

BOARD OF SELECTMEN

Minutes of the Meeting of April 27, 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, Matt Fee, Dawn E. Hill Holdgate and James R. Kelly. Robert DeCosta was absent.

I. CALL TO ORDER

Chairman Kelly called the meeting to order at 6:02 PM following a meeting of the County Commission.

II. BOARD ACCEPTANCE OF AGENDA

Chairman Kelly previewed the agenda. The agenda was unanimously accepted as presented.

III. ANNOUNCEMENTS

1. Chairman Kelly announced that the Board of Selectmen meeting is being video/audio recorded.

Town Manager C. Elizabeth Gibson recognized Peggy Altreuter of the Finance Department for setting a good example by picking up trash on her way to work; and, in the Town parking lot, on her own time..

VI. APPROVAL OF MINUTES, WARRANTS, PENDING CONTRACTS

3. Approval of Pending Contracts for April 27, 2016 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Gibson reviewed the pending contracts and answered questions from Board members. Regarding the Scappini & Pina, P.C. contract for reviewing Town financial policies, Mr. Atherton said the Board has a responsibility regarding financial policies and he doesn't agree with having them reviewed by other parties or committees before the Board sees them. Chairman Kelly said he feels committees like the Finance Committee should review financial policies and present them to the Board. Mr. Fee agreed with Mr. Atherton and stated the Board at least needs to see a draft before they are presented to the Board in "final" form. Ms. Hill Holdgate moved to approve the pending contracts for April 27, 2016; Mr. Fee seconded. So voted 4-0.

III. ANNOUNCEMENTS

2. 2016 Committee/Board/Commission Vacancies. Chairman Kelly said he would like the Board to discuss committee appointment criteria. Project Administrator Erika Mooney said the Board already has criteria in written form that she can distribute to the Board. Ms. Hill Holdgate noted that the Historic District Commission associate is missing from the timeline. Mr. Atherton said he feels more information should be requested on the committee interest form, and a resume should be attached. Chairman Kelly said he is personally looking for a balance of seniority and new members and that applicants should be "passionate" about the position.

IV. PUBLIC COMMENT

None.

V. NEW BUSINESS

None.

VI. APPROVAL OF MINUTES, WARRANTS, PENDING CONTRACTS

1. Approval of Payroll Warrants for Week Ending April 24, 2016. The payroll warrants for week ending April 24, 2016 were approved by the unanimous consent of the Board.

2. Approval of Treasury Warrants for April 27, 2016. The treasury warrants for April 27, 2016 were approved by the unanimous consent of the Board.

VII. CITIZEN/DEPARTMENTAL REQUESTS

1. Land Use Specialist: Overview of "Keeping History Above Water" Conference April 10-13, 2016 Providence, RI. Mr. Atherton noted he requested this agenda item as he feels the presentation applies to Nantucket. Housing specialist Holly Backus reviewed an overview of the "Keeping History Above Water" conference she attended and touched on issues such as "super storms"; sea level rise; the importance of towns having a hazard mitigation plan to protect historic resources; and, including conservation and coastal management in a town's master plan. Board members commented on the presentation.

2. Next Level Watersports LLC: Request for License for Kiteboard Business Pursuant to Provisions of Town Code Chapter 137. Ms. Gibson noted that the business license request has been reviewed by Police, the Marine Department, Licensing, Emergency Management and the Harbor and Shellfish Advisory Board, and that a bylaw, §137-20 regarding Water Kiteboarding, was approved at the 2015 Annual Town Meeting which allows this activity in certain areas. Business License inspector Amy Baxter noted that the applicant has followed every condition the Town has put forth, the applicant did its research and she recommends approval of the application. Ms. Baxter answered questions from Board members. Mr. Atherton said he feels there is a possibility of contention between this commercial business and recreational kiteboarders and an issue of "territory". Ms. Baxter said it will be monitored. Applicant Jon Beery said the goal is to work around what is happening in the harbor and not to have conflicts. Ms. Hill Holdgate moved to approve the license for Next Level Watersports LLC; Mr. Atherton seconded. So voted 4-0.

