was denied, and has come back with a new application for a wine/malt beverages license. Attorney Michael Brangwynne, representing applicant Rebecca Moesinger, spoke

in favor of the application. Ms. Moesinger reviewed the application and the service she plans to provide. Police Chief William Pittman stated his objection to the application based on its close proximity to the Nantucket Elementary School campus; he also read an email from School Superintendent Mike Cozort with similar objections and his concerns how this could affect the "safe school zone". Attorney Brangwynne said his client appreciates the concerns raised and stressed that it is a family restaurant and is not foreseen as a place for people to congregate and drink alcohol. He says he and his client are willing to work with the school. Attorney Brangwynne also noted last drinks to be served will be at 8:00 PM and the restaurant will be closed by 9:00 PM. Chairman Kelly closed the public hearing. Mr. Atherton asked for clarification that all alcohol purchased on site would be consumed on site and not leave the premises. Attorney Brangwynne answered affirmatively. Mr. DeCosta said he is not in favor of outside alcohol service. Mr. DeCosta moved to approve the application for a new annual wine/malt beverages restaurant license for 45 Surfside, on the condition that there will be no outside service of alcohol; Mr. Atherton seconded. Ms. Moesinger agreed to the condition. So voted 3-0. Mr. Atherton moved to determine that the premises is not detrimental to the educational activities of the Nantucket Public Schools; Mr. DeCosta seconded. So voted 3-0.

15. Public Hearing to Consider Application for New Seasonal Wine/Malt Beverages Club License for Nantucket Golf Management Inc. d/b/a Siasconset Golf Course, Joan Casey, Manager, for Premises Located at 260 Milestone Road. Chairman Kelly opened the public hearing. Attorney Bryan Swain, representing the application, spoke in favor of the application. Chairman Kelly noted a question has arisen about whether food needs to be served if the liquor license is granted. Attorney Swain stated there is no commercial kitchen on the premises but noted there is pre-packaged food for sale in the pro shop. Chairman Kelly closed the public hearing. Mr. DeCosta said he "can't support the license at all", worries that an liquor license will open the door to large events being held at the location and would like to see it stay the way it always has been, without alcohol service. Mr. Fee concurred. Mr. Atherton asked about Mr. DeCosta's issue about potential events. Attorney Swain said this will not be a destination bar and has limited seating. Ms. Baxter said with a liquor license they could use the facility for an event. Proposed manager Joan Casey noted that hours are limited and liquor service will end when golf does, when the sun sets. Attorney Swain answered questions from Board members. Mr. DeCosta moved to deny the application; Mr. Atherton seconded. Mr. DeCosta stated the fact that there is no restaurant weighs heavily in his decision. So voted 4-0.

16. Public Hearing to Consider Application for New Seasonal Wine/Malt Beverages Restaurant License for Climbing Everest LLC d/b/a Barcos Y Tacos, Scott Kopp, Manager, for Premises Located at 2 Sanford Road; Request for Determination that the Premises is Not Detrimental to the Educational Activities of a School Pursuant to Section 16C of MGL Chapter 138. Chairman Kelly opened the public hearing. Mr. Fee recused himself from this matter. Applicant Skip Cabot explained that the application is for an annual license, not a seasonal. He reviewed the application, noting there is a business right next door which has a full liquor license. Chief Pittman again raised his and Superintendent Cozort's objections due to the close proximity to the schools, noting many kids who leave school for lunch go to this establishment. Ms. Baxter confirmed that the application is for an annual license. Chairman Kelly closed the public hearing. Mr. Atherton says he feels this application is a different type of operation than 45 Surfside's and deserves different consideration, noting at the very least the Board might consider limiting alcohol service to after 6:00 PM. Mr. Cabot took issue that no restrictions were placed on the previous application, and noted that the Seagrille which is right next door to his establishment has a full liquor license and is open for lunch. Mr. DeCosta said he has no issues as Barcos Y Tacos will have 20 tables for food service. Mr. DeCosta moved to approve the application for a new annual wine/malt beverages restaurant license for Barcos Y Tacos, as presented; Chairman Kelly seconded. So voted 2-1. Mr. Atherton was opposed without limiting alcohol service hours. Mr. DeCosta moved to determine that the premises is not detrimental to the educational activities of the Nantucket Public Schools; Mr. Atherton seconded. So voted 3-0.

