

BOARD OF SELECTMEN

Minutes of the Meeting of August 17, 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 6:01 PM following a meeting of the County Commissioners.

II. BOARD ACCEPTANCE OF AGENDA

Chairman Kelly noted two changes to the agenda: item X. 1 will be heard after public hearings; and item IX. 8 will be heard as part of Selectmen's reports and comments. 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 voter registration deadline for the September 8, 2016 State Primary is Friday, August 19, 2016 at 5:00 PM.

3. Town Offices will be closed on Monday, September 5, 2016 in observation of Labor Day.

4. The next Board of Selectmen meeting is Wednesday, September 14, 2016 as the Board is on its summer schedule; it will meet weekly thereon out.

IV. PUBLIC COMMENT

None.

V. NEW BUSINESS

None.

VI. APPROVAL OF MINUTES, WARRANTS, PENDING CONTRACTS

1. Approval of Minutes of March 18, 2015 at 6:00 PM; October 7, 2015 at 6:00 PM; July 20, 2016 at 6:00 PM at 6:00 PM. Chairman Kelly noted his concern regarding the timeliness of getting the minutes approved, adding the Town Manager is taking steps to get caught up. The minutes of March 18, 2015 at 6:00 PM, October 7, 2015 at 6:00 PM and July 20, 2016 at 6:00 PM were approved by the unanimous consent of the Board.

2. Approval of Payroll Warrants for Weeks Ending August 7, 2016; August 14, 2016. The payroll warrants for weeks ending August 7, 2016 and August 14, 2016 were approved by the unanimous consent of the Board.

3. Approval of Treasury Warrants for August 10, 2016; August 17, 2016. The treasury warrants for August 10, 2016 and August 17, 2016 were approved by the unanimous consent of the Board.

4. Approval of Pending Contracts for August 17, 2016 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Gibson reviewed the various pending

contracts and answered questions from Board members. Director of Municipal Finance Brian Turbitt reviewed financials regarding the Boulevard reconstruction project. Department of Public Works Director Kara Buzanoski explained the finances involved in the annual paving bid contract. Mr. Atherton voiced concerns he has regarding the Woodard and Curran contracts regarding public outreach for the Madaket/Warren's Landing/Somerset sewer project in light of the October 17, 2016 Special Town Meeting citizen warrant article intending to postpone the project. Ms. Gibson noted the Benelogic contract is off. Human Services Director and Our Island Home Administrator Rachel Chretien and Energy Coordinator Lauren Sinatra answered questions from Board members regarding various contracts for Our Island Home. Chairman Kelly and Mr. Atherton expressed some concerns regarding spending money on improvements to Our Island Home as the Town is looking to build a new nursing home facility. Fire Chief Paul Rhude answered questions from Board members regarding the Advanced Life Support training contract. The pending contracts for August 17, 2016, with the exception of the Benelogic contract, were approved by the unanimous consent of the Board.

VII. CITIZEN/DEPARTMENT REQUESTS

1. Cape and Islands Suicide Prevention Coalition: Request for Proclamation Regarding "Suicide Prevention Week" September 6-13, 2015. Tess Pierson, executive director of Family and Children's Services and a member of the Cape and Islands Suicide Prevention Coalition, read a "Suicide Prevention Week" proclamation. By unanimous consent, the Board proclaimed September 6-13, 2016 as "Suicide Prevention Week".

2. Nantucket Holidays for Heroes: Request for Waiver of Town Noise Bylaw from 10:00 PM to 11:00 PM for American Dream Tribute and Gala to be held Saturday, September 10, 2016 at Nantucket Boys and Girls Club, 61 Sparks Avenue. Ms. Gibson reviewed the request for a noise bylaw waiver from Nantucket Holiday for Heroes. Mr. Atherton moved to approve a noise bylaw waiver for the American Dream Tribute and Gala, as requested; Ms. Hill Holdgate seconded. All in favor, so voted.

3. Faros 17 Broad LLC: Request for Execution of License Agreement to Allow for Encroachment of Exterior Sign over Town-owned Property. Ms. Gibson reviewed the request to allow for a new sign to overhang the Town-owned sidewalk at 17 Broad Street. Mr. Fee moved to approve and execute the license agreement, as presented; Mr. Atherton seconded. All in favor, so voted.

