

## BOARD OF SELECTMEN

Minutes of the Meeting of 5 November 2008. The meeting took place in the Court Room, Town and County Building, 16 Broad Street, Nantucket, MA 02554. Members of the Board present were Rick Atherton, Brian Chadwick, Michael Kopko, Allen Reinhard and Patricia Roggeveen. Chairman Kopko called the meeting to order at 6:00 PM.

### ANNOUNCEMENTS

Chairman Kopko congratulated Nantucket's new State Representative Tim Madden on his electoral victory the day before. Mr. Madden said that he was "humbled by the experience and appreciative of the vote."

Town Manager C. Elizabeth Gibson introduced Kitt Johnson who came to the meeting in order to present an Edgartown-Nantucket Tidal Energy Demonstration Project study update. Mr. Johnson explained that the study will first look at feasibility and then it will be determined if it is prudent to move forward. He noted that a Federal Energy Regulatory Commission permit for the project area, between Martha's Vineyard and Nantucket, has been received.

Department of Public Works Director Jeff Willett, made several announcements regarding street closings for upcoming downtown sewer projects, Phase II. Mr. Willett said that twenty streets would be impacted by the closures and the work, which is already taking place, and will conclude in April, 2009. Mr. Willett added that a base course of asphalt will be laid in April with a final course to be laid in the fall of 2009. In an effort to communicate the road closures, Mr. Willett said that he has notified all Town departments, emergency services, the Chamber of Commerce and Visitor Services.

Dave Fronzuto, Marine Superintendent, noted that when the project moves to the Brant Point area there will be some interruption of access to the Children's Beach boat ramp. He stated that in the interim he has plans to accommodate boats at the Town Pier in emergency situations.

Public Comment. None.

Approval of Payroll Warrants for Weeks Ending 26 October 2008; 2 November 2008. The payroll warrants for the weeks ending 26 October 2008 and 2 November 2008 were approved by the unanimous consent of the meeting.

Approval of Treasury Warrant and Pending Contracts for 2 November 2008. The treasury warrant and pending contracts for 2 November 2008 were approved by the unanimous consent of the meeting.

### Public Hearings

Application of Richard Holdgate for Renewal of Aquaculture License for a Three Acre Parcel in Pocomo Meadows Area of Nantucket Harbor; and, for a Portion of a Deep Water Parcel in Head of the Harbor Area, Nantucket Harbor. Mr. Fronzuto stated that this renewal request for the parcel in the Pocomo Meadows make it the longest term permitted site in Nantucket Harbor. He recommended that the Board approve Mr. Holdgate's request for a ten year renewal of an aquaculture permit for a three acre section in Pocomo Meadows and a winter deep water site in the Head of the Harbor. As a condition of the renewal, Mr. Fronzuto said that Mr. Holdgate has agreed

to remove an old barge and another derelict boat from the area. Mr. Fronzuto explained that the deep water site was necessary to ensure the viability of aquaculture during the winter months, as Pocomo Meadows often froze over. Mr. Reinhard asked if there would be any impact upon navigation, to which Mr. Fronzuto responded that there would be no impact, as the area is clearly marked and out of the area of navigation. Mr. Reinhard moved to approve the renewal of a ten year aquaculture permit for Richard Holdgate; seconded by Ms. Roggeveen. So voted unanimously.

Application of Bruce Murray for Renewal of Aquaculture License for Four Acre Parcel in Head of Harbor Area, Nantucket Harbor. Mr. Fronzuto stated that this application for renewal concerns a four acre section. In light of the fact that this kind of activity is recommended in the Town's Harbor Plan, Mr. Fronzuto said that he supports renewing the license for ten years. Mr. Reinhard moved to approve the renewal of a ten year aquaculture permit for Bruce Murray, seconded by Ms. Roggeveen. So voted unanimously.

Application of Stephen Bender for New Aquaculture License for Three Acre Parcel in Pocomo Meadows Area of Nantucket Harbor. After some explanation by Mr. Fronzuto, Mr. Reinhard moved to approve a new aquaculture license with a term of three years for Steve Bender; seconded by Ms. Roggeveen. So voted unanimously.

#### Citizen/Departmental Requests

Taxi Association: Request for Extension of Hourly Rate Charge from 31 October 2008 to 31 May 2009. John St. Laurent, Nantucket Taxi Owners Association President, stated that his organization has proposed that the Board approve an extension of the hourly rate charge until May 31, 2009. He noted that since the Board plans to implement taxi meters in the spring, his association has concluded that the fee schedule would not be needed after May 31, 2009. William Pittman, Chief of Police, asked the Board to defer action until such time that the taxi owners and police have developed a plan for the implementation of meters. He commented that despite recent Board of Selectmen conversations on the topic he has had no contact with the Nantucket Taxi Owners Association regarding the implementation of meters. Mr. St. Laurent said that his organization continues to adjust its research plan. Ms. Roggeveen stated that when she voted for the hourly rate it was her expectation that there would be a plan for the implementation of meters in place by October 31. She emphasized the need for an implementation plan and added that she is not inclined to support this request. Chairman Kopko noted that there seems to be a communication problem between the Board and the taxi operators. Mr. Reinhard echoed the opinion of Chief Pittman, stating that he wishes to see results before moving forward with a rate extension. Ms. Roggeveen moved to take no action on the request; seconded by Mr. Chadwick. So voted unanimously.

