

BOARD OF SELECTMEN

Minutes of the Meeting of July 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, Matt Fee, Dawn E. Hill Holdgate and James R. Kelly.

I. CALL TO ORDER

Chairman Kelly called the meeting to order at 6:13 PM following an executive session meeting of the Board of Selectmen/County Commissioners, and a County Commissioners meeting.

II. BOARD ACCEPTANCE OF AGENDA

The agenda was unanimously accepted as presented.

III. ANNOUNCEMENTS

1. Town Manager C. Elizabeth Gibson announced that the Board of Selectmen meeting is being video/audio recorded, in accordance with the requirements of the Open Meeting Law.

2. The next Board of Selectmen meeting is Wednesday, August 3, 2016 as the Board is on its summer schedule.

IV. PUBLIC COMMENT

None.

V. NEW BUSINESS

None.

VI. APPROVAL OF MINUTES, WARRANTS, PENDING CONTRACTS

1. Approval of Minutes of June 22, 2016 at 6:00 PM. The minutes of June 22, 2016 at 6:00 PM were approved by the unanimous consent of the Board.

2. Approval of Payroll Warrants for Weeks Ending July 10, 2016; July 17, 2016. The payroll warrants for weeks ending July 10, 2016 and July 17, 2016 were approved by the unanimous consent of the Board.

3. Approval of Treasury Warrants for July 13, 2016; July 20, 2016. The treasury warrants for July 13, 2016 and July 20, 2016 were approved by the unanimous consent of the Board.

4. Approval of Pending Contracts for July 20, 2016 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Gibson reviewed the contract with Family and Children's Services, noting it had been postponed for further information, which the Board now has. Director of Municipal Finance Brian Turbitt reviewed a meeting he had with representatives from Family and Children's Services last week, noting all outstanding issues have been resolved. Human Services Director Rachel Chretien reviewed the contract language changes. Mr. Fee moved to approve the contract with Family and Children's Services, as presented; Ms. Hill Holdgate seconded. All in favor, so voted. Ms. Gibson reviewed the remaining pending contracts and answered questions from Board members. Mr. Atherton suggested having Emergency Management Coordinator Dave Fronzuto come back on a future agenda to review a Coastal Zone Management grant. Mr. Fronzuto reviewed the contract with the Center for Coastal Studies. The remaining pending contracts for July 20, 2016 were approved by the unanimous consent of the Board.

VII. CITIZEN/DEPARTMENT REQUESTS

1. Finance Department: Request for Approval to Refund Current Bonds Issued February 2008, December 2008 and March 2009 to Produce Budgetary Savings. Mr. Turbitt noted the savings have increased from \$1.5 million to \$2.4 million. Ms. Hill Holdgate moved to approve refunding the bonds per the "Vote of the Board of Selectmen" document dated July 20, 2016 (attached); Mr. DeCosta seconded. All in favor, so voted.

2. Habitat for Humanity/Planning Office: Request for Execution of Purchase and Sale Agreement and Quitclaim Deed for Town-owned Parcel Known as Lot 87, Unnamed Way off Ticcoma Way as Shown on Plan of Land Entitled "Being a Division of Lots 75, 79 & 81 Shown on a Plan Recorded as Plan No. 2016-38 Now Shown as Lots 82 Through 95, Division Plan of Land in Nantucket, MA, prepared for Town of Nantucket," Dated June 3, 2016, Prepared by Blackwell and Associated, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2016-58, Pursuant to Vote on Article 98 of 2009 Annual Town Meeting. Director of Planning Andrew Vorce reviewed the request and associated survey plan, noting Habitat for Humanity is requesting to combine the Town's lot 87 with Habitat's lot 86 and create another Habitat house on the new lot. Mr. Vorce said this is a "great way to most efficiently use this land". Mr. Fee asked how many units will be built per lot. Habitat vice chairman Richard Hussey said there are no plans yet for the lot but they are willing to create more than one unit. Mr. Fee said the land is too valuable for only one dwelling and he'd like to see multiple units on the new lot as well as the lot the Town already deeded to Habitat at 20 Ticcoma Way, to get the "biggest bang for the buck". Mr. Hussey noted Habitat has built a duplex in the past, and currently has a family of four moving into 20 Ticcoma Way. Mr. Vorce said there is still room on the site to allow for additional units at 20 Ticcoma Way. Mr. DeCosta said he feels the Town doesn't need to "max out" every lot as that will result in increased vehicles and traffic. He supports the execution of the deed without restrictions. Ms. Hill Holdgate said she feels the Board can't put restrictions on 20 Ticcoma Way as it has already been deeded but that restrictions can be put on this new lot. Mr. Hussey said he is willing to work with Mr. Vorce on a plan for the new lot. Ms. Hill Holdgate moved to approve the execution of the deed for Lot 87, as presented; Mr. DeCosta seconded. All in favor, so voted.