4. Request for Approval of Change of Manager of Annual All-Alcoholic Beverages Hotel/Restaurant License for Faros 17 Broad LLC d/b/a Greydon House from Alexander Leventhal, Manager to Jeffrey Allan David, Manager, for Premises Located at 17 Broad Street, Nantucket. Mr. DeCosta moved to approve the change of manager application for Greydon House, as presented; Mr. Fee seconded. All in favor, so voted.

5. Request for Approval of Change of Manager of Seasonal All-Alcoholic Beverages Restaurant License for Grey Lady Group LLC d/b/a Grey Lady from Ryan Chadwick, Manager to Mark Watson, Manager, for Premises Located at 2 Chins Way, Nantucket. Ms. Hill Holdgate moved to approve the change of manager application for Grey Lady, as presented; Mr. Fee seconded. All in favor, so voted.

6. Planning Office: Request for Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcel Known as Lot 6, Woodbine Street as Shown on Land Court Plan No. 36593-C, Dated January 7, 2015, Prepared by Bracken Engineering, Inc. and Filed with Land Registration Office, Pursuant to Vote on Article 77 of 2010 Annual Town Meeting. Chairman Kelly noted that the Board received a report from the Real Estate Advisory Committee for this item as well as the

next item, recommending approval. Director of Planning Andrew Vorce reviewed the matter and an associated survey plan. Mr. DeCosta moved to approve the execution of a purchase and sale agreement, quitclaim deed and settlement statement for Lot 6, Woodbine Street, as presented; Ms. Hill Holdgate seconded. All in favor, so voted.

7. Planning Office: Request for Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcel Known as Parcel A, Poplar Street as Shown on Plan of Land Entitled "Roadway Acquisition Plan in Nantucket, Mass.," Dated August 31, 2012, Prepared by Bracken Engineering, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2012-68, Pursuant to Vote on Article 99 of 2011 Annual Town Meeting. Mr. Vorce reviewed the matter and an associated survey plan, noting the purchase price exceeds the minimum price requirement. Mr. DeCosta moved to approve the execution of a purchase and sale agreement, quitclaim deed and settlement statement for Parcel A, Poplar Street, as presented; Mr. Atherton seconded. All in favor, so voted. Mr. Atherton said he feels the report from the Real Estate Advisory Committee requires Board review and asked if it should be taken up now or at a future meeting. Chairman Kelly said it will be brought back as an agenda item.

VIII. PUBLIC HEARINGS

1. Public Hearing to Consider Utility Petition for National Grid/Nantucket Electric Company Plan # 21685551 to Install 2-3" Conduits from Pole 25 Union Street Along the Sidewalk to Mariner Way to Provide Electric Service to New 5 Lot Subdivision Called Mariner Way. Chairman Kelly opened the public hearing. National Grid engineer Stephen Breton reviewed the petition. Chairman Kelly closed the public hearing. Ms. Hill Holdgate moved to approve National Grid/Nantucket Electric Company petition # 21685551 conditional on National Grid/Nantucket Electric Company following the departmental directives shown on the attached "Comments" list; Mr. Fee seconded. All in favor, so voted.

X. SELECTMEN'S REPORTS/COMMENT

1. Hearings Regarding Sanctions Against the following Establishments Resulting from Liquor License Violations, Pursuant to Town of Nantucket Rules and Regulations Governing Alcoholic Beverages Section XV, "Sanctions for Violations of the Regulations": Mr. Fee recused himself from this matter. Chairman Kelly swore in various people offering testimony and opened the hearings. Business License Inspector Amy Baxter stated that the Police Department conducts investigations annually at licensed establishments serving alcohol, in accordance with Alcoholic Beverages Control Commission (ABCC) procedures.

a) 29 Fair Street. Ms. Baxter reviewed the charges against 29 Fair Street, the facts of the investigation, the five year history of the establishment, aggravating circumstances, Section XV sanction guidelines, and the Nantucket Police Department (NPD) sanction recommendation of 29 Fair Street serving an 11-day suspension previously held in abeyance starting immediately and a two-day suspension for the new violation to be served July 20-21, 2017. 29 Fair Street owner Peter Karlson said he doesn't deny that the violation happened, and that he is embarrassed, but he doesn't expect underage people to come to his restaurant as it is an "adult environment" and not got kids. He added the action is "inexcusable" but asked for lenience as he feels an 11 day suspension is "harsh for a very small business". Ms. Baxter said the suspension is at the Board's discretion. Mr. Atherton moved to close the public hearing; Mr. DeCosta seconded. So voted 4-0. Ms. Hill Holdgate moved that the Board finds that on July 21, 2016, the licensee violated MGL Chapter 138 § 34 and Town of Nantucket Rules and Regulations Chapter 250 § XV (D)(4) by serving alcohol to a minor; Mr. DeCosta seconded. So voted 4-0. Mr. DeCosta said he feels Mr. Karlson's excuse that the establishment is fine dining doesn't "cut it" and is a poor excuse. Chairman Kelly said he is comfortable with the NPD recommendation. Attorney John Giorgio of Town Counsel's office suggested the

