



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

MINUTES

Monday, January 6, 2020

4 Fairgrounds Road, Community Room – 4:00 p.m.

Called to order at 4:02 p.m.

Staff in attendance: Libby Gibson, Town Manager; Brian Turbitt, Director of Finance; Alexandria Penta, Financial Analyst; Terry Norton, Town Minutes Taker

Attending Members: Kronau, Maury, Grause, Roche, Schaeffer, Glowacki, Vieth

Absent Members: McEachern

Documents used: December 2, 2019 minutes; Citizen and Town Warrant Articles for 2020 Annual Town Meeting (ATM)

Agenda approved by unanimous consent.

I. ANNOUNCEMENTS

II. PUBLIC COMMENT

1. None

III. APPROVAL OF PRIOR MEETING MINUTES

1. December 12, 2019: **Motion to Approve.** (made by: Maury) (seconded by: Roche) Carried unanimously

IV. REVIEW & DISCUSSION & POTENTIAL MOTIONS FOR CITIZEN AND OTHER WARRANT ARTICLES FOR 2020 ATM

1. Article A Sewer District Map Change: 154R Cliff Road – Kevin Dale
 Discussion **Maury** – The proponent asked for a motion to take no action.
 Motion **Motion to Take No Action.** (made by: Schaeffer) (seconded by: Roche)
 Vote Carried unanimously
2. Article B Sewer District Map Change: 18 Kimball Avenue – Kevin Dale
 Discussion **Maury** – Wants to wait for sewer commissioners to weigh in before making a motion.
 Motion N/A
 Vote N/A
3. Article C Re-establish Parks & Recreation Department – Maria Zodda
 Discussion **Grause** – This requires a presentation from Ms. Zodda before we discuss it.
Gibson – Explained why there is no Parks and Recreation Department. Town Administration doesn't want to set up another stand-alone department; we prefer to bolster the Department of Public Works (DPW), which maintains facilities. The Community School coordinates all the sports on Town fields. She hopes to provide FinCom a report from Town Administration on all articles.
Maury – Suggested that someone reach out to the article proponents from whom the Board wants presentations.
 Discussion about proponents not attending the December public hearing to present their articles.
Kronau – This is an unusually large number of Citizen Articles. She will reach out to Ms. Zodda.
 Motion N/A
 Vote N/A

4. Article D Prohibiting Glyphosate – Cheryl Emery

Discussion **Grause** – This should be handled the same as Article C.

Roche – There is a larger bill in the works to ban Glyphosate; we should know about that before voting on this article.

Motion N/A

Vote N/A

5. Article E Appropriation: HHS-Fairwinds – Tessandra de Alberdi

Discussion **Kronau** – We have had discussions with Fairwinds about contacting FinCom; they have indicated that if they find other funding, they will drop their request down. We have nothing in writing at this time. Last year’s Contract Review Committee (CRC) request was \$135,000.

Glowacki – Ms. de Alberdi should do the presentation and provide an update. FinCom recommended a lower amount than they asked of CRC.

Grause – This is similar to Article H in that a non-profit is appealing to the Town for money.

Maury – CRC talked about the request at a meeting today. The hospital and Fairwinds collective requests are more than the total allotment. The question is should the Town be in the business of subsidizing a non-profit business.

Motion N/A

Vote N/A

6. Article F Sewer District Map Change: 11 Milestone Crossing – Joyce Karyotakis

Discussion **Kronau** – Will wait for the Sewer Commission recommendations.

Motion N/A

Vote N/A

7. Article G Prohibiting Roundabouts Near School – John McGrady

Discussion **Schaeffer** – A lot of people say roundabouts are safer than intersections.

Kronau – This is a non-binding question. The financial argument behind this is that stop signs will save the Town money over building a roundabout.

Vieth – If there is a chance the Attorney General wouldn’t sign this into law, she sees no sense in giving it a positive recommendation. Wants to know if Town Counsel made that recommendation.

Gibson – Town Counsel reviews the articles for legality; ATM can approve what it wants but the question is whether or not it will happen. The four-way stop was put in at Bartlett Road based upon Select Board recommendations.

