

## BOARD OF SELECTMEN

Minutes of the Meeting of October 12, 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 6:00 PM.

### II. BOARD ACCEPTANCE OF AGENDA

Chairman Kelly stated the Board will be moving section V. Official Business to after announcements. 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. Ms. Gibson reminded the Board of the Easy Street Bulkhead reconstruction project which begins October 17, 2016, resulting in the closure of Easy Street through the end of December. Ms. Gibson noted associated street closures and traffic changes which will be in place for the duration of the project. Following some questions from Board members, Project Administrator Erika Mooney noted that no house moves or street closures will be permitted during this timeframe that will affect the "reverse truck route" from Cliff Road to the Steamship Authority.
3. The October 17, 2016 Special Town Meeting starts Monday, October 17, 2016 at 6:00 PM at the Nantucket High School Auditorium, 10 Surfside Road.
4. Town Clerk: The voter registration deadline for the November 8, 2016 State Election is Wednesday, October 19, 2016 at 8:00 PM.
5. Town Clerk: Early voting for the 2016 State Election will occur at the Town Building, 16 Broad Street from Monday, October 24, 2016 to Friday, November 4, 2016 from 8:00 AM to 4:00 PM. Mail-in ballots must be received by noon on November 4, 2016. The Central Tabulation Facility will be at the Nantucket High School, 10 Surfside Road on Tuesday, November 8, 2016 from 7:00 AM to 8:00 PM.
6. The 2017 Annual Town Meeting Warrant is open for citizen warrant article submittals through November 21, 2016 at 4:00 PM. Town Counsel will be available Wednesday, October 19 from 2:00 to 4:00 PM and Thursday, October 20 from 9:00 to 11:00 AM for consultation.
7. Ms. Gibson announced that effective Friday, October 14, 2016, the Town Administration office will be closed to the public at noon on Fridays in order to work on weekly Board of Selectmen agenda packets and minutes.
8. Ms. Gibson noted that the Town with Town Counsel will hold training sessions regarding the new Public Records Law, Conflict of Interest Law and Open Meeting Law on November 21-22, 2016.
9. Director of Municipal Finance Brian Turbitt announced that after meeting with Standard and Poor representatives last week to discuss the Town's bond rating, the Town has been rated Aa+ but all bonds

are sold at the Aaa rating. He said he had hoped for an Aaa rating but the Finance Department does have a roadmap on items to improve on. Mr. Atherton said the job was "well done" and Chairman Kelly said the Town did an excellent job.

## V. OFFICIAL BUSINESS

1. Action on Sewer Connection and Dedication Agreement with Richmond Development. Attorney John Giorgio of Town Counsel's office reviewed the most recent changes to the sewer connection and dedication agreement with Richmond regarding sewer lines for Richmond's development off Old South Road, including abutters being able to hook up to sewer; mitigation payments and a new sewer line on Lover's Lane. Mr. Atherton noted it was helpful to have a copy of the Hazen and Sawyer engineering report as an exhibit in the agreement. Mr. DeCosta moved to approve the sewer connection and dedication agreement, as presented; Ms. Hill Holdgate seconded. All in favor, so voted.