Board start the suspension in seven days to allow the establishment time to close down properly. Mr. Atherton moved that 29 Broad Street serve the 11-day suspension previously held in abeyance starting August 24, 2016; Mr. DeCosta seconded. So voted 4-0. Mr. Atherton moved to issue a two-day suspension to be served July 20-21, 2017; Ms. Hill Holdgate seconded. So voted 3-1. Mr. DeCosta was opposed, stating that he feels the 11 day suspension this year is enough.

b) Arno's Italian Bistro. Ms. Baxter reviewed the charges against Arno's, the facts of the investigation, the five year history of the establishment, aggravating circumstances, Section XV sanction guidelines, and the NPD sanction recommendation of a written warning. Arno's owner AJ Black apologized for the violation, saying it won't happen again. Chairman Kelly closed the hearing. Mr. DeCosta moved that the Board finds that on July 21, 2016, the licensee violated MGL Chapter 138 § 34 and Town of Nantucket Rules and Regulations Chapter 250 § XV (D)(4) by serving alcohol to a minor; Mr. Atherton seconded. So voted 4-0. Mr. DeCosta moved to issue Arno's a written warning; Mr. Atherton seconded. So voted 4-0.

c) Barcos Y Tacos. Ms. Baxter reviewed the charges against Barcos Y Tacos, the facts of the investigation, the five year history of the establishment, aggravating circumstances, Section XV sanction guidelines, and the NPD sanction recommendation of a one-day suspension to be served on July 6, 2017. An employee of Barcos Y Tacos asked for leniency and a written warning. Ms. Baxter noted that the NPD previously had concerns with issuing a liquor license to the establishment as it is located within 500' of a school. Chairman Kelly closed the hearing. Mr. DeCosta moved that the Board finds that on July 7, 2016, the licensee violated MGL Chapter 138 § 34 and Town of Nantucket Rules and Regulations Chapter 250 § XV (D)(4) by serving alcohol to a minor; Ms. Hill Holdgate seconded. So voted 4-0. Mr. DeCosta moved to issue a one-day suspension to be served July 6, 2017; Mr. Atherton seconded. So voted 4-0.

d) Grey Lady. Ms. Baxter reviewed the charges against Grey Lady, the facts of the investigation, the five year history of the establishment, aggravating circumstances, Section XV sanction guidelines, and the NPD sanction recommendation of Grey Lady serving a two-day suspension previously held in abeyance starting immediately following the 2016 suspension for a total of four days to be served September 3-6, 2016 and a three-day suspension to be served for the third violation on July 6-8, 2017. Attorney James Merberg, representing Grey Lady, stated Grey Lady has confiscated 40+ "high quality" fake ID cards, which is offered the Board copies of, and requested to take testimony from Detective Daniel Cook of the NPD and for Grey Lady staff to offer testimony as well. Detective Cook answered questions from Attorney Merberg. Attorney Merberg the violation did occur as reported by the NPD but that he feels his client has worked "in good faith" to "thwart" other possible violations. Per Attorney Merberg's request, Community Service Officer Sarah Glick, one of the undercover officers who purchased alcohol during the "sting" identified herself for the record, noting she is 19 years old. William McCrystal, the bartender who served the underage officers, said the manager told him to serve the women and assumed the manager carded the women. Mark Watson, the proposed manager of Grey Lady, said he assumed the bartender carded the women, saying it was just a miscommunication. Attorney Merberg said the violation was a "singular event" and stated that Ms. Glick appears to him to look at least 21 years old and that it was all a miscommunication and not an intentional violation. He added that the Board under the regulations can decide and exercise its judgment on sanctions. Ms. Baxter said the quality of the fake ID's confiscated by Grey Lady has no bearing on the violation at hand. Mr. DeCosta asked Detective Cook how many other establishments were inspected this summer. Detective Cook said the NPD inspected all establishments holding liquor licenses, three times each. Police Chief William Pittman said he is disturbed that Attorney Merberg submitted copies of fake ID's confiscated as a sense of good behavior, and reviewed an incident of Grey Lady's bad behavior. Mr. DeCosta moved to close the public hearing; Mr. Hill Holdgate seconded. So voted 4-0. Mr. Atherton moved that the Board finds that on July 7, 2016, the licensee violated MGL Chapter 138 § 34 and Town of Nantucket Rules and Regulations Chapter 250 § XV (D)(4) by serving alcohol to a minor; Ms. Hill Holdgate seconded. So voted 4-0. Chairman Kelly reviewed the NPD sanction recommendation. Mr. DeCosta spoke

