



Town of Nantucket Finance Committee

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Committee Members: Denice Kronau (Chair), Stephen Maury (Vice-chair), Joseph T. Grause Jr., Peter McEachern, Joanna Roche, Peter Schaeffer, Chris Glowacki, Jill Vieth, George Harrington

MINUTES

Thursday, March 18, 2021

*This meeting was held via remote participation using ZOOM and YouTube,
Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law*

Called to order at 4:00 pm by Ms. Kronau

Staff in attendance: Brian Turbitt, Director of Finance; Rick Sears, Deputy Director of Finance; Terry Norton, Town Minutes Taker

Attending Members: Kronau, Maury, Grause, McEachern, Schaeffer, Glowacki, Vieth, Harrington

Absent Members: Roche

Other Speakers: Ken Beaugrand, Chair Community Preservation Committee (CPC); Kevin Comick

Documents used: Warrant Articles for 2020 Annual Town Meeting.

Adoption of agenda.

Motion **Motion to Adopt.** (made by: McEachern) (seconded)

Roll-call Vote Carried 8-0//Harrington, McEachern, Vieth, Schaeffer, Maury, Grause, Glowacki, and Kronau-aye

I. ANNOUNCEMENTS

II. PUBLIC COMMENT

1. None

III. APPROVAL OF PRIOR MEETING MINUTES

None

IV. COMMITTEE REPORTS

1. None

V. WARRANT ARTICLES FOR 2020 ANNUAL TOWN MEETING (ATM)

1. Article 32 (Appropriation: FY2022 Community Preservation Committee)

Discussion **Turbitt** – No substantial change; math errors were corrected and inserted the corrected allocation numbers. It's been reviewed; we are comfortable with raise or appropriate \$2,836,175.

Beaugrand – This is our 19th year; since 2003, we've funded 46 different organizations and non-profits, funded 178 different projects, and funneled in excess of \$45m back into the community.

Motion **Motion to Adopt.** (made by: Grause) (seconded)

Roll-call Vote Carried 8-0//McEachern, Vieth, Harrington, Grause, Maury, Glowacki, Schaeffer, and Kronau-aye

2. Article 70 (Bylaw Amendment: Noise)

Motion Motion to Reopen Article 70. (made by: McEachern) (seconded)

Roll-call Vote Carried 6-2// McEachern, Vieth, Harrington, Maury, Glowacki, and Kronau-aye; Grause and Schaeffer-nay

Discussion **Glowacki** – Unless we take out power equipment, he won't change his vote.

Schaeffer – Asked if there is objection to eliminating power equipment.

Glowacki – He'd approve striking the power equipment and moving the closing time to 6:00 p.m.

Grause – Asked if the modified language still incorporates the request to measure distance from the source to the property line.

Kronau – Under 101-2, the text reads to measure a distance of 40 feet or more or from the property line of premises, whichever is closer to source of sound.

Grause – He doesn't think he has to recuse for the rewrite of the Town article; he does have to recuse from Article 71. In his opinion, that's a strict standard, especially if Mr. Zimicki is looking to reduce sound to 50 decibels. The proposed change would make enforcement stricter. His sense was Charles Gibson did not want to make this overly strict.

Harrington – The original decibel rating has shown itself to be achievable; it isn't worthwhile to change that.

Kronau – 50 decibels is her speaking voice now. 55 isn't that much more.

Schaeffer – Questions if the decibel level should be higher than 55 if that is a speaking voice. Asked what the noise level of an air compressor is.

Kronau – This is what the workgroup thought was a sensible request. All new air compressors are less than 55.

Vieth – The quietest unit she could get for a house she's working on is 56 decibels.

Harrington – It's a logarithmic scale of how noise increases-decreases from the point of generation. It wouldn't surprise him that if an HVAC is fenced in or obscured, the decibel level would be cut 4 decibels.

Vieth – Looking at spec sheets, the noise level is 60 to 65.

Kronau – Read Article 70, "... in excess of 55 DBA for over 10 minutes from 40 feet away or more from the source of the sound or the property line."

Grause – Expressed concern how the restrictions as stated in the Article could lead to abuse.

Motion **Motion to Adopt extending time to 6 pm and striking the last line about power tools.**
(made by: Glowacki) (seconded)

Roll-call Vote Carried 8-0//McEachern, Vieth, Maury, Grause, Harrington, Glowacki, Schaeffer, and Kronau-aye

3. Article 71 (Bylaw Amendment: Noise) Jacques Zimicki

Discussion **Grause** – Recused.

Comick – We think Mr. Zimicki's article is targeting us. He believes we meet all standards – put up a fence and got an engineer to certify our chiller meets standards.

Schaeffer – This seems to duplicate Article 70.

Kronau – She feels this is redundant and more specific than Article 70; it would be hard to enforce this when you have another Article in place.

Maury – When this was submitted, the Town hadn't come forward with Article 70. The sponsor said that if 70 passes, he will withdraw this.

Kronau – Now that this is on the warrant, it's too late to withdraw Article 70; we can make a motion not to adopt.

Vieth – She thought all this stuff was grandfathered in and shouldn't affect equipment at Sherburn Commons.