17. Public Hearing to Consider Amendments to the Town of Nantucket Shellfishing Policy and Regulations, Specifically Sections 4.25 to 4.31 Regarding Conch Fishing. Chairman Kelly opened the public hearing.

Commercial conch fisherman Dan Pronk said it is his understanding that the regulations were changed in the last year or two for conch fishing to limit to catching conch inside Nantucket Harbor every other year in an effort not to overfish the conch population. Mr. Pronk proposed that each conch fisherman is issued a permit, annually, and allowed to fish for conch every year in Nantucket Harbor and outside the harbor from the tip of Great Point to and including Madaket Harbor, and to use a gauge that ensures juvenile conchs are not taken. He added that conchs are predators and fishing for conch would be to the benefit of scallops and other shellfish. Natural Resources Coordinator Jeff Carlson noted that the regulations adopted with the year on/year off fishing of conch was reviewed with the conch license holders as well as extensive research that indicates conch are not aggressive predators to the scallop population. He also noted that the Department of Marine Fisheries is looking more closely at conch fishing and the current regulations are in line with preserving all fisheries. Mr. Carlson added that green crabs are a much more aggressive predator to scallops and that conch eat green crabs so they are valuable to the ecosystem of the harbor. Commercial conch fisherman Matthew Herr noted he submitted a letter to the Board and said that the state's research is predicting there will be a "crash" in the conch industry if conchs aren't allowed to grow enough to spawn. He spoke in favor of the current regulations to keep a sustainable fishery in the harbor. Commercial conch fisherman Jim Ellis also spoke in favor of the current regulations. He also noted fishermen from Martha's Vineyard are fishing Nantucket's waters for conch. Mr. Pronk spoke in favor of increasing the limit to 50 pots per license in Nantucket Harbor. He also stated that the Martha's Vineyard fishermen are fishing inside the Jetties and shouldn't be. Mr. Pronk said with a gauge the conch population will not be "wiped out". Chairman Kelly closed the public hearing. Mr. DeCosta reviewed some history of the conch fishery. He said he is in favor of increasing the number of pots in Nantucket Harbor to 50 but said he is in favor of keeping the year on/year off system currently in place. Mr. Atherton said his inclination is to leave everything as is but he does think the regulations should be cleared up regarding the year on/year off. Mr. Carlson said if the Board votes to maintain that policy the regulations can be clarified to that extent. Mr. Atherton moved continue the current regulation for conch fishing every other year and for the regulations to be clarified to that extent; Mr. Fee seconded. So voted 3-1. Mr. DeCosta was opposed, noting he would like to see the number of pots increase to 50.