in favor of either one sanction or the other, but not both. Ms. Hill Holdgate said an important question wasn't asked in the exchange between the bartender and manager, which was did you card the customer. Ms. Hill Holdgate moved that Grey Lady serve the two-day suspension previously held in abeyance together with two-day suspension from the 2015 sanction for total of four days to be served September 3-6, 2016, and a three-day suspension to be held in abeyance for one year from Sept. 6, 2017 on, providing there are no further violations under MGL Chapter 138 or the Town of Nantucket Rules and Regulations Chapter 250; Mr. DeCosta seconded. So voted 4-0.

e) Nantucket Trading Post. Ms. Baxter reviewed the charges against the Nantucket Trading Post, the facts of the investigation, the five year history of the establishment, aggravating circumstances, Section XV sanction guidelines, and the NPD sanction recommendation of a written warning. Nantucket Trading Post manager Dora Lemus apologized for the violation, saying it won't happen again. Chairman Kelly closed the hearing. Ms. Hill Holdgate moved that the Board finds that on July 7, 2016, the licensee violated MGL Chapter 138 § 34 and Town of Nantucket Rules and Regulations Chapter 250 § XV (D)(4) by serving alcohol to a minor; Mr. DeCosta seconded. So voted 4-0. Mr. DeCosta moved to issue the Nantucket Trading Post a written warning; Ms. Hill Holdgate seconded. So voted 4-0.

Ms. Hill Holdgate and Mr. DeCosta left the meeting at 7:35 PM.

IX. TOWN MANAGER'S REPORT

1. Town of Nantucket Awarded Certificate of Achievement for Excellence in Finance Reporting by Government Finance Officers Association for Comprehensive Annual Financial Report. Ms. Gibson recognized Mr. Turbitt and the Finance Department staff for being honored with excellence in finance reporting for the second year in a row. She added this is a significant event.

Ms. Gill Holdgate and Mr. DeCosta returned to the meeting at 7:37 PM.

2. Review of Draft Updated Housing Production Plan. Housing consultant Judi Barrett, who has been helping to update the Town's Housing Production Plan (HPP), reviewed some background on the 2016 HPP, noting the Town's last HPP expired in 2009. She said since then, the Town has created the Nantucket Affordable Housing Trust, has hired Housing Coordinator Tucker Holland and has been faced with the Surfside Commons 40B development as well as the Richmond Group's 300+ unit development. She added that Housing Nantucket also conducted a workforce housing needs assessment in 2015. She explained what a HPP is and defined some of the terms within the HPP. Ms. Barrett reviewed HPP "must-haves" including a needs assessment, goals of 10%+ affordable housing, strategies to meet the 10% minimum and, a framework for addressing affordable housing, affirmative fair marketing and monitoring. She reviewed keys to effective HPPs, such as zoning, partnerships with housing developers, funding and tax incentives. Ms. Barrett answered questions from Board members. Chairman Kelly noted that over the past several months the Affordable housing Trust has spent much of its time with Ms. Barrett drafting the Town's HPP. He suggested the Board defer action on the plan until it receives a list of deliverables from the Affordable Housing Trust. Mr. Atherton noted that the HPP redline version includes up-zoning without restrictions. Ms. Barrett said she can make changes to the HPP as the Board wishes. Mr. Fee said he feels there should be restrictions and incentives for those who are providing housing. Mr. Holland said that Nantucket Land Council executive director Cormac Collier has concerns similar to Mr. Atherton about up-zoning. He added that the deliverables will come in the next draft of the HPP. Ms. Sinatra noted that Nantucket has the highest energy costs in the state and she is encouraging energy efficiency in all new housing stock.