3. Siasconset Beach Preservation Fund, et al: Request for Acceptance of Grant of "One Big Beach" Easement over 85, 87, 91, 93, 97, 99, 101, 105, 107 and 107A Baxter Road. Ms. Gibson noted the "One Big Beach" easement document has been in process for some time and is now finally complete. Mr. Atherton noted there is language in the easement regarding erosion control, which differs from the Board's standard "One Big Beach" easement language; he said he is not opposed to this language. Mr. Atherton moved to accept the "One Big Beach" easement from SBPF, as presented; Mr. DeCosta seconded. All in favor, so voted.

VIII. TOWN MANAGER'S REPORT

1. Review of Boulevarde Project Regarding Additional Drainage Structure. Ms. Gibson noted that the Board discussed additional drainage for the Boulevarde at a recent meeting. Department of Public Works Director Kara Buzanoski reviewed a summary of the engineering report, noting seven additional leaching pits will cost an additional \$48,500.

Ms. Hill Holdgate left the meeting at 6:37 PM; she returned at 6:39 PM.

Ms. Buzanoski answered questions from Board members. Mr. DeCosta said this will be money "well spent".

2. Fire Station Update. Owners Project Manager Jon Lemieux of Vertex gave an update on the fire station project, noting the Town received three bids out of eight pre-qualified bidders and all the bids received exceeded the appropriation. He said J & J Contractors was the low bidder, coming in at \$1.3 million over the budget and there are insufficient funds to award the contract. Mr. Lemieux reviewed next steps and options with pros and cons for each: (1) remove paving and fencing from the scope, have the Town procure these separately, and rebid the project seeking additional monies for paving and fencing in the future; (2) use non-committed funds from other areas of the project budget in combination with monies from the FY 2017 Reserve Fund to be able to execute the \$15.7 million contract with J & J Contractors and continue to seek additional funds; (3) redesign the project and rebid it to stay within the current appropriation; and (4) don't proceed with the project. Ms. Gibson recommended proceeding with option 1. Mr. DeCosta asked if the Town can proceed with the current bids with option 1. Mr. Lemieux said no, the project would have to be rebid. Mr. DeCosta said he feels the contract needs to be awarded now and that he is "embarrassed" to go back to town meeting to request a further appropriation. He spoke in favor of option 2. Mr. Fee spoke in favor of option 1 and redesigning the parking lot and reducing the fencing. Mr. DeCosta spoke strongly in favor of signing the contract and "locking in" the price as he doesn't feel it is going to go down. Mr. Lemieux answered questions from Board members, noting he supports option 1. Chairman Kelly spoke in favor of a combination of options 1 and 2. Ms. Gibson said she is concerned option 2 may not be supported by town meeting voters and there would be no way to fund the rest of the project. Mr. Lemieux reviewed the time schedule to rebid the project, noting it will take at least 12 weeks and will cost in the thousands. Ms. Gibson said she feels option 1 is the "safest". Mr. Atherton spoke in favor of executing a contract and moved to execute a contract with J & J Contractors; Mr. DeCosta seconded. Chairman Kelly said if the motion carries Town Administration will have to prepare funding recommendations to the Board. Mr. Fee reiterated that he doesn't feel the parking lot needs to be as large as currently designed or that it needs a fence surrounding it. Ms. Gibson reminded the Board that the original parking at the Public Safety Facility was reduced and then needed to be enlarged because it was insufficient. On the motion, all in favor, so voted.