Vieth – Thinks it could pass at Town Meeting. She agrees with everyone regarding this article. Pointed out Mr. Zimicki's property could potentially face the largest development this Island has seen and so shouldn't think this is targeting any one property.

Schaeffer – Asked why not reject it.

Glowacki – Historically take no action is what we've done when the proponent offers to withdraw the article.

Motion **Motion to Take No Action.** (made by: Glowacki) (seconded)

Roll-call Vote Carried 7-0//McEachern, Vieth, Maury, Glowacki, Harrington, Schaeffer, and Kronau-aye; Grause recused

5. Article 82 (Bylaw Amendment: Streets and Sidewalks) Kevin Kuester

Discussion **Kronau** – Ms. Gibson reminded her that the actual way the article is written is not correct; if we approve it, it has to be with modifications. She doesn't understand what would have to be changed in the article and asked to postpone this until Ms. Gibson can explain it. This article isn't in line with the current bylaw; that's what she's not comfortable with.

Harrington – He'd like to hear from Town Counsel on this; conditions in the Article seem to beg problems.

Vieth – She opposes this article and would like a motion not to adopt.

Schaeffer – He would too

Motion **Motion Not to Adopt.** (made by: Schaeffer) (seconded)

Roll-call Vote Carried 8-0//McEachern, Vieth, Maury, Glowacki, Grause, Harrington, Schaeffer, and Kronau-aye

6. Article 95 (Home Rule Petition: Issuance of Pension Obligation Bonds and Notes)

Discussion **Turbitt** – Explained why this is being requested. This is a long and arduous process; some modelling has been started; we need to get approval from Town Administration. First step on the Town side is to file the home rule petition allowing us to do this. If the home rule is approved, we are not obligated to do this. It would also allow bonds to be issued for the County and the Land Bank. Analysis right now shows that if we were to do this, potential savings could be almost \$46m over the life of the bonds.

Glowacki – Asked if they would have to come back to Town Meeting to issue the bonds (yes).

McEachern – Asked whose desk it originated from.

Turbitt – The financial advisor's desk.

Schaeffer – Asked where in this Article it states they can't issue the bond.

Turbitt – In order to authorize borrowing, we have to go back to Town Meeting to ask to issue bonds in the amount of X dollars. Bond Counsel wrote this article; they specifically said we'd have to go back to Town Meeting to issue the bonds.

Schaeffer – Feels no one at Town Meeting will understand this Article. Perhaps it needs an introductory paragraph.

Kronau – We can add a comment that this doesn't authorize issuance of a bond without Town Meeting approval.

Glowacki – Sections 1-5 is the area the Legislature will look at.

Grause – This is an arbitrage; the model is you borrow money and the expected return, built into the \$80m unfunded portion, has a higher rate of return.

Motion **Motion to Adopt.** (made by: Harrington) (seconded)

Roll-call Vote Carried 8-0//Harrington, McEachern, Maury, Grause, Glowacki, Vieth, Schaeffer, and Kronau-aye

7. Article 96 (Charter Change: Mailing of Town Meeting Warrant)

Discussion **Kronau** – She's discussed the impact with Ms. Gibson. She doesn't think pushing the schedule back 2 weeks would be bad.

Grause – Not too many people bother to read the warrant before Town Meeting.

Maury – Thinks it's a good idea. Could also move the date of Town Meeting a little later in April.

Motion **Motion to Approve.** (made by: Harrington) (seconded)

Roll-call Vote Carried 8-0//Harrington, McEachern, Maury, Grause, Glowacki, Vieth, Schaeffer, and Kronau-aye

8. Article 5 (Appropriation: Reserve Fund)

Discussion **Turbitt** – This is a standard yearly article to raise and appropriate. Unused funds go to Free Cash

Motion **Motion to Adopt.** (made by: Schaeffer) (seconded)

Roll-call Vote Carried 8-0//Harrington, McEachern, Maury, Grause, Glowacki, Vieth, Schaeffer, and Kronau-aye

9. Article 111 (Appropriation: Stabilization Fund)

Discussion **Turbitt** – Asking to take no action. Not putting anything into the fund.

Motion **Motion to Take No Action.** (made by: Grause) (seconded)

Roll-call Vote Carried 8-0//Harrington, McEachern, Maury, Grause, Glowacki, Vieth, Schaeffer, and Kronau-aye

10. Article 112 (Appropriation: Free Cash)

Discussion **Turbitt** – This is in the event we need to make an appropriation; we don't plan to do that. Asking for a motion to take no action.

Motion **Motion to Take No Action.** (made by: Glowacki) (seconded)

Roll-call Vote Carried 8-0//Harrington, McEachern, Maury, Glowacki, Grause, Vieth, Schaeffer, and Kronau-aye

VI. NEXT MEETING DATE/ADJOURNMENT

Date: Tuesday, March 23, 2021; 4:00 p.m.

Kronau – On the housing articles at the next meeting, she will not open them to public comment, but people will be available to answer any questions members might have.

Adjournment:

Motion **Motion to Adjourn at 5:06 p.m.** (made by: McEachern) (seconded)

Roll-call Vote Carried 8-0//Harrington, McEachern, Maury, Grause, Glowacki, Vieth, Schaeffer, and Kronau-aye

Submitted by:

Terry L. Norton