3. Review/Update Regarding Municipal Parking Lot Improvement Project/37 Washington Street. Ms. Gibson reviewed the history of the municipal parking lot at 37 Washington Street, noting funding was previously appropriated for improvements to the lot around \$250,000 but the plans were never completed and the work never done. Engineer Dan Mulloy of Site Design Engineering reviewed the current plan for the parking lot, noting it was originally designed for about 145 spaces and currently there are about 160 +/- spaces being used. He said if the lot is repaved with the islands and trees left where they are, it would end up at about 155 spaces. Mr. Mulloy said the job essentially equals an overlay paving of an area that doesn't really work, and cleaning up the site doesn't address the issues. He suggested the parking lot be totally rebuilt he anticipates about 200 spaces by doing so. Chairman Kelly asked if there is an estimate for starting over with the lot. Ms. Gibson said no, that the Town hasn't gotten that far because some of the appropriation has been used to make improvements to the municipal parking lot at 2 Fairgrounds Road and there isn't even enough left to repave the lot at 37 Washington Street. She recommended the Town leave the lot at 37 Washington Street alone for now. Ms. Hill Holdgate said she feels it would be a waste of funds to redo the lot as is, and spoke in favor of a complete overhaul of the lot in the future. Mr. DeCosta moved to leave the lot alone; Mr. Atherton seconded. All in favor, so voted.

4. Review/Update First Way Sewer and Road Improvement Projects. Mr. Mulloy reviewed proposed plans for First Way, including three road layout options. Ms. Buzanoski reviewed a recent meeting with abutters along First Way and input from the abutters. She spoke in favor option three. Mr. DeCosta said he is also in favor of option three. Mr. Fee voiced concerns that First Way is going to become a "speedway". Mr. Mulloy reviewed possible speed hump design options. Mr. Fee suggested the design match what the School has done at the other end of the road; he asked if there can be on-street parking. Mr. Mulloy said if the Board wants on-street parking there will be no room for a multiuse path, only a 5' pedestrian path, and no grass buffer strips. Mr. DeCosta moved to move forward with option 3 (attached) and to install a split rail fence between the road and path; Ms. Hill Holdgate seconded. Mr. Fee spoke in favor of a thinner road and on-street parking. Chairman Kelly said he would like speed humps incorporated into the design as well. Mr. DeCosta agreed to speed humps as a friendly amendment. So voted 3-1. Mr. Fee was opposed.

5. Review/Update Milk Street Bicycle Path Extension Project. Ms. Gibson reviewed the Milk Street bike path extension, noting it runs from the Milk Street/Hummock Pond Road intersection to Mt. Vernon Street. She said one issue to be discussed is curbing, noting Town Administration is proposing granite curbing as an alternate bid as it is unclear if there will be enough money for granite vs. paved berming. She said another issue is parking in the areas of the Maria Mitchell Observatory and the Kingdom Hall. Mr. Mulloy said there is no physical room for fencing or grass strips along the new path as there is just not enough space. Some discussion followed among Board members regarding granite curbing, possible costs and safety concerns.

6. Recommendation Regarding Work Groups for Fire Station Project; Our Island Home. Ms. Gibson reviewed a draft proposal for a new fire station work group, including proposed membership and charge. Chairman Kelly noted he met with the architect, Owner's Project Manager and staff to review the project and costs. He said the Board needs to figure out what to do to keep the project within its appropriation. The consensus of the Board was to establish a new fire station work group. Mr. DeCosta suggested a member of the Historic District Commission sit on the work group. Ms. Hill Holdgate agreed with Mr. DeCosta. Attorney Giorgio noted that the HDC has an adjudicatory role and it is not appropriate for a member of the HDC to sit on the work group. Some discussion followed on membership of the work group. It was agreed that two members of the Board and one member of the Finance Committee would sit on the work group. The consensus of the Board was to have Chairman Kelly and Ms. Hill Holdgate sit on the work group as

Board representatives. Mr. DeCosta suggested the Board look to staff for names of possible at-large members. Mr. Gibson reviewed a proposed new Our Island Home work group. Chairman Kelly said he has been involved in discussions regarding a new Our Island Home facility but deferred to Ms. Hill Holdgate as the proposed Board representative as she had expressed some interest. Mr. DeCosta said he feels a new Our Island Home work group is a waste of time and would be starting back at "zero". Mr. Atherton agreed with Mr. DeCosta, saying he feels a work group is being proposed in reaction to a citizen article in the October 17, 2017 Special Town Meeting warrant. He added that the Board has already voted on plans to move forward with a new facility in the vicinity of Sherburne Commons. Chairman Kelly concurred and agreed to put this matter off for now. Mr. Fee voiced concerns whether Our Island Home is operationally sustainable. Ms. Hill Holdgate said another important question is does the Town want to stay in the nursing home business. Some discussion followed among Board members and Ms. Gibson on steps moving forward.