Grause – If this is voted in at ATM, it is up to the Select Board to decide whether or not to follow the suggestion.

Kronau – She will look at Town Counsel’s recommendation.

Grause – We should have Mr. McGrady do a presentation on this as well.

Motion N/A

Vote N/A

8. Article H Appropriation: HHS-Transport for Behavioral Health Patients – Walter Wieners

Discussion **Glowacki Recused.**

Kronau – Last year FinCom recommended an approval for one year and strongly urged them to find alternative funding.

Roche – This is not going to go away. If they can’t get them off Island, the hospital sends behavioral-health patients home even if they are a danger to themselves and others.

Grause – The concern last year is these expenses weren’t included in the Town budget; now we have another non-profit asking for funds. On ATM floor, the tide will go with this.

Kronau – If we approve \$128,000 for Fairwinds and \$130,000 for this, where would the money come from.

Gibson – That is the problem, there is no funding source identified; that needs to be in the motion.

Grause – The problem is last year we agreed to fund for one year only while they found alternate funding; now it's back along with another non-profit.

Roche – In any other community, this request wouldn't be necessary; but we live on an Island.

Grause – Asked if the CRC budget is part of the process.

Gibson – CRC is currently level funded; there is talk about increasing it.

Kronau – We could send a letter to the Select Board asking for an increase in CRC funds.

Roche – Asked if there is a mechanism to force the request to go through CRC; we should make sure all requests are coming from one direction to one board.

Vieth – Asked if things like this have been passed in the past and if there is a list.

Gibson – This sort of thing hasn't come forward before.

Kronau – We will ask the proponent to come back.

Motion N/A

Vote N/A

9. Article I Zoning Map Change: LUG-3 to SOH-Ocean Avenue – Kenneth Gullicksen

Discussion **Kronau** – Waiting on Planning Board recommendation.

Motion N/A

Vote N/A

10. Article J Sewer District Change: 1 West Chester Street – Arthur Reade

Discussion **Kronau** – Waiting on Sewer Commission recommendation.

Motion N/A

Vote N/A

11. Article K Conveyance: Portion of North Caroline Avenue – Arthur Reade

12. Article L Acquisition: Portion of North Caroline Avenue – Arthur Reade

Discussion **Maury** – Waiting on Real Estate Advisory Committee (REAC) recommendation.

Motion N/A

Vote N/A

13. Article M Bylaw Amendment: Washington Street Parking Lot – Robert DeCosta

Discussion **Kronau** – This article is legally defective according to Town Counsel and no way to amend it.

Glowacki – Asked to reach out to Mr. DeCosta about defending whether or not it's legally defective or if he will agree to changing on ATM floor.

Motion N/A

Vote N/A

14. Article N Bylaw Amendment: Bicycles – New Article IV: Bicycle Accident Database – Ian Golding

15. Article O Bylaw Amendment: Bicycles – New Article IV: Bicycle Right of Way – Ian Golding

16. Article P Bylaw Amendment: Bicycles – New Article IV: Bicycle Passing Buffer Zone – Ian Golding

Discussion **Kronau** – We need Mr. Golding to present on these.

Roche – It can't be funded through the Vehicle Tax as proposed. This is the second time the bicycle right of way has come to us and people are behind it.

Jason Bridges – The Bicycle-Pedestrian Advisory Committee does not want stop signs at every single driveway or intersection; they want to find the hot-spots. Mr. Golding is engaging an attorney to look at the legality behind doing this.

Roche – Last year the Police Chief said that the Accident Database wasn't doable. Asked if that is still the case.

Bridges – He can't speak to that, but the database would help identify the hotspots.

