

BOARD OF SELECTMEN

Minutes of the Meeting of November 2, 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

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, 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.
3. The Veterans' Day Observance Ceremony will be held Friday, November 11, 2016 at 10:30 AM at the Federal Street War Memorial adjacent to the Town Building (in case of inclement weather, the ceremony will take place at American Legion Hall).
4. Town Clerk: The voter registration deadline for the December 6, 2016 Special Town Election is Wednesday, November 16, 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 through Friday, November 4, 2016 from 8:00 AM to 4:00 PM. 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.

IV. PUBLIC COMMENT

None.

V. NEW BUSINESS

None.

VI. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of October 26, 2016 at 6:00 PM. The minutes of October 26, 2016 at 6:00 PM were approved by the unanimous consent of the Board.

2. Approval of Payroll Warrants for Week Ending October 30, 2016. The payroll warrants for week ending October 30, 2016 were approved by the unanimous consent of the Board.

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

4. Approval of Pending Contracts for November 2, 2016. Chairman Kelly asked that the Victor-Brandon contract for the paving of the Milk Street Bike Path Extension be taken on its own. Ms. Gibson reviewed the first two pending contract, which were approved by the unanimous consent of the Board. Ms. Gibson reviewed the Victor-Brandon contract and answered questions from Board members. Some discussion among Board members followed on the layout plan and the utility poles which still need to be moved. Chairman Kelly asked that Town Administration communicate to Verizon the need to “get moving” on the project. The contract for Victor-Brandon was approved by the unanimous consent of the Board.

VII. CONSENT ITEMS

1. Gift Acceptance: Natural Resources Department; Our Island Home; Human Services (Saltmarsh Senior Center). Ms. Gibson reviewed the various gifts to the Natural Resources Department, Our Island Home and the Saltmarsh Senior Center. By unanimous consent, the Board accepted \$100 from proceeds of *Sea Saw* for the Town’s Brant Point Shellfish Propagation Facility; gifts totaling \$2,542.23 from various donors for the Our Island Home Gift Account; and gifts totaling \$49,499.03 from various donors for the Saltmarsh Senior Center.

VIII. CITIZEN/DEPARTMENT REQUESTS

1. Finance Department: Request for Approval of Sale of \$11,347,962 General Obligation Bond Anticipation Notes for Airport, Our Island Home, Wannacomet Water Company, Sewer and General Fund (General Fund includes Fire Station). Director of Municipal Finance Brian Turbitt reviewed this item and the following item (VIII. 2) regarding bond sales and answered questions from Board members. He noted that the Town paid back the borrowing it did for the Fire Station since that project has not moved forward. Ms. Hill Holdgate moved to approve the vote of the Board of Selectmen dated November 2, 2016 which was in the Board’s packet (attached); Mr. Fee seconded. All in favor, so voted.

2. Finance Department: Request for Approval of Sale of \$37,423,000 General Obligation Bonds for Airport, Our Island Home, Wannacomet Water Company, Sewer and General Fund (General Fund includes School). See item VIII. 1.

IX. TOWN MANAGER’S REPORT

1. Nantucket Harbor Shimmo/Plus Parcels Sewer Project Design Status Review; Review Scope of Overall Project. Ms. Gibson noted the Nantucket Harbor Shimmo/Plus Parcels sewer project was approved at the 2016 Annual Town Meeting with a \$41 million appropriation, and the Town subsequently engaged Weston and Sampson to design the project, and Hazen and Sawyer to be the Owner’s Project Manager (OPM). Department of Public Works Director Kara Buzanoski introduced Kent Nichols and Dan Sheahan of Weston and Sampson, and OPM Frank Ayotte from Hazen and Sawyer. Mr. Nichols reviewed the project scope of work and a map of the project area, noting it will include both conventional gravity sewer and low pressure sewer. He reviewed challenges of the project and answered questions from Board members. Mr. Nichols also reviewed gravity vs. low pressure sewer. Some discussion followed among Board members regarding necessary easements. Mr. Fee encouraged all property owners to donate easements since the sewer work is being paid for without betterments. Some discussion followed regarding pumps and generators. Ms. Buzanoski reviewed I/A (innovative/alternative) septic systems, noting they are not related to this project. Mr. Nichols reviewed maps of the different areas of the project and the anticipated project schedule. He noted the project is well within budget. Mr. DeCosta voiced concern that this sewer project could impact

Richmond Development's sewer off Old South Road. Ms. Buzanoski and Mr. Nichols answered questions from Board members.

2. Energy Office: Quarterly Energy Report; Municipal Aggregation Pricing Presentation. Energy Coordinator Lauren Sinatra introduced Marlana Patton and John Shortsleeve from Peregrine Energy Group. Ms. Patton reviewed what municipal aggregation is, key features of the program, benefits to Nantucket and the program implementation process. Mr. Shortsleeve reviewed electricity procurement and answered questions from Board members. He noted that the cost of capacity is increasing and that currently the summer users are being subsidized by the winter users and he's hoping for a stepped price vs. a fixed price for electricity. Mr. Shortsleeve asked the Board to petition the Department of Public Utilities (DPU) to act promptly on the Town's petition for approval of a municipal aggregation plan. Mr. Fee moved to authorize the Town Manager to send a letter to the DPU requesting its expedited review of Nantucket's aggregation plan; Ms. Hill Holdgate seconded. All in favor, so voted. Mr. Fee moved to authorize the Town Manager to execute an aggregation supply agreement if she deems the price is acceptable; Ms. Hill Holdgate seconded. Some discussion followed on what an acceptable price would be. Mr. Shortsleeve answered further questions from Board members. On the motion, all in favor, so voted. Ms. Sinatra presented a quarterly energy update to the Board and answered questions from Board members.