7. Jetties Concession Lease Request for Proposals/Clarification. Ms. Gibson reviewed a prepared term sheet for the Jetties concession lease that the Board voted on at its August 3, 2017 meeting, noting that Town Administration recommends removing the cap on gross revenue as that will lead to more income for the Town. Ms. Baxter spoke in favor of discouraging closing of the Jetties Restaurant during the peak season of July and August by increasing fees to the Town for closing the restaurant down. Mr. Fee said he is happy with the way the Board voted on August 3, adding he is worried the Town is pricing itself out of business. Some discussion followed among Board members on the 5% fee. Mr. Atherton said he is happy with 5% of gross revenue. Ms. Hill Holdgate tried to review the 5% fee. Chairman Kelly spoke in favor of the August 3 vote and leaving things as is. Ms. Hill Holdgate moved to remove the \$1 million cap. The motion died for lack of a second.

Ms. Gibson said she had sent an email to the Board with proposed dates for a meeting regarding strategic planning and that Thursday, October 6, 2016 from 4:00 PM to 6:00 PM is the preferred date.

8. Update Regarding Future Development/Potential Plans for Wilkes Square Area/Harbor Front Property. This matter was moved to Selectmen's reports.

X. SELECTMEN'S REPORTS/COMMENT

2. Adoption of October 17, 2016 Special Town Meeting Warrant. Ms. Gibson reviewed the draft warrant for the October 17, 2016 Special Town Meeting. Article 1 was discussed. Mr. DeCosta moved to remove new language from the article regarding betterments; Ms. Hill Holdgate seconded. So voted 2-3. (Chairman Kelly, Mr. Atherton and Mr. Fee were opposed. Mr. DeCosta said the Board told the community it wouldn't change the funding between the Nantucket Harbor/Shimmo and Plus Parcels sewer project and the Madaket/Warren's Landing/Somerset sewer project. An article regarding Drew Lane was discussed. Ms. Gibson noted the two parcels are an extension of the Nantucket Harbor/Shimmo project, and do not front the current sewer plan. She added that there will be "common sense" parcels that will be proposed to be added to the sewer district at the 2017 Annual Town Meeting, and this can be added then. Mr. Atherton spoke in favor of staying with the original design and not adding in extra parcels "piecemeal". Mr. Fee spoke in favor of the extension to pick up more connections. Chairman Kelly voiced his concern over "one-offs". The Board consensus was to remove the Drew Lane article from the warrant. Chairman Kelly asked to reconsider Article 1 and betterments, saying for consistency, if the Board told voters there would be no betterments then the Board should stick with that. Mr. Atherton said he doesn't recall the Board ever voting not to discuss future betterments. Mr. DeCosta said he will stand up at the Special Town Meeting and make a motion to remove the betterment language from the article. Mr. Atherton questioned whether the Grieder