18. Public Hearing to Consider Increases to the Town of Nantucket Taxi Rates. Chairman Kelly opened the public hearing. Mr. Atherton asked for clarification why this matter is coming up now and whether the request came from a private citizen or a Board member. Chairman Kelly stated it came from the Nantucket Taxi Owners' Association (NTOA). Ken Turgeon, speaking on behalf of the NTOA, handed out "data" to Board members. Chairman Kelly noted the Board is also in possession of a letter from Lisa Bouchard/NTOA and the proposed taxi rate increases. Mr. Turgeon reviewed cost of living increases, noting the goal is to create a "more suitable" rate system for drivers and owners to provide a "living wage". Mr. DeCosta asked if the NTOA is concerned about Uber and if taxi rate increases will drive people to this service. Mr. Turgeon answered questions from Board members, noting the average increase of fares is about 12%-15%. He also spoke against Uber. Daniel Drake spoke in favor of a metered fare system vs. flat rates. Taxi driver Rich Leone noted that the Airport just increased its rates to taxis to pick up at the Airport and said Uber pays nothing to the Town. Mr. Leone said the flat rates are fair. Jon St. Laurent spoke in favor of a rate increase, noting there hasn't been an increase since 2008. He said meters are "physically impossible" and that taxis provide prompt, courteous service. Mr. Fee stated increased traffic will drive the taxi owners to request meters in the future. Taxi owner Tom Walton stated the NTOA has discussed Uber at length and spoke in favor of the rate increase which averages 15%. Mr. DeCosta said he checked the rate increases and only one comes out to 15%; the rest are 20%-30% higher. Mr. Walton said they are based on the average. Mr. Atherton moved to close the public hearing; Mr. Fee seconded. So voted 4-0. Mr. Fee said he doesn't feel the rate increases are out of line and it has been eight years since the last increase. Mr. Atherton said he did not mind the rate increase. Mr. DeCosta supports a rate increase if meters are in the cabs. He added he feels the proposed rates are "excessive" but an increase is warranted.

Chairman Kelly noted there are proposed fees in addition to the rates including clean-up, double fares, after midnight rates and senior citizen rates. Mr. St. Laurent and Mr. Turgeon reviewed the proposed "clean-up" fee. Chairman Kelly noted the clean-up fee is open to a lot of interpretation. Some discussion followed on the double fare rates. Discussion followed as to what constitutes a double fare. Mr. Atherton moved to adopt the rate sheet, as proposed; Mr. Fee seconded with a friendly amendment that double fares means that taxis can take multiple parties to different locations and each party could be charged separately. Mr. Atherton accepted the amendment to his motion. Mr. DeCosta suggested another friendly amendment to strike clean-up fees. Mr. Atherton accepted the amendment to his motion. So voted 4-0. Ms. Gibson recommended a start date of June 15, 2016 for the new fees. Mr. Atherton requested the recommended start date be implemented into the motion. So voted 4-0.

X. TOWN MANAGER'S REPORT

1. Natural Resources Coordinator: Update on Openings of Great Ponds. Mr. Carlson gave an update on the opening of two Great Ponds, noting last Tuesday Sesachacha Pond was opened and last Wednesday Hummock Pond was opened. He said Sesachacha closed during the night between Friday and Saturday, and that Hummock Pond is still flowing back and forth and it is encouraging that lots of sand lance (bait fish) have been going in and out of the pond. Mr. Carlson said he works to coordinate the openings with the moon tide and the weather to achieve the best opening. He said with Sesachacha they are on a time limit with the US Fish and Wildlife which currently mandates Sesachacha must be opened before April 15 due to Piping Plovers, but stated some modifications are being made at the state level so hopefully the Town can apply to open the pond later in the season. Mr. DeCosta said he recalls a decision not to open Miacomet Pond and to allow it to become a fresh water pond. Mr. Carlson said Miacomet was last opened in 2004 and the fish species, wildlife and vegetation have transitioned to freshwater as the salinity is now so low. He added that a salt water intrusion could lead to a less than desirable result. Mr. DeCosta said he feels a dredging plan needs to be developed for Long Pond and the Madaket ditch. Mr. Carlson said his staff is going to start doing herring counts in the ditch to help facilitate plans to dredge the areas. Mr. DeCosta said he would like Long Pond and the ditch addressed sooner rather than later.

2. FY 2016 Second and Third Quarter Budget Reports: General Fund; Airport Enterprise Fund; Wannacomet Water Company Enterprise Fund; Siasconset Water Enterprise Fund. Director of Municipal Finance Brian Turbitt reviewed the third quarter of the General Fund, noting revenue is on track and some categories are exceeding budget projections. Mr. Turbitt answered questions from Board members. Airport Manager Tom Rafter reviewed the Airport budget, noting the budget is driven primarily by fuel sales. He noted revenues are down but expenses are also down so the net is actually up around \$300,000. He reviewed the Fuel Revolving Fund. Mr. Rafter reviewed the loss of income from the shutdown of Island Airlines and abatements to some lease tenants due to relocation because of their location within a Formerly Used Defense Site. Wannacomet Water Company Manager Bob Gardner noted expenses and revenues are tracking to budget, adding that new water connections are up. Mr. Gardner answered questions from Board members. Mr. Gardner said Sconset Water is tracking as well but expenses and maintenance are higher due to significant storm damage to some machinery. Mr. Gardner answered questions from Board members.