Request for Elimination of Parking Space on Lily Street. Ms. Gibson stated that this request was initiated by the residents of 32 Lily Street which is directly across from the parking space in question. Chairman Kopko added that he has viewed the parking space and the recommendation of the Traffic Safety Workgroup is to eliminate the parking space. Mr. Chadwick moved to approve the request; seconded by Mr. Reinhard. So voted unanimously.

Police Department: Request for Acceptance of a Gift of Equipment for K-9 Program. Ms. Gibson reminded the Board that this request is in reference to a County bill recently deferred by the County

Commissioners. She explained that the Commission deferred the item until such time that it could be accepted by the Board of Selectmen. Mr. Chadwick moved to approve the request for acceptance of a gift of equipment for the K-9 program; seconded by Ms. Roggeveen. So voted unanimously.

#### TOWN MANAGER'S REPORT

Update Regarding Finance Department Organizational Improvements Plan. Ms. Gibson reviewed the history of the organizational improvements plan. She stated that implementation plan meetings have been held, and phase one of the implementation plan drafted and reviewed phase one. Due to the competing priorities of the upcoming Special Town Meeting, FY 2010 budget planning, and continuing work on the FY 2008 Audit, Ms. Gibson said it may be necessary to extend various timelines, but an outline of phase two of the implementation plan should be completed by the end of November. Ms. Gibson added that some of the recommendations are already in place and pointed to a recent review of cash reconciliations by the Town's auditor. She commended the Finance Director and Finance Department staff for their hard work. Ms. Roggeveen stated that she is pleased with recent reports of success from the Finance Department, and concurred that completing the FY 2008 audit is a priority for the department.

Town of Nantucket Collaboration with Suffolk University in a Public Administration Certificate Program. Ms. Gibson congratulated eleven Town employees on the completion of a Town sponsored Public Administration Certificate Program with Suffolk University. The graduates were: Chief Mark McDougall, Jimmy Manchester, Mark Voigt, A. T. Wilce, Liz Flanagan, Elizabeth Brown, Robert Inglis, Jeff Carlson, Linda Roberts, Leslie Snell, and John Smith. Ms. Gibson noted that this effort was in recognition of the Board's goal of improving administrative management throughout the Town.

FY 2010 General Fund Budget Update. Ms. Gibson said that Town Administration is moving forward with program budgeting plans, and that all departmental budgets have been received with ten percent expense spending reductions in place. In an attempt to address difficult issues with the budget, she stated that many options are being considered; including additional expense reductions, identifying essential functions and a hiring freeze. She added that she is working actively to communicate the challenges faced by the Town, and she will be asking Town employees to contribute their suggestions.

#### Selectmen's Reports/Comment

Discussion Regarding Status of Town License(s)/Approvals for Siasconset Beach Preservation Fund Use of Town Property (Continued from 15 October 2008.) Attorney Bill Hunter spoke on behalf of Siasconset Beach Preservation Fund (SBPF). He stated that the SBPF is well aware of community concerns about the project. Mr. Hunter characterized the SBPF's current goal as a "regularization of licensing" for Conservation Commission Orders of Conditions numbers 1602 and 1659. Mr. Hunter said that future efforts will only consist of toe protection in the area from 67 to 120 Baxter Road. Mark Ritz, SBPF geologist, noted that the new design for toe protection reduces the amount of wood in the project by 90% and reduces the amount of fabric in the project by 80%. He explained that the new design allows large, sand-filled, jute bags which are designed to fail during storms spilling sand on the beach without any fabric leaving the site.

Some discussion about the nature of licensing agreements ensued. Mr. Atherton asked if the SBPF has insurance to cover any liabilities associated with the project. Mr. Hunter answered that the SBPF has a liability policy in the amount of \$1 million. Ms. Roggeveen commented that she saw the process as a good example of trial and error, with SBPF working hard to mitigate any errors. Mr. Atherton noted that although the scope of the project has changed, dewatering equipment remains on the site. Jenny Garneau of SBPF responded that the SBPF is moving forward with plans to remove the equipment. Paul DeRensis, Town Counsel, reminded the Board that such equipment is not covered under the license and that it should be removed from the property.

After further discussion regarding the technical nature of toe protection efforts, Mr. Atherton recommended that the SBPF submit a copy of any reports it has made to other boards or commissions to the Board of Selectmen. Mr. Ritz said that the SBPF is required to provide information to the Conservation Commission following major storm events. Mr. Atherton indicated the Board's interest in being included in this reporting.

Mr. DeRensis advised the Board of four points to be addressed: the term of the license, insurance, Board inclusion on SBPF reporting, and correcting typographical errors in the agreement. Mr. Atherton pointed out that this conversation with SBPF was important in that erosion affects all parts of the Island. Chairman Kopko asked that the matter be returned to the Board for action at its meeting on November 19, 2008.

Discussion Regarding Charge of Ad Hoc Budget Work Group. Ms. Roggeveen stated her belief in the importance of routinely revisiting the charters of groups and committees in order to better understand their goals and missions. Chairman Kopko noted that the Board may want to review membership standards and bring them more in line with the expectations of the Ad Hoc Budget Work Group.

The meeting was unanimously adjourned at 8:28 PM.

Approved the 17 day of December 2008.