citizen article should be placed before the sewer appropriation article. Mr. DeCosta moved to remove the betterment language from Article 1 and to move the Grieder article to before the sewer appropriation article. Attorney Giorgio said the Grieder article is not legally binding as the Town's Article 1 is operative. Mr. Atherton seconded them motion. So voted 4-1. Mr. Fee was opposed, stating the voters made a mistake in voting on 100% of funding on the tax base. Mr. DeCosta said he would like to know before the Special Town Meeting if the Madaket/Warren's Landing/Somerset sewer project gets pushed back to the 2017 Annual Town Meeting, what happens to the 0% financing. Wannacomet Water Company General Manager Bob Gardner reviewed Article 8 regarding an increased appropriation for the new Water Company administration building. Following some discussion, Mr. Atherton spoke in favor of taking out the article. Mr. Fee concurred. Mr. Atherton moved to remove Article 8 from the warrant; Mr. Fee seconded. Chairman Kelly suggested the motion have the caveat that if the bid for the administration building comes in over bid it can get a further appropriation. Attorney Giorgio cautioned the Board that a bid has to be awarded within 30 business days and the full appropriation has to be in place before signing a contract. Ms. Hill Holdgate said the town is sending a message that it is concerned with spending. On the motion, so voted 4-1. Mr. DeCosta was opposed. Ms. Gibson reviewed Article 9, saying \$1 million more is needed regarding the landfill. Chairman Kelly said he feels the Board needs to hold itself to the same standard as the Water Company. Attorney Giorgio said there is a timing issue regarding capacity at the landfill and he cautioned the Board about putting this article off. Mr. DeCosta moved to leave Article 9 in the warrant. Ms. Hill Holdgate seconded. All in favor, so voted. Mr. DeCosta moved to keep Article 10 in the warrant; Ms. Hill Holdgate seconded. All in favor, so voted. Mr. Turbitt reviewed Article 11 regarding Polpis Harbor dredging. Mr. DeCosta moved to keep Article 11 in the warrant; Mr. Atherton seconded. All in favor, so voted. Mr. Atherton moved to remove Article 13 from the warrant; Mr. DeCosta seconded. Mr. Gardner said the article was put in to recognize that the current building has been hooked up to sewer since 1973 but is not in the sewer district, so he is trying to correct that, adding he doesn't want this to be an issue when the new building is built. Mr. DeCosta said he doesn't want to sewer 42 acres of Wannacomet land. On the motion, all in favor, so voted. Mr. Vorce reviewed a new article regarding proposed rezoning of 106 and 108 Surfside Road from LUG-2 to LUG-1. The Board consensus is to leave the article in the warrant. Mr. DeCosta moved to adopt the October 17, 2016 Special Town Meeting Warrant as amended; Mr. Atherton seconded. All in favor, so voted.

3. Committee Reports. Chairman Kelly reported on a meeting held last week with Ms. Hill Holdgate, Planning Board members Barry Rector and Linda Williams, Dave Fredericks, Ms. Gibson and Mr. Vorce regarding future development/potential plans for the Wilkes Square area/harbor front property, a five acre parcel between Candle, Salem, New Whale and Commercial streets. Mr. DeCosta noted that he has a conflict with this matter and will not sit on any agenda items regarding this matter in the future. Ms. Hill Holdgate said it is a 12-15 year plan of design and build. Chairman Kelly reported that the Board received a letter from the HDC asking to have its own staff, removed from PLUS (Planning and Land Use Services). He said this matter will be discussed at the Board's September 21, 2016 meeting, adding he spoke with the HDC chairman and asked her to attend.

XI. ADJOURNMENT

The meeting was unanimously adjourned at 9:41 PM.

Approved the 14th day of September, 2016.

UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: Nantucket Electric Company
TYPE: Manhole and Duct Locations
SITE ADDRESS: Union Street/Mariner Way
HEARING DATE: August 17, 2016

COMMENTS

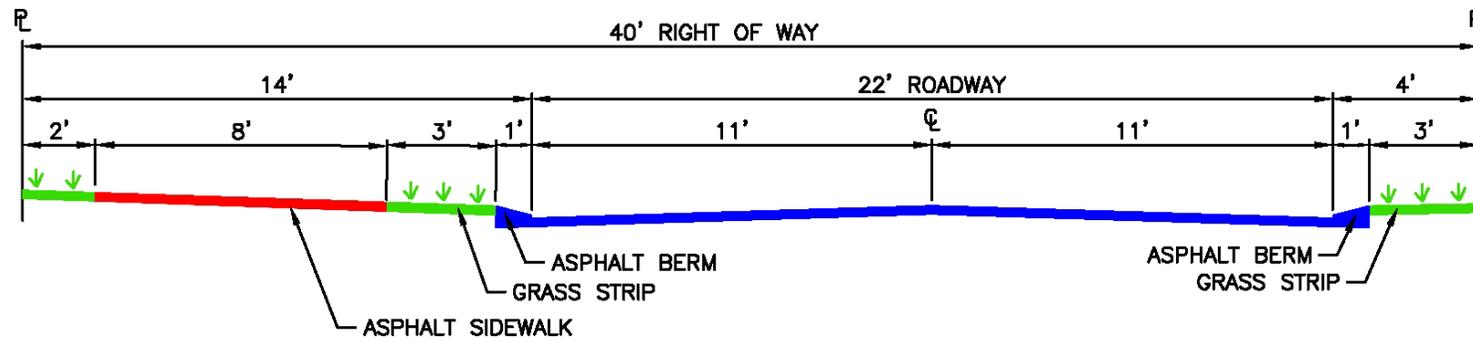
NPD: The NPD has no concerns with this project. Police Details may be required.
-- William Pittman
Police Chief