1. Nantucket Harbor Shimmo/Plus Parcels Sewer Project Design Status Review; Review Scope of Overall Project. OPM Frank Ayotte reviewed a scope of services for the engineering design and construction services for the Nantucket Harbor Shimmo/Plus Parcels sewer project, noting that an amendment to the design contract will be before the Board at its meeting next week.

X. SELECTMEN'S REPORTS/COMMENT

1. Appointment of Citizen-at-Large and Selectmen Representative for Our Island Home Work Group as Voted at the October 17, 2016 Special Town Meeting. Ms. Gibson reviewed the current membership of the Our Island Home Work Group, noting that some seats have been filled by Frances Karttunen, the sponsor of Article 5 of the October 17, 2016 Special Town Meeting which established the work group, and that Human Services Director Rachel Chretien will be the Our Island Home administrative member. Ms. Gibson noted that the Finance Committee still needs to meet to appoint its representative to the work group. Ms. Gibson recommended Martha Butler for the Board's appointment of a citizen at-large member. Discussion among Board members followed on the appointment of its member to the work group. Mr. DeCosta moved to appoint Ms. Hill Holdgate as the Board's representative and Ms. Butler as a citizen at-large member; Mr. Atherton seconded. All in favor, so voted.

2. Vote on Jetties Concession and Retail Shop Term Sheet. Ms. Hill Holdgate moved to approve the term sheet for the Jetties Concession and Retail Shop, as presented; Mr. Atherton seconded. All in favor, so voted.

3. Committee Reports. None.

XII. ADJOURNMENT

The meeting was unanimously adjourned at 7:54 PM.

Approved the 16th day of November, 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 November 2, 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 the sale of the \$37,423,000 General Obligation Municipal Purpose Loan of 2016 Bonds of the Town dated November 9, 2016 (the “Bonds”), to Robert W. Baird & Co., Inc. at the price of \$39,259,106.96 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on November 1 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>
2017	\$ 493,000	2.00%	2029	\$1,525,000	3.00%
2018	1,075,000	2.00	2030	1,570,000	3.00
2019	1,095,000	4.00	2031	1,615,000	3.00
2020	1,075,000	2.00	2033	3,370,000	3.00
2021	1,110,000	5.00	2034	1,760,000	3.00
2022	1,165,000	5.00	2035	1,810,000	3.00
2023	1,220,000	5.00	2036	1,865,000	3.00
2024	1,275,000	5.00	2037	1,835,000	3.00
2025	1,330,000	5.00	2038	1,890,000	3.00
2026	1,395,000	5.00	2039	1,945,000	3.00
2027	1,445,000	3.00	2041	4,075,000	3.125
2028	1,485,000	3.00			

Further Voted: that the Bonds maturing on November 1, 2033 and November 1, 2041 (each, a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due November 1, 2033

<u>Year</u>	<u>Amount</u>
2032	\$1,660,000
2033*	1,710,000

*Final Maturity

Term Bond due November 1, 2041

<u>Year</u>	<u>Amount</u>
2040	\$2,005,000
2041*	2,070,000

*Final Maturity

Further Voted: to approve the sale of a \$11,347,962 2.00 percent General Obligation Bond Anticipation Note of the Town dated November 10, 2016, and payable June 2, 2017 (the "Notes"), to J.P. Morgan Securities LLC at par and accrued interest, if any, plus a premium of \$79,889.65.

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 October 12, 2016, and a final Official Statement dated October 19, 2016 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated October 12, 2016, and a final Official Statement dated October 19, 2016, each in such form as may be approved by the Town Treasurer, 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: that the Town 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 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 and the Town 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 and Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: November 2, 2016

Clerk of the Board of Selectmen

AM 59423208.1

**BOARD OF SELECTMEN
NOVEMBER 2, 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 traffic map
- III. 4. Memo from Town Clerk, re: voter registration for Special Town Election
- VI. 1. Draft minutes of October 26, 2016 at 6:00 PM
- VI. 4. Pending contracts spreadsheet for November 2, 2016; map of 4-6 Fairgrounds Road proposed roadway location
- VII. 1. Summary of gift acceptances & recommended motion; gift acceptance request letters from Natural Resources Dept, Our Island Home & Saltmarsh Senior Center
- VIII. 1-2. Motion from Bond Counsel, re: bond sales
- IX. 1. Nantucket Harbor/Shimmo/Plus Parcels sewer project presentation; summary of sewer design project; summary of OPM Scope of Services
- IX. 2. Energy Office update memo; Appendix A; appendix B; Appendix C; Appendix D; Appendix E; Energy Office PowerPoint presentation; Peregrine Energy Group PowerPoint presentation; Peregrine memo to BOS; Peregrine energy market update; Peregrine draft letter from BOS to Dept. of Public Utilities
- X. 1. Our Island Home Work Group 2016 membership/applicant list; letters of interest from Karttunen, Forsgren, Andrews, Lynch, Ellis, Glowacki, Soverino, Mulcahy, Creech, Snell & Golding; emails from Town Manager to Karttunen & BOS
- X. 2. Jetties Beach Concession & Retail Shop Term Sheet