2. Review of Preliminary Potential 2017 Annual Town Meeting Warrant Articles (Tabled from October 5, 2016). Ms. Gibson reviewed a list of potential 2017 Annual Town Meeting warrant articles. Attorney Giorgio reviewed the Municipal Modernization Act regarding revolving funds. Ms. Gibson answered questions from Board members. Chairman Kelly and Ms. Hill Holdgate discussed the Affordable Housing Trust Fund (AHTF) and the Community Preservation Committee (CPC). Mr. DeCosta spoke against giving more money to the AHTF without knowing how it spent the \$1 million which was transferred from the Town to the AHTF following a vote at the 2016 Annual Town Meeting. Director of Planning Andrew Vorce reviewed zoning and bylaw articles and answered questions from Board members. Mr. Fee said, regarding a possible article minimizing the impact of hard surfaces on storm water runoff for large residential structures, that he is worried about sewerage Madaket which could result in larger houses being built and the runoff impact of that. Director of Culture and Tourism Melissa Murphy reviewed a possible article regulating home sharing services (i.e. airbnb), noting she recommends following the issue at the state level before moving forward at a local level. The Board consensus was to strike the home sharing services article. The Board consensus was to strike an article regarding drone regulations. Various proposed home rule petitions (HRP) were reviewed. Mr. DeCosta moved to strike a HRP article regarding the CPC; Mr. Atherton seconded. All in favor, so voted. Ms. Gibson noted that Town Counsel has recommended the Board vote to rescind the HRP to increase the residential property exemption, noting the Municipal Modernization Act addresses it. Mr. Fee moved to instruct the Town Manager to send a letter to the legislature to rescind the HRP to increase the residential property exemption; Ms. Hill Holdgate seconded. All in favor, so voted. Ms. Murphy reviewed a proposed new HRP regarding the expansion of the room occupancy tax to seasonal vacation rentals. Mr. Vorce reviewed a proposed new HRP to amend the Housing Needs Covenant language. Ms. Gibson and Attorney Giorgio further reviewed the Municipal Modernization Act. Attorney Giorgio stated it makes "far reaching" changes to make it easier for local governments to operate. Mr. DeCosta asked if anyone has heard of any legislative requests from the Historic District Commission to help "lighten their load". Mr. Vorce said he has heard there was an effort to reconstitute a group to review the HDC Act but he doesn't feel it will be ready this year. Mr. Vorce recommended the Board adopt MGL Chapter 40C regarding historic districts. He answered questions from Board members. Mr. Fee said someone needs to "own" the HDC effort.

At 6:53 Ms Hill Holdgate left the meeting.

Ms. Gibson reviewed next steps, noting she will have another update prepared in November.

3. Adoption of December 6, 2016 Special Town Election Ballot. Ms. Gibson requested the Board to adopt the December 6, 2016 Special Town Election ballot, pending non-substantive edits.

At 6:56 PM Ms. Hill Holdgate returned to the meeting.

Mr. DeCosta moved to adopt the December 6, 2016 Special Town Election ballot; Mr. Fee seconded. All in favor, so voted.

#### IV. WORKSHOP ITEMS

1. Discussion Regarding Fast Ferry Connector Funding. Ms. Gibson stated the Town needs to figure out a way to pay for the Fast Ferry Connector on a more permanent basis, noting the Nantucket Planning and Economic Development Commission (NPEDC) has suggested using the Ferry Embarkation Fee to fund it. Ms. Gibson said this would be a valid funding source; however, the Ferry Embarkation Fee is currently committed to fund the Community Service Officer program; therefore, another funding source would need to be identified for the CSOs. Some discussion among Board members followed. Ms. Gibson noted there has been some talk among Board members about increasing the amount of the Ferry Embarkation Fee, but noted that it would require an act of legislation. NRTA Administrator Paula Leary reviewed contributors to the Fast Ferry Connector program since it started in 2014. Chairman Kelly asked what the three-year cost of the Fast Ferry Connector is. Ms. Leary said it costs roughly \$200,000 per year. Chairman Kelly said in looking at the numbers, the service is going in the "wrong direction" as ridership decreased by almost half and contributions to the service from other organizations has decreased. Mr. DeCosta said based on the numbers the average cost per rider is almost \$42. Mr. Atherton said he feels riders should pay the cost, not the taxpayers. Some discussion among Board members followed. Ms. Hill Holdgate said she is "dismayed" at the contribution reduction from the Steamship Authority. Ms. Leary noted that the Board asked for a Fast Ferry Connector, and that funding from outside sources was never guaranteed. Mr. DeCosta said he feels ridership numbers are down this year because of off-island commercial commuters who are "playing the system" and getting commercial parking passes and as a result the Town is facing the same issues it was that prompted the creation of the Fast Ferry Connector. Mr. DeCosta suggested getting rid of the Fast Ferry Connector and dealing with the issue of parking. Transportation Planner Mike Burns stated that when the Fast Ferry Connector was first proposed there was a value seen in providing the service, as it would keep cars and trucks from parking downtown. He added that the municipal parking lot at 2 Fairgrounds Road has 80 spaces, and that is 80 vehicles not parking downtown. Mr. Burns said he feels the program has been successful, adding it is not cheap to provide the service but the Town does get value out of it. He recommended increasing the number of spaces at 2 Fairgrounds Road to 200 and charging each vehicle \$15 per night to park there. Mr. DeCosta said he feels if the Town started charging \$15 per night the lot would be empty. He suggested the Board discuss parking and finish the Fast Ferry Connector discussion after, as the Town needs to fix the commercial sticker issue.