VIII. PUBLIC HEARINGS

1. 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 (continued from 20 April 2016). Chairman Kelly reopened the public hearing. Ms. Gibson noted this matter was continued because fingerprints were still being processed. Rafael Osona asked questions regarding junk licenses in general. Police Chief William Pittman noted a Town bylaw which requires sellers of used goods to have a license and said it benefits the public as it requires criteria and reporting instructions, and gives the Police Department the ability to monitor what is being sold to make sure it is not illegal. Mr. Osona asked to be exempted from the requirement as he is already licensed through the state. Chief Pittman said as Mr. Osona has a pending application his matter should not be discussed now. Chairman Kelly closed the public hearing. Mr. Atherton moved to approve the license for James Robinson, Inc., as presented; Ms. Hill Holdgate seconded. So voted 4-0.

2. 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 (continued from 20 April 2016). Chairman Kelly reopened the public hearing. Ms. Gibson noted this matter was continued due to outstanding paperwork, which is now complete. Applicant Jonas Baker spoke in favor of the application. Chairman Kelly closed the public hearing. Mr. Fee moved to approve the alteration of premises for Slip 14, as presented; Ms. Hill Holdgate seconded. So voted 4-0.

3. Public Hearing to Consider Application for Public Assembly Permit for 2016 Firecracker 5K Event - Saturday, July 2, 2016. Chairman Kelly opened the public hearing. Ms. Baxter noted that last year the Board requested staff to review the number of public assembly events that have grown over the years. She said that has been done and many organizations have made changes to their events and this event was

reviewed especially following changes the Town has made to 4th of July activities for 2016. Ms. Baxter reviewed changes the staff event review group requested from the Firecracker 5K organizers, including changing the date from July 4th to July 2nd; possibly changing the route in order to address issues with parking; and, requesting an event plan similar to that provided by the Nantucket Triathlon. Ms. Baxter said the Town is not trying to stop the race; it is trying to make it better and less problematic with traffic, parking and other issues that have been getting progressively difficult. Firecracker 5K organizer Bob Laundry spoke in favor of the application, noting this will be the 26th year for the event. He added that last year the Police Department increased the number of required detail officers which seems to improve matters; he stated he wasn't aware of any parking issues. Dave Schultz of the Nantucket Health Club, which also organizes the event, noted changing the time of the race to 7:00 AM could affect traffic to morning boats. Mr. Laundry said the race is not a money maker and Holidays for Heroes participates. Chief Pittman said the number of police details will be determined once the race route is determined, adding that an issue is that the race still starts and ends at the same place which will result in parking issues. He said he is in favor of an earlier start time because if the race will be on Saturday, July 2, some businesses may be impacted if there is a later start time. Chief Pittman said he feels the race has outgrown its location and it needs to avoid the Milestone Rotary. Chairman Kelly closed the public hearing. Mr. Fee asked why the event doesn't take place in Tom Nevers where there is plenty of parking. Mr. Laundry said this is a Nantucket Health Club event. He spoke in favor of an earlier start time. Mr. Fee spoke against an alternate route. Ms. Hill Holdgate concurred with Mr. Fee, and spoke in favor of trying an earlier start time. She added that if the race continues to grow a new location will need to be considered. Mr. Fee moved to approve the Firecracker 5K race with the current route and a new 7:00 AM start time on Saturday, July 2, 2016; Ms. Hill Holdgate seconded. So voted 4-0.

4. Public Hearing to Consider Application for New Mobile Food Unit License for Enjoy Kitchen Catering, LLC. Chairman Kelly opened the public hearing. Ms. Gibson recommended that the hearing be continued to May 18, 2016. Ms. Hill Holdgate moved to continue the public hearing to May 18, 2016; Mr. Atherton seconded. So voted 4-0.