3. Review of Draft Sewer Fee Waiver Policy (Continued from July 6, 2016). Ms. Gibson noted that Town Counsel redrafted the proposed Sewer Fee Waiver Policy with the changes the Board previously requested. Mr. Atherton moved to approve the Sewer Fee Waiver Policy, as presented; Ms. Hill Holdgate seconded. All in favor, so voted.

4. Continued Review of Ballot Questions in Connection with October 17, 2016 Special Town Meeting. Ms. Gibson reviewed the ballot questions, noting if the Board wants to have town questions on the Presidential ballot in November, then only three questions can be put forth by August 3, 2016. Regarding Our Island Home, Ms. Gibson said the Town could hold its own special election following the October 17, 2016 Special Town Meeting or the appropriation and associated articles could be put off until the 2017 Annual Town Meeting, which may be reasonable anyway because there are still outstanding issues to resolve.

Mr. DeCosta left the meeting at 7:23 PM.

The Board consensus was to put the Our Island Home project on the 2017 Annual Town Meeting instead of the October 17, 2016 Special Town Meeting.

5. Request for Authorization to Execute State Revolving Fund Documents in Connection with Sea Street Pump Station Upgrade. Ms. Hill Holdgate moved to grant the Town Manager authorization on behalf of the Town of Nantucket to file applications and execute agreements regarding, and performing any and all other

actions necessary to secure for the Town of Nantucket such grant(s) and/or loan(s) for construction of Water Pollution Abatement Projects as may be made available to the Town of Nantucket pursuant to the provisions of the Massachusetts Clean Waters Act (M.G.L. c.21, section 27-33E, inclusive, as amended) and the Water Pollution Abatement Revolving Loan Program (M.G.L. c.29C) for the Renovation and Upgrade of the Sea Street Pumping Station; Mr. Fee seconded. So voted 4-0.

IX. PUBLIC HEARINGS

Chairman Kelly noted it is important for the Board and audience members to conduct business with decorum and respect for one another, and asked that members of the audience pose any questions to the chairman and to avoid any cross-talk.

Mr. DeCosta returned to the meeting at 7:25 PM.

1. Public Hearing to Consider Application for 2:00 AM Closing Time for Bug and Birdcage LLC d/b/a Town Pool, for Premises Located at 31 Easy Street (Continued from July 6, 2016). Chairman Kelly reopened the public hearing. Mr. Fee recused himself from this matter. Ms. Gibson noted that the 10:00 PM closing time has been resolved and the requested extension of the closing time to 2:00 AM is up to the Board. She noted that an abutter at the last meeting requested that a door opening towards the abutter's house not be used after 10:00 PM. Business License Inspector Amy Baxter reviewed the history of the closure times and conditions with prior licenses at this location. Town Pool owner Sean Dew said he has no problem closing the windows as they have air conditioning but that he prefers to use the Easy Street door for the food service. Ms. Baxter stated that the abutters and the Land Bank have requested that food patrons use the Broad Street door. Mr. DeCosta said he feels there used to be a lot more people going in and out when it was a bar and people used the Easy Street door then. Mr. Vorce noted that per the Building Code the Easy Street door has to be available for use but Town Pool can direct patrons to the Broad Street door. Mr. Dew said he is willing to put a sign on the Easy Street door to limit use after 10:00 PM. Ms. Baxter confirmed that other establishments on the "Strip" stay open until 2:00 AM. Mr. Atherton said he encourages Board members and the community to express their opinions about 2:00 AM closings, serving ice cream out of take-out windows and the general tone downtown. Chairman Kelly closed the public hearing. Mr. DeCosta moved to approve a 2:00 AM closing for Town Pool on the condition that the windows are closed at 10:00 PM and a sign is affixed to the Easy Street door saying to use the Broad Street door after 10:00 PM; Ms. Hill Holdgate seconded. So voted 4-0.

2. Public Hearing to Consider the Taking of Lot 24, Okorwaw Avenue as Shown on Land Court Plan 17745-A, Surfside for Airport Purposes, as Authorized by MGL Chapter 79 and Vote on Article 104 Of 2014 Annual Town Meeting. Chairman Kelly opened the public hearing. Airport Manager Tom Rafter spoke in favor of the taking. Chairman Kelly closed the public hearing. Mr. Rafter answered questions from Board members on the taking and damage awards. Mr. Atherton moved to approve the taking of Lot 24, Okorwaw Avenue, as presented; Ms. Hill Holdgate seconded. All in favor, so voted.