2. Discussion Regarding Parking. Mr. Fee said if the Board wants more parking spaces in town it might need to extend enforcement to later time. Mr. DeCosta spoke in favor of rescinding overnight parking for commercial vehicles in the municipal parking lot at 37 Washington Street and fixing the sticker issue. Some discussion among Board members followed. Police Chief William Pittman noted that the Registry of Motor Vehicles allows businesses to register vehicles anywhere, so businesses are now registering vehicles on Nantucket which allows them to get a "local" commercial parking sticker. Mr. DeCosta said he is concerned that if the commercial parking permits are eliminated, full-time residents of Nantucket who have commercial plates on their pick-up trucks will be impacted. Ms. Hill Holdgate suggested the Police Department tie the issuance of commercial parking stickers to the Town's street list like the Steamship Authority does for the

excursion rate. Mr. DeCosta concurred with Ms. Hill Holdgate. Discussion among Board members followed about not allowing box trucks or non-resident vehicles to park downtown overnight. Mr. DeCosta suggested the Airport rent parking spaces to the contractors and pay for a shuttle to ferry people to and from the boats. He also said the Town has to "tighten up" the residential requirement for commercial parking stickers. Mr. Fee said if the Town doesn't value parking properly "this is what we get" and suggested that the Town charge for on-street parking which would address the issues and create capacity. Mr. Burns noted that the NPEDC made a funding recommendation for the shuttle service and has also proposed a sticker program for every vehicle which parks downtown. Chairman Kelly said it is less about revenue and more about finding parking. Mr. Burns stated the Town pays for NRTA service to the Airport and he feels the Fast Ferry Connector offers the same value and service for the Town.

Mr. DeCosta noted that the Board still did not resolve funding for the Fast Ferry Connector and asked what the "drop dead" date for 2017 service is. Ms. Leary answered January 2017. Chairman Kelly requested a revenue vs. expenses spreadsheet for the Fast Ferry Connector.

#### VI. ADJOURNMENT

The meeting was unanimously adjourned at 7:49 PM.

Approved the 26<sup>th</sup> day of October, 2016.

**BOARD OF SELECTMEN  
OCTOBER 12, 2016 – 6:00 PM  
PUBLIC SAFETY FACILITY COMMUNITY ROOM  
4 FAIRGROUNDS ROAD  
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 2. Easy Street Bulkhead reconstruction project street closures and traffic changes map
- III. 4. Memo from Town Clerk, re: voter registration
- III. 5. Memo from Town Clerk, re: early voting for State Election
- IV. 1. NRTA Fast Ferry Connector funding 2016
- IV. 2. Town Parking/Enforcement Plan; parking district map
- V. 1. Email from Town Counsel, re: sewer dedication agreement; Final Sewer Connection & Dedication Agreement; Richmond sewer main system diagram
- V. 2. Outline for 2017 ATM warrant articles (Town Admin); potential 2017 ATM warrant articles (PLUS)
- V. 3. 12/6/16 Special Town Election ballot