3. Finance Director: Update Regarding Memorandum of Understanding with Airport. Mr. Turbitt reviewed an update to the Memorandum of Understanding (MOU) with the Airport to pay back the General Fund from previous year's subsidies to the Airport. He answered questions from Board members. Mr. Fee moved to approve the updated MOU; Mr. Atherton seconded. So voted 4-0. Mr. Drake, speaking as the Airport Commission Chairman, noted that the Commission also voted to approve the MOU at its meeting yesterday, pending approval by the FAA.

XI. SELECTMEN'S REPORTS/COMMENT

1. Discussion Regarding Increasing Number of Taxi Licenses. Mr. DeCosta requested this matter be placed on the agenda because no additional cabs have been added in quite some time and the island's population has increased. He noted that the current waiting list has 108 people on it and suggested five to six new cab licenses be added. Mr. Atherton asked about seasonal licenses and if they ever made a difference. Ms. Gibson said they did not see to. Some discussion followed. Mr. Fee read an email he received from taxi owner Jack McElderry (attached). Chairman Kelly noted that the Board has received a letter of opposition from the Taxi Association, which is in the Board's packet. Mr. DeCosta moved to add five new taxi licenses. Mr. Atherton said he is not sure it would be helpful. Chairman Kelly seconded the motion for the purpose of discussion. Mr. Fee said he is not sure more licenses are needed, especially with Uber and "rogue drivers" on holiday weekends. Chairman Kelly said additional licenses might deter Uber and rogue drivers. Further discussion followed. On the motion, so voted 2-2. The motion did not carry.

2. 2016-2017 Board Committee/Liaison/Work Group/Representative Appointments. Chairman Kelly noted the Audit Committee still needs Board representation. Mr. DeCosta offered to be the representative along with Chairman Kelly. The Board agreed upon all other appointments (attached).

3. Committee Reports. Chairman Kelly said he wants the Board to think about a few upcoming agenda items: the May 11 Board workshop to discuss strategic planning and scheduling a Special Town Meeting for the fall at the Board's May 4 meeting and which projects to put forth. Mr. DeCosta said he won't be at the May 4 meeting and asked that the Madaket/Somerset sewer project be included in the Special Town Meeting. Mr. Atherton noted the Board has an executive session meeting tomorrow at the same time as a Board of Health meeting on which he is the Board's representative. Mr. Atherton voiced his concern about sidewalks being used for parking. He said it seems like a waste of money to repair a sidewalk that is then driven or parked on. Some discussion followed.

XII. ADJOURNMENT

The meeting was unanimously adjourned at 8:50 PM.

Approved the 18th day of May, 2016.

**2016 DEPARTMENTAL COMMENTS ON UTILITY PETITIONS
FOR BOS PUBLIC HEARINGS**

TYPE: ORDER FOR MANHOLE AND DUCT LOCATIONS

APPLICANT: NATIONAL GRID PLAN # 21225681

SITE ADDRESS: BACK STREET

HEARING DATE: APRIL 20, 2016

NPD: No objection from NPD, however, this project will require a detail as I'm certain that
Back Street will need to be blocked off. Chief Pittman

FIRE: Fire Department has no comments. Chief Rhude

PLANNING: No comments. M. Burns

DPW: Please use directional drilling for the road crossing and if the utility cannot do so, then
They have to backfill the cross trench with fillable flow. Silvio Genao