IX. TOWN MANAGER'S REPORT

1. FY 2016 Second and Third Quarter Budget Reports: Our Island Home Enterprise Fund; Sewer Enterprise Fund; Solid Waste Enterprise Fund. Ms. Gibson noted that the Board has second and third quarter budget reports in their packets, but only the third quarter will be focused on tonight. Human Services Director/Our Island Home Administrator Rachel Chretien reviewed third quarter revenue and expenses, noting revenues and expenses are on target to date. Mr. Atherton suggested Ms. Chretien work with the Finance Director on "presentation methodology". Ms. Chretien answered questions from Board members, noting Our Island Home had a 90% occupancy rate through the third quarter. Finance Director Brian Turbitt reviewed the third quarter Sewer Enterprise Fund, noting revenues and expenses have increased with revenues tracking as expected but expenses above budget by about \$300,000. Mr. Turbitt said that he is projecting rates for FY 2017 as currently structured with no increase in rates for FY 2017. Mr. Turbitt answered questions from Board members. Mr. Turbitt reviewed the third quarter budget for the Solid Waste Enterprise Fund, noting revenues are up slightly but expenses are up by \$2 million vs. last year due to increases in municipal solid waste disposal and specifically mixed excavation waste. Mr. Turbitt and Department of Public Works Director Kara Buzanoski answered questions from Board members. Ms. Gibson noted there will be a public hearing on May 18, 2016 for the Board to consider increasing the mixed excavation waste fee. Some discussion followed on concerns for potential waste disposal on public or conservation lands if the rate is increased too much.

2. Update Regarding Housing Project at 6 Fairgrounds Road (formerly known as 2-4 Fairgrounds).

Independent Housing consultant Tucker Holland gave an update on affordable and workforce housing at the Town-owned 6 Fairgrounds Road property. He reviewed Board commonalities that came out of a February 17, 2016 presentation he provided to the Board, including a preference for Town employees when filling the units; and, a mixture of units including all rental, single family apartments, dorms and single family houses. Mr. Holland said the goal is June 2016 to issue a Request for Proposals (RFP) with a September 2016 bid opening. Mr. Holland reviewed working under the proposed Commercial Neighborhood zoning district vs. a 40B development; concept plans; and activity since February 17 including appropriations approved at the 2016 Annual Town Meeting, housing forums/presentations, a housing survey, and moving forward with a draft Housing Production Plan. Mr. Holland reviewed the results from a recent housing survey and answered questions from Board members. He reviewed a proposed site plan and Director of Planning Andrew Vorce answered questions from Board members regarding road layouts. Mr. Holland reviewed a timeline and key dates to move forward. Some discussion followed regarding the Town's Subsidized Housing Inventory (SHI) list and the Town's needs and how to "marry" them in some ways. Mr. Atherton said he wants to ensure the Town is working on this issue with a "top guy" at Town Counsel's office who has "influence and experience" and is not just going to give an opinion. Mr. Atherton also voiced his concern with scheduling a Board hearing and adoption of a Housing Production Plan on different days as he wants the Board to be able to review the plan before it is final and presented for adoption. Mr. Holland said a draft of the plan will be available for review on Monday. Mr. Fee said the Town needs to get the "biggest bang for the buck" and make sure any profits are put back into housing to maintain the units and create more as the land is valuable and the need is critical.

3. Review of 2016 Annual Town Meeting Follow-up Actions. Ms. Gibson reviewed follow-up action items from the 2016 Annual Town Meeting. Chairman Kelly said the Board will review action items for Articles 87-103 and get back to Ms. Gibson with any comments.

4. Review of Fall 2016 Special Town Meeting. Ms. Gibson reviewed potential dates for a fall Special Town Meeting. The Board consensus is to schedule it for Wednesday, October 12, 2016. Ms. Gibson reviewed possible warrant articles. Mr. Fee spoke in favor of extending sewer further on Polpis Road that was approved at the 2016 Annual Town Meeting. Mr. Atherton suggested focusing on the Madaket/Warren's Landing/Somerset sewer project and Our Island Home, and to not move forward on a municipal building at this time, saying "we will get to it when we get to it". Ms. Hill Holdgate said regarding Our Island Home, the Board needs to finalize a location so the Town can start public outreach. Chairman Kelly spoke in favor of moving forward with the sewer project and Our Island Home but not on a new municipal building. He said the Board will discuss a location for Our Island Home at its meeting next week. Mr. Fee said regarding Our Island Home, the Town also needs to focus on a housing component for staff.

X. SELECTMEN'S REPORTS/COMMENT

1. Report from Real Estate Assessment Committee. Real Estate Assessment Committee (REAC) chairman Rhoda Weinman noted when REAC first met, many yard sale lots already had pricing in place which they did not change. She said the committee spent time reviewing the purpose of the yard sale program. Ms. Weinman reviewed a pricing formula that REAC developed. Ms. Hill Holdgate asked how using the new formula would compare on previous sales. Ms. Weinman said she feels the pricing would be close. Ms. Weinman asked if the Board felt REAC was still necessary. The Board consensus is for REAC to continue as a permanent committee.