3. Public Hearing to Consider Utility Petition for National Grid/Nantucket Electric Company Plan # 21624724 to Install Handhole #7-2 in Sidewalk at Intersection of Liberty Street and Walnut Lane and Install 1-3" Conduit across Liberty Street from Handhole #7-1 to New Handhole #7-2. Chairman Kelly opened the public hearing. Ms. Gibson reviewed the matter. There was no public comment. Chairman Kelly closed the public hearing.

Ms. Hill Holdgate left the meeting at 7:40 PM; she returned at 7:42 PM.

Mr. DeCosta expressed his concern regarding handholes becoming tripping hazards in the sidewalks. Ms. Gibson noted handholes are supposed to be flush with the sidewalk. Mr. DeCosta moved to approve National Grid petition # 21624724, as presented; Mr. Atherton seconded. All in favor, so voted.

4. Public Hearing to Consider Application for New Common Victualler License for Nantucket Island Management, LLC d/b/a White Elephant Hotel Residences, Bettina Landt, Manager, for Premises Located at 19 North Water Street/19 South Beach Street, 29 North Water Street and 72 Easton Street. Chairman Kelly opened the public hearing. Mr. Fee recused himself from this matter noting Nantucket Island Resorts (the parent company of the White Elephant Hotel Residences) is a customer of his. Ms. Baxter reviewed the application. Mr. DeCosta recused himself from this matter, noting that Nantucket Island Resorts (NIR) is his landlord. Attorney Rick Beaudette, representing the White Elephant Hotel Residences, reviewed the application, noting they already have an existing Common Victualler license but they wish to expand the premises to other sections of the property. Ms. Hill Holdgate requested an opinion from Town Counsel whether or not to recuse herself from this matter, as she is the owner of Holdgate's Laundry which is currently providing extensive laundry service for NIR. Attorney Lauren Goldberg of Town Counsel's office stated that Ms. Hill Holdgate can disclose her conflict for the record. Ms. Hill Holdgate recused herself from this matter, noting she has a direct financial interest with NIR. Attorney Goldberg discussed possible conflicts with Mr. DeCosta and Mr. Fee. Mr. DeCosta rejoined the hearing and disclosed that he pays rent to the Nantucket Boat Basin which is part of NIR and he will base any decision he makes on the basis of the merits of the matter and the facts before him and not on any personal financial interest. Kimberly Taylor of 76 Easton Street spoke against the application, noting she has been significantly impacted by the project. George Butterworth of 23 N. Water Street stated that NIR has eliminated a lot of parking in its development and that is going to greatly impact the neighborhood. He also had questions regarding the new kitchen which he abuts. Attorney Beaudette clarified that NIR has had a special permit for this property for a decade and they have recently completed a commercial kitchen and ballroom which were always part of the plan. He said regarding parking concerns, they have been addressed by the Planning Board. Gary Winn of 25 N. Water Street said that every time the Nantucket Hotel has a function there is no parking in the neighborhood and if the White Elephant Hotel Residences is going to have entertainment it will draw in additional people. Attorney Beaudette suggested that the Board open the public hearings for the following items five (entertainment) and six (alteration of premises). Chairman Kelly opened the public hearings for items five and six. Attorney Beaudette reviewed the entertainment license application, noting they are requesting outdoor entertainment, adding that the Planning Board special permit already limits entertainment and he expects the license issued by the Board to be the same. He said the White Elephant Hotel Residences already has a liquor license and what they are applying for is an alteration of premises to expand where the liquor service can occur. Malcolm MacNab of 13 N. Water Street said N. Water Street is a "quiet, residential" street and he is concerned about noise. Judy Norkin of 28 N. Water Street voiced her concern about outdoor entertainment, adding that parking is "horrendous". Nancy Ernst of 22 N. Water Street spoke against the entertainment and alteration of premises applications, and voiced concerns about traffic. Michael Veysey of 12 N. Water Street asked for clarification about where the outdoor entertainment will be. Tuge Koseatac of 30 N Water Street also voiced concerns about parking. Kathy Butterworth of 23 N. Water Street asked why there is an application for a new Common Victualler license if there is a current one in place, and asked where the outdoor entertainment is going to be located. Mr. Winn said he is not opposed to interior entertainment but is opposed to outdoor entertainment in his backyard. Mr. Butterworth said the green space use is brand new as that area of the property, which is directly behind his and Mr. Winn's properties, has never been used before. Ms. Ernst stated that the White Elephant Hotel Residences don't close windows and doors and is "destroying the neighborhood". Attorney Beaudette clarified that the