**2016 DEPARTMENTAL COMMENTS ON UTILITY PETITIONS
FOR BOS PUBLIC HEARINGS**

TYPE: ORDER FOR MANHOLE AND DUCT LOCATIONS

APPLICANT: NATIONAL GRID PLAN # 20679617

SITE ADDRESS: MADAKET ROAD

HEARING DATE: APRIL 20, 2016

NPD: No objection from NPD. Chief Pittman

FIRE: Fire Department has no objections or concerns. Chief Rhude

PLANNING: My only comment is to avoid cutting the Bike Path pavement, if possible.
M. Burns

DPW: According to the Plan, it looks like NG is proposing to stay within the green strip that is between the road and the bike path. If that is the case, my only comment is that they have to loam and seed those areas after disturbing them. S. Genao

WW: Wannacomet Water has no objection to this petition. R. Gardner

**2016 DEPARTMENTAL COMMENTS ON UTILITY PETITIONS
FOR BOS PUBLIC HEARINGS**

TYPE: UTILITY PETITION: Order for Conduit Location

APPLICANT: VERIZON: MA 2016-10

SITE ADDRESS: MILK & WINN STREETS

HEARING DATE: APRIL 20, 2016

NPD: No concerns from NPD however, a detail will be required for this project.
Chief Pittman

FIRE: The Fire Department has no objections or concerns. Chief Rhude

PLANNING: No comments. M. Burns r

DPW: No issues with this petition. S. Genao

WW: Wannacomet Water has no objection to this petition. R. Gardner

D. FREDERICKS: This relocation project is needed to allow a key Town project. We should look to support this but we should also work closely with the utilities to coordinate with those involved in the project.

2016 DEPARTMENTAL COMMENTS ON UTILITY PETITIONS

FOR BOS PUBLIC HEARINGS

TYPE: UTILITY PETITION: Order for Conduit Location

APPLICANT: VERIZON: MA 2016-11

SITE ADDRESS: MILK & HAWTHORNE STREETS

HEARING DATE: APRIL 20, 2016

NPD: No concerns from NPD. Chief Pittman

FIRE: The Fire Department has no objections or concerns. Chief Rhude

DPW: My comment would be to ask them to please use directional drilling for the road crossing on Milk Street and if they cannot do so, then they have to backfill the cross trench with flowable fill. Silvio Genao

D. FREDERICKS: This relocation project is needed to allow a key Town project. We should look to support this but we should also work closely with the utilities to coordinate with those involved in the project.

From: [Matt Fee](#)
To: [Erika Mooney](#)
Subject: Fwd: Taxis
Date: Wednesday, May 11, 2016 5:41:17 PM

Begin forwarded message:

From: Jack McElderry <jacklad@comcast.net>
Subject: Taxis
Date: April 20, 2016 at 11:02:43 AM EDT
To: <mfee@nantucket-ma.gov>

Dear Matt,

Laddy and I would have liked to attend tonight's meeting, but we are out of the country. As taxi owners and drivers, we would like to register our feeling that any need to increase the number of licensed taxis should be addressed at the same time that the issue of unlicensed vehicles carrying people for hire (Uber) is considered. It seems only fair to do so.

Please share this with your fellow Board members. Thank you for your consideration.

Sincerely yours,
Jack McElderry

Jack McElderry

BOS/CC Work Group/Committee Reps for 2016-2017
Approved 04/20/2016

	<u>BOS/CC Reps</u>				
	Atherton	DeCosta	Fee	Hill Holdgate	Kelly
<u>BOS</u>					
Ad Hoc Budget Work Group (Chair and Vice Chair)				X	X
Audit Committee (Chair + 1)		X			X
Board of Health (1 rep)	X				
Capital Program Committee (1 rep)					X
Community Preservation Committee (1 rep)				X	
Nantucket Affordable Housing Trust (1 rep)					X
PEG - NCTV 18 Board (1 rep)		X			
Polpis Harbor Municipal Property Advisory Committee (1 rep)	X				
<u>CC</u>					
NP&EDC (1 rep)			X		
TOTAL (current reps)	2	2	1	2	4