2. Preparatory Discussion Regarding Board of Selectmen Strategic Planning Process. Chairman Kelly noted the Board has two items in its packet regarding strategic planning: a page from the Massachusetts Municipal Association's *Handbook for Massachusetts Selectmen* that reviews the role of selectmen and strategic planning, and the Board's mission. He said he wants the Board to have an open-ended conversation about what is meant by strategic planning. Chairman Kelly said to him it's what kind of community do we want to leave for our children and grandchildren, from an aspirational perspective. Mr. Atherton said the Town has an existing Master Plan and it is one thing to set strategic goals but how do we align what the Board does with the work that needs to be done for the Master Plan revision in 2019. He added he also feels the Board can learn from other towns. Mr. Fee said he feels like Chairman Kelly is talking about vision but plans with numbers and more specificity are needed. He discussed priorities, noting housing is just now rising to the top. Ms. Hill Holdgate said coming in as a new member last year it would have been helpful to her to have goals and to look out five years. She said the Board needs to find common ground among the members. Chairman Kelly said he will leave it at that for tonight and suggested Board members reach out to other communities regarding their strategic plans and for the Board to take another look at the Town's Master Plan.

3. Committee Reports. Mr. Fee noted that in last week's *Inquirer and Mirror* there was an item in "Looking Back" on a comment made by former island attorney Wayne Holmes and his concern over the number of liquor licenses on Nantucket and how they can be limited. Mr. Fee said this is still an issue. Chairman Kelly discussed possibly forming Board subcommittees to better structure the Board's work and its time. He said the Board is responsible for oversight on financial management, human resources, public safety, emergency services, public works and parks, and health and human services. He suggested that subcommittees of one Board member be developed and paired with a staff member to become the "point person" and "experts" on topics and report back to the Board. Mr. Atherton said he isn't sure he agrees with that and asked if the idea is for Board members to report on departments instead of staff. Chairman Kelly said in looking at other boards it seems like what this Board does is very broad and it would be helpful to him to delegate vs. "getting into the weeds" on matters. Mr. Fee noted that Ms. Gibson and staff are already doing a lot of reporting to the Board. He added he is not sure if the Board needs to focus on the day-to-day activities. Ms. Gibson noted that in the past there have been Board liaisons that met with staff groups for specific matters, such as union negotiations. Mr. Atherton agreed with Ms. Gibson, noting that in those cases the Board members would not make the report; they would just add information and be able to make comments. Chairman Kelly said he will do more research and try to find some clearer examples.

XI. ADJOURNMENT

The meeting was unanimously adjourned at 9:26 PM.

Approved the 25th day of May, 2016.

BOARD OF SELECTMEN
APRIL 27, 2016 – 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- III. 2. Committee timeline; list of committee openings
- VI. 4. Pending contracts spreadsheet for April 27, 2016
- VII. 1. "Keeping History Above Water" conference materials
- VII. 2. Memo from Business License Inspector, re: kiteboarding license application; Next Level Watersports executive summary; business plan
- VIII. 1. Application for Junk License for James Robinson, Inc.; departmental comments; cover letter
- VIII. 2. Departmental comments; ABCC application for alteration of licensed premises for Slip 14; copy of 2015 liquor license
- VIII. 3. Memo from Business License Inspector, re: Firecracker 5K public assembly permit application; letter from race director; race course diagram; proposed alternative route; email from Police Chief
- IX. 1. FY 2016 2nd and 3rd quarter budget reports from Our Island Home Enterprise Fund; Sewer Enterprise Fund; Solid Waste Enterprise Fund
- IX. 2. Presentation on workforce housing at 6 Fairgrounds Road
- IX. 3. List of 2016 Annual Town Meeting follow-up action items
- IX. 4. Fall Special Town Meeting: list of possible dates and articles
- X. 1. Letter from Real Estate Assessment Committee; pricing formula; map of Town-owned parcels; committee mission
- X. 2. Page of the *Handbook for Massachusetts Selectmen*; Board mission