FIRE: The Fire Dept. does not have any issues with or comments for this application.
-- Paul Rhude
Fire Chief

PLANNING: No concerns. The Planning Board required the installation of underground utilities for this subdivision (Mariner Way).
-- Leslie Snell
Deputy Director

DPW: The utility must restore the brick sidewalk to original immediately after installation of the conduit. The sidewalk may not be left open overnight.
-- Kara Buzanoksi
Director

WWCo: Wannacomet Water has no objection to this petition.
-- Bob Gardner
General Manager



TYPICAL ROADWAY CROSS SECTION
22' ROADWAY/BERM/8' SIDEWALK

NOT TO SCALE



**SITE DESIGN
ENGINEERING, LLC.**
 11 CUSHMAN STREET, MIDDLEBORO, MA 02346
 T: 508-967-0673 F: 508-967-0674
 WWW.SDE-LDEC.COM

DATE : AUGUST 12, 2016
 PROJ. NO. : 16060
 SCALE: NOT TO SCALE

CROSS-SECTION
 FIRST WAY
 NANTUCKET, MASSACHUSETTS

3

BOARD OF SELECTMEN
AUGUST 17, 2016 – 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- III. 2. Note from Town Clerk, re: voter registration information
- VI. 1. Draft minutes of March 18, 2015 at 6:00 PM; October 7, 2015 at 6:00 PM; July 20, 2016 at 6:00 PM
- VI. 4. Pending contracts spreadsheet for August 17, 2016
- VII. 1. Suicide Prevention Week proclamation
- VII. 2. Email from Holidays for Heroes, re: Town noise bylaw waiver request
- VII. 3. License agreement for 17 Broad Street overhanging sign; plans and photograph of sign
- VII. 4. Cover letter from Sarah F. Alger, PC, re: change of manager for Greydon House; ABCC application; proposed manager TiPS card
- VII. 5. Cover letter from Grey Lady Group, LLC, re: change of manager for Grey Lady; ABCC application; proposed manager ServSafe certificate
- VII. 6 & 7. Memo from Real Estate Advisory Committee; real estate summary; survey plans
- VII. 6. Purchase and sale agreement, quitclaim deed and settlement statement for Lot 6, Woodbine St
- VII. 7. Purchase and sale agreement, quitclaim deed and settlement statement for Parcel A, Poplar St
- VIII. 1. Departmental comments; National Grid petition # 21685551 with plan for Union St & Mariner Way
- IX. 1. News release from GFOA, re: excellence in financial reporting
- IX. 2. Draft Nantucket Housing Production Plan, July 2016; Nantucket Chapter 40B Housing Production Plan, July 2016
- IX. 3. Municipal Parking Lot/37 Washington Street improvement project presentation
- IX. 4. First Way sewer and road improvement project presentation
- IX. 5. Milk St Bike Path Extension project presentation
- IX. 6. Draft membership and charges for proposed New Fire Station Work Group and New Our Island Home Facility Work Group
- IX. 7. Jetties Concession lease term sheet; income spreadsheet
- X. 1. Liquor license compliance checks violation notices; liquor license disciplinary hearing procedure; Section XV of the Town of Nantucket Rules and Regulations Governing Alcoholic Beverages; memos, re: 2015 liquor license sanctions
- X. 1a. 29 Fair Street – NPD charges/statement of facts/NPD recommendation of sanctions; copy of 2016 liquor license; notice to defendant; police report
- X. 1b. Arno's - NPD charges/statement of facts/NPD recommendation of sanctions; copy of 2016 liquor license; notice to defendant; police report
- X. 1c. Barcos Y Tacos - NPD charges/statement of facts/NPD recommendation of sanctions; copy of 2016 liquor license; notice to defendant; police report
- X. 1d. Grey Lady - NPD charges/statement of facts/NPD recommendation of sanctions; copy of 2016 liquor license; notice to defendant; police report
- X. 1e. Nantucket Trading Post - NPD charges/statement of facts/NPD recommendation of sanctions; copy of 2016 liquor license; notice to defendant; police report
- X. 2. Draft warrant for October 17, 2016 Special Town Meeting