BOARD OF SELECTMEN
APRIL 20, 2016 – 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- III. 2. Arbor Day proclamation; Arbor Day seedling giveaway ad
- III. 3. Committee timeline; list of committee openings
- VI. 1. Draft minutes of April 13, 2016 at 10:00 AM
- VI. 4. Pending contracts spreadsheet for April 20, 2016
- VII. 1. Jim Kelly resignation letter from Finance Committee
- VIII. 1. Email from Jim Cook/Bartlett Tree Experts, re: request for waiver of Town Noise Bylaw; Board minutes from previous approval; copy of Noise Bylaw
- VIII. 2. ABCC change of manager application for Jared Coffin House
- VIII. 3. ABCC change of manager application for Starlight Café and Theatre; copy of liquor license
- IX. 1. Departmental comments; National Grid petition # 21225681 for Back Street
- IX. 2. Departmental comments; National Grid petition # 20679617 for Madaket Road
- IX. 3. Departmental comments; Verizon petition plan # MA2016-10 for Milk and Winn Streets
- IX. 4. Departmental comments; Verizon petition plan # MA2016-11 for Milk Street and Hawthorne Lane
- IX. 5. Departmental comments; cover letter from James Robinson Inc.; junk license application
- IX. 6. Cover letter from Vaughan, Dale, Hunter and Beaudette; Common Victualler license application for Town Pool; copy of 2015 entertainment license for premises
- IX. 7. Copy of MGL Chapter 140, section 181; departmental comments; entertainment license application for A.K. Diamonds
- IX. 8. Common Victualler license application for Greydon House
- IX. 9. Departmental comments; entertainment license application for Greydon House
- IX. 10. Departmental comments; cover letter from owner; Common Victualler license for Oran Mor Bistro
- IX. 11. Departmental comments; cover letter from owner; entertainment license for Oran Mor Bistro
- IX. 12 - 16. Email from Town Counsel, re: liquor license hearings; list of 2016 liquor licenses
- IX. 12. Departmental comments; ABCC application for alteration of licensed premises for Slip 14; copy of 2015 liquor license
- IX. 13. Departmental comments; ABCC application for new seasonal all-alcoholic beverages restaurant license for Arno's; 2015 liquor license for premises; determination letter
- IX. 14. Departmental comments; ABCC application for new annual wine/malt beverages restaurant license for 45 Surfside; determination letter
- IX. 15. Departmental comments; ABCC application for new seasonal wine/malt beverages club license for Siasconset Golf Course
- IX. 16. Departmental comments; ABCC application for new annual wine/malt beverages restaurant license for Barcos Y Tacos; determination letter
- IX. 17. Emails from Dan Pronk, re: Shellfishing Regulations; letter from Natural Resources Coordinator including "Profile of the Channeled Whelk Trap Fishery"; letter from Harbor

- and Shellfish Advisory Board including "Profile of the Channeled Whelk Trap Fishery"; copy of Town of Nantucket Shellfishing Policy and Regulations; letter from Matt Herr
- IX. 18. Letter from Lisa Bouchard/Nantucket Taxi Owners' Association, re: increasing taxi rates; proposed taxi rates; portions of Board minutes from May 21, 2008, February 18, 2009 and July 20, 2011; email from Deputy Police Chief, re: taxi complaints; list of taxi rates around the Cape and Martha's Vineyard; copy of Taxicab Regulations
 - X. 2. FY 2016 second and third quarter budget reports for General Fund, Airport Enterprise Fund, Wannacomet Water Company Enterprise Fund, Siasconset Water Enterprise Fund
 - X. 3. Memo from Director of Municipal Finance, re: Memorandum of Understanding (MOU) between Town and Airport; redline draft of MOU
 - XI. 1. Letter from Lisa Bouchard/Nantucket Taxi Owners' Association, re: additional taxi licenses; list of current taxi license holders; list of taxi license wait list
 - XI. 2. Board of Selectmen/County Commission work group/committee representative list for 2016-2017