parking has been approved by the Planning Board, and they are asking for live entertainment in the ballroom and for the green space for a three-person, unamplified, jazz band-type music. Chairman Kelly closed the public hearing for items four through six. Ms Baxter reviewed the previous entertainment license for the property. Mr. Atherton asked Mr. Vorce to discuss parking. Mr. Vorce stated that parking downtown has always been a problem and that per the special permit deliveries are not allowed to be made to the property via N. Water Street. Attorney Beaudette asked about requirements for the Board to vote. Attorney Goldberg said the votes do not require a super-majority; just the majority of the quorum. Mr. Atherton moved to approve the Common Victualler license, as presented; Chairman Kelly seconded. So voted 2-0. Mr. DeCosta abstained. Ms. Baxter reviewed the history of entertainment licenses for the property, noting any license the Board issues had to be in compliance with the Planning Board special permit. Mr. Atherton suggested not approving entertainment for the lawn/green space except for special events. Ms. Baxter recommended that the Board follow the special permit and the history of the Harbor House and limiting live music outdoors. Chairman Kelly suggested the Board defer its decision on the entertainment license to allow Ms. Baxter to put together a written recommendation with a drawing. There was no objection to postponing the decision to the August 3, 2016 meeting. Ms. Baxter explained that the White Elephant Hotel Residences is requesting to add buildings 11 and 12 and the green space to its existing liquor license. Chairman Kelly asked the Board if it thinks alcohol service should be restricted on the lawn/green space. Mr. Atherton answered affirmatively. Mr. Atherton moved to approve the alteration of premises for the White Elephant Hotel Residences to include buildings 11 and 12, but not including the lawn/green space; Chairman Kelly seconded. So voted 2-0. Mr. DeCosta abstained.

5. Public Hearing to Consider Application for New Entertainment License for Nantucket Island Management, LLC d/b/a White Elephant Hotel Residences, Bettina Landt, Manager, for Premises Located at 19 North Water Street/19 South Beach Street, 29 North Water Street and 72 Easton Street. See item four, above.

6. Public Hearing to Consider Application for Alteration of Premises for Seasonal All-Alcoholic Beverages Innholder License for Nantucket Island Management, LLC d/b/a White Elephant Hotel Residences, Bettina Landt, Manager, for Premises Located at 19 North Water Street/19 South Beach Street, 29 North Water Street and 72 Easton Street. See item four, above.

X. SELECTMEN'S REPORTS/COMMENT

1. Ratification of Language for Amendment to Chapter 200, Traffic Rules and Regulations to Allow Owners of Vehicles who Live Full-time Aboard a Vessel Moored in Nantucket Harbor to Park Overnight in the Municipal Parking Lot at 37 Washington Street (Pursuant to Board vote on June 22, 2016). Ms. Gibson noted that the language changes to the Traffic Rules and Regulations that the Board voted on at its June 22, 2016 meeting have been prepared (attached). Mr. DeCosta moved to ratify the vote of June 22, 2016 to the Traffic Rules and Regulations regarding parking for live-a-boards; Mr. Atherton seconded. All in favor, so voted.

2. Approval of Technical Changes to Bill S.1935. Ms. Gibson explained that Senate Bill 1935 which concerns the conveyance of land to the Land Bank and the Madaket Land Trust, has been approved by the legislature but still needs to be signed by the Governor and requires some non-substantive changes. Mr. DeCosta moved to approve the technical changes to Bill S.1935 (attached); Ms. Hill Holdgate seconded. All in favor, so voted.

3. Committee Reports. Chairman Kelly reported on the Affordable Housing Trust Fund and a draft Housing Production Plan which is being circulated for review. Ms. Hill Holdgate noted that the Community Preservation Committee is holding a public forum on August 16, 2016. Mr. Atherton reported that he attended a recent forum regarding bringing sewer to Madaket, and that he commented personally on the presentation. He suggested the Board have the matter as a future agenda item to discuss.

XI. ADJOURNMENT

The meeting was unanimously adjourned at 9:03 PM.

Approved the 17th day of August, 2016.

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Nantucket, Massachusetts (the “Town”), certify that at a meeting of the board held July 20, 2016, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund (i) on a current basis, the outstanding balance of the Town’s \$1,380,000 General Obligation Sewer Bond dated December 18 2008 and (ii) on an advance basis, the Town’s (a) \$26,246,000 General Obligation Municipal Purpose Loan of 2008 Bonds dated February 15, 2008 maturing in the years 2019 through 2028 (inclusive) in the aggregate principal amount of \$8,625,000, and (b) \$9,188,000 General Obligation Water Bonds dated March 15, 2009 maturing in the years 2020 through 2029 (inclusive) in the aggregate principal amount of \$5,350,000 (collectively, the “Refunded Bonds”), and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium, if any, and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$14,400,000 General Obligation Refunding Bonds of the Town dated August 3, 2016 (the “Bonds”), to Fidelity Capital Markets, a division of National Financial Services, LLC, at the price of \$16,430,913.22 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on December 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2016	\$70,000	4.00%	2023	\$1,345,000	4.00%
2017	65,000	4.00	2024	1,360,000	4.00
2018	1,000,000	4.00	2025	1,380,000	4.00
2019	1,435,000	4.00	2026	1,395,000	4.00
2020	1,450,000	4.00	2027	1,305,000	2.00
2021	1,460,000	4.00	2028	710,000	2.00
2022	1,425,000	4.00			

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 14, 2016, and a final Official Statement dated July 20, 2016 (the “Official Statement”), each in such form as may be approved by the Treasurer or the Finance Director, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: to authorize the execution and delivery of a Refunding Escrow Agreement to be dated August 3, 2016, between the Town and U.S. Bank National Association, as Refunding Escrow Agent.

Further Voted: that the Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

Further Voted: that we authorize and direct the Treasurer and/or Finance Director to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes.

Further Voted: that each member of the Board of Selectmen, the Town Clerk, the Finance Director and the Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth

in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds or the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: July 20, 2016

Clerk of the Board of Selectmen

AM 58354224.1

200.16

PARKING PERMITS

200.16.1.1 Residential Parking Permit: Where Stopping, Standing or Parking is not otherwise prohibited within the Residential Parking Permit District, up to two (2) permits shall be issued to owners of Vehicles who own or rent dwellings which front on streets included in the Resident Parking Permits District or Core District, provided that a fee of \$50 for applications submitted between January 1 and May 31 or \$100 for applications submitted between June 1 and December 31 has been paid to the Town; the applicant shows satisfactory proof that he or she lives on a Public Way in one of the districts during the period between June 1 and September 30 of the year for which he is seeking a permit by using a tax bill, executed lease with a term greater than 90 days or other acceptable documentation as proof; and a valid registration card for the Vehicle to be permitted is shown. Applicants who require additional permits may be issued a permit, upon completion of an application as follows: For additional permits purchased between January 1 and January 31 by a resident of the Town who is shown as a resident of the Town upon the street where such additional permits are requested as determined by the Official Street List maintained by the Nantucket Town Clerk, the fee or any such additional permit shall be \$50.00; for additional permits by persons who do not appear on the Official Street List of the Town, and such additional permits are purchased between January 1 and May 31, the fee for each additional permit shall be \$250.00; for any additional permit purchased between June 1 and December 31, the fee shall be \$500.00 for each permit. [Fee established by the Board of Selectmen March 16, 2016, effective April 1, 2016.] Vehicles which are owned by a corporate entity may be issued one (1) Residential Parking Permit when the vehicle being registered is owned by a corporate entity rather than the applicant. Corporate vehicle owners are not eligible for any additional parking permits under this section. Denial of permits for corporate vehicles can be appealed to the Board of Selectmen. [Fee established by the Board of Selectmen on December 17, 2014, effective January 1, 2015.] ~~Owners of Vehicles who live full-time aboard a vessel moored on a Town licensed mooring shall be eligible for a Residential Parking Permit under this section. Provided that a fee of \$75 has been paid to the Town; the applicant shows satisfactory proof that he or she lives full-time on a vessel that is properly documented by the U.S. Coast Guard or properly registered by the State of Massachusetts and moored on a mooring properly permitted by the Town of Nantucket during the period between June 1 and September 30 of the year for which they are seeking a permit and a valid registration card for the Vehicle to be permitted must be provided. The Signature of the Harbormaster is required to verify proof of full-time live-aboard status. [Fee established by the Board of Selectmen on October 22, 2014, effective October 30, 2014.]~~

EFFECTIVE APRIL 1, 2016 THROUGH APRIL 30, 2016: Additional Residential Parking Permits may be purchased by a resident of the Town who is shown as a resident of the Town upon the street where such additional permits are requested as determined by the Official Street List maintained by the Nantucket Town Clerk, the fee for any such additional permit shall be \$50.00. This paragraph beginning with the phrase “EFFECTIVE APRIL 1, 2016 THROUGH APRIL 30, 2016” shall be automatically deleted from this regulation on April 30, 2016.

200.16.1.2 Commercially Registered Vehicle Permit: Owners of commercially registered vehicles, registered to a Nantucket address, not a Post Office Box, may be issued a permit that allows a Commercially Registered Vehicle to be parked in violation of Section 200.14.2 of these Rules and Regulations, upon application by the owner or his agent and the payment of a fee of \$25 per permit. Vehicles that have been issued a valid Residential Parking Permit under Section 200.16.1.1 or a valid Live-Aboard Parking Permit under Section 200.16.1.11 that otherwise qualify for a Commercially Registered Vehicle Permit shall have the fee waived for the Commercially Registered Vehicle Parking Permit. Commercially Registered Vehicle Permits shall be valid for the year in which they are issued only. [Fee established by the Board of Selectmen on May 21, 2014, effective May 21, 2014]

200.16.1.11 Live-Aboard Parking Permit: Owners of Vehicles who live full-time aboard a vessel moored on a Town licensed mooring shall be eligible for up to three “Live-Aboard” Parking Permits under this section. Provided that: a fee of \$50 for the first vehicle, \$100 for the second vehicle and \$200 for the third vehicle has been paid to the Town; the applicant shows satisfactory proof that he or she lives full-time on a vessel moored within the Nantucket Harbor anchorage for a minimum of ten consecutive weeks and that the vessel is properly documented by the U.S. Coast Guard or properly registered by the Commonwealth of Massachusetts and tied to a permitted mooring during the period between June 1 and September 30 of the year for which they are seeking a permit and, that a valid motor vehicle registration is shown for each vehicle. The Signature of the Harbor Master is required to verify proof of full-time live-aboard status. Said permit is valid only for the Municipal Parking Lot at 37 Washington Street [Fee established by the Board of Selectmen on June 22, 2016, effective June 22, 2016]

200.16.4 There must be no unpaid Parking tickets issued to the registration of the Vehicle to be eligible to receive any permit issued under 200.16.1.2, 200.16.1.7, and 200.16.1.10 and 200.16.1.11 of this section.

SENATE No. 1935

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel A. Wolf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Nantucket to convey certain land held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank and Madaket Conservation Trust for open space, recreational or conservation purposes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>

SENATE No. 1935

By Mr. Wolf, a petition (accompanied by bill, Senate, No. 1935) of Daniel A. Wolf and Timothy R. Madden (by vote of the town) for legislation to authorize the town of Nantucket to sell, convey, or otherwise dispose of certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Islands . Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
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An Act authorizing the town of Nantucket to convey certain land held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank and Madaket Conservation Trust for open space, recreational or conservation purposes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Pursuant to Article 97 of the Amendments to the Constitution of the
2 Commonwealth of Massachusetts and notwithstanding the provisions of any general or special
3 law to the contrary, the Town of Nantucket may transfer, sell, convey or otherwise dispose of
4 certain parcels of land situated in the Town of Nantucket to the Nantucket Islands Land Bank for
5 open space, recreational or conservation purposes and described as follows:

6 Assessors Map 39, Parcel 8, Eel Point Road;

7 Assessors Map 32, Parcel 23, 43 Eel Point Road;

8 Assessors Map 33, Parcel 10, Eel Point Road;

9 Assessors Map 67, Parcel 345, 1 Miacomet Road;

10 Assessors Map 67, Parcel 681, 3 Miacomet Road;

11 Assessors Map 67, Parcel 346, 9 Miacomet Road;

12 Assessors Map 59, Parcel 28, 2 Long Pond Drive;

13 Assessors Map 41, Parcel 29, 48 Cliff Road;

14 Proprietors Road, Parcels 1, 2 and 3, on Plan 2014-64, Off Hummock Pond

15 Any such disposition shall be on such terms and conditions as the Board of Selectmen
16 deem appropriate, which may include the reservation of restrictions and easements, all as shown
17 on a map entitled “2015 Annual Town Meeting Warrant Article 88” dated January, 2015 and
18 filed with the Office of the Town Clerk.

19 SECTION 2. Pursuant to Article 97 of the Amendments to the Massachusetts
20 Constitution and notwithstanding the provisions of any general or special law to the contrary, the
21 Town of Nantucket may transfer, sell, convey or otherwise dispose of a certain parcel of land
22 situated in the Town of Nantucket to the Madaket Land Conservation Trust for open space,
23 recreational and conservation purposes and described as follows:

24 Assessors Map 60, Parcel 19, 3 Baltimore Street

25 SECTION 3. This act shall take effect upon its passage.

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

List of documents used at the meeting:

- VI. 1. Draft minutes of June 22, 2016 at 6:00 PM
- VI. 4. Pending contracts spreadsheet for July 20, 2016; information packet from Family & Children's Services
- VII. 1. Bond refunding vote
- VII. 2. Real estate summary with survey plan for Lot 87, Unnamed Way off Ticcoma Way; letter from Habitat for Humanity Nantucket; purchase and sale agreement; quitclaim deed
- VII. 3. Email from Town Counsel, re: SBPF grant of easement; grant of "One Big Beach" easement; survey plans
- VIII. 1. Email from GPI engineer, re: Boulevarde construction/drainage; register of bidders for Boulevarde reconstruction project
- VIII. 2. Fire Station Update presentation
- VIII. 3. Email from Town Counsel, re: revisions to Sewer Fee Waiver Policy; draft Sewer Fee Waiver Policy
- VIII. 4. Memo from Town Manager, re: ballot questions for November 8, 2016 Election
- VIII. 5. Motion regarding Sea Street Pump Station upgrade
- IX. 1-6. Public hearing checklist
- IX. 1. Letter from Town Pool, re: extending hours of operation to 2:00 AM; current Common Victualler license; emails from Business License Inspector; copy of Common Victualler license application; public hearing ad; email from Sean Dew
- IX. 2. Memo from Airport Manager; order of taking for Lot 24, Okorwaw Avenue; survey plan; GIS map; aerial plan
- IX. 3. Departmental comments; National Grid petition # 21624724 for Liberty Street and Walnut Lane
- IX. 4. Cover letter for White Elephant Hotel Residences Common Victualler license; Common Victualler license application; copy of current Common Victualler license
- IX. 5. MGL Chapter 140, section 181, re: entertainment licenses; email from Business License Inspector; Breeze Bar & Café entertainment license; departmental comments; portion of Planning Board Special Permit #12-05; cover letter for White Elephant Hotel Residences entertainment license; entertainment license application
- IX. 6. Liquor license public hearing process; departmental comments; cover letter for White Elephant Hotel Residences alteration of premises; ABCC alteration of premises application; copy of current liquor license
- X. 1. New Traffic Rules and Regulations language for live-a-board parking permits
- X. 2. Email from Town Counsel; redlined version of Article 88 of 2015 Annual Town Meeting; Senate Bill No.1935 as of 7/16/16