Motion N/A

Vote N/A

17. Article Q CPC FY2020 Budget Transfers – Ken Beaugrand
18. Article R Appropriation: CPC FY2021 – Ken Beaugrand
Discussion **Kronau** – We discussed this December 12th.
Grause – He’d be willing to vote for this tonight.
Glowacki – He’d like to take another look at this.
Schaeffer – Agrees with Mr. Glowacki
Motion N/A
Vote N/A
19. Article S Zoning Bylaw Amendment: Commercial Mid-Island Height Restriction – Vallorie Oliver
Discussion **Kronau** – Waiting for Planning Board recommendation.
Motion N/A
Vote N/A
20. Article T Sewer District Map Change: Hummock Pond Road & Millbrook Road – Allen Reinhard
Discussion **Kronau** – Waiting for Sewer Commission recommendations.
Motion N/A
Vote N/A
21. Article U Zoning Map Change: R-5 to CTEC – Mary Ann Drive – Brian Ryder
Discussion **Kronau** – Waiting for Planning Board recommendation.
Motion N/A
Vote N/A
22. Article V Require Town Meeting Vote to Implement On-street Paid Parking – Christopher Glowacki
Discussion Glowacki recused.
Chris Glowacki, proponent – He sent a letter to the ATM moderator to see what can be done to change this; he hasn’t heard back. Ms. Gibson sent him a 2010 report upon which much of this is based. There is an example that Select Board member Matt Fee referred to where the Town was reluctant but later liked it. His packet has a similar example but noted that at the same time paid parking was instituted, two new parking garages were built.
Motion N/A
Vote N/A
23. Article W Short-Term Rental Tax Cap – Curtis Barnes
Discussion **Kronau** – This was discussed December 12th. Town Counsel recommends it can’t be implemented as recommended.
Motion **Motion To take no action.** (made by: Maury) (seconded by: Glowacki)
Vote Carried unanimously
24. Article X Zoning Map Change: R-10 to CN-3 Cobble Court – Susan Ottison
Discussion **Kronau** – Waiting on Planning Board recommendation.
Motion N/A
Vote N/A
25. Article Y Conveyance: Paper Roads Abutting 4 Morgan Square – David Callahan
Discussion **Kronau** – Waiting for REAC recommendations.
Motion N/A
Vote N/A
26. Article Z Bylaw Amendment: Preservation of Historically Significant Buildings – Mary Bergman
Discussion **Kronau** – Ms. Bergman needs to present this to us.
Motion N/A
Vote N/A
27. Article AA Acquisition: East Hallowell Lane – Elizabeth Finlay
28. Article BB Conveyance: East Hallowell Lane – Elizabeth Finlay
Discussion REAC
Motion N/A
Vote N/A

29. Article CC Acquisition: North Road, 'Sconset – Jessie Brescher
30. Article DD Conveyance: North Road, 'Sconset – Jessie Brescher
Discussion **Kronau** – Waiting for REAC recommendations.
Motion N/A
Vote N/A
31. Article EE Bylaw Amendment: Merchandise & Wares – David Iverson
Discussion **Kronau** – Mr. Iverson needs to talk about this.
Maury – Asked if TC can come back.
Motion N/A
Vote N/A
32. Article FF Acquisition: Cherry Street, Surfsaide3 – Scott Bowman
33. Article GG Conveyance: Cherry Street, Surfsaide3 – Scott Bowman
Discussion **Kronau** – Waiting for REAC recommendations.
Motion N/A
Vote N/A
- ~~34. Article HH Zoning Bylaw Amendment: Ground Cover Ratio – Carol Butler~~
Discussion **Gibson** – All signatories have withdrawn their support.
Motion N/A
Vote N/A
35. Article II Bylaw Amendment: Unwanted Capital Projects – Carol Butler
Discussion **Kronau** – She'd appreciate Peter McEachern weighing in on this as the Capital Program Committee (CapCom) representative.
Roche – Asked if any other Towns have this bylaw.
Gibson – Not that she knows of.
Schaeffer – This would override everything the Select Board does.
Roche – Asked if Select Board is preparing a response so the public understand what this means.
Jason Bridges, Select Board – On the floor, you can take out any capital project. This adds another night or two to Town Meeting; there's a big gap in understanding what CapCom does between July and Today and how they get into the specifics of each project.
Gibson – This specifically states that if a Capital Project was requested twice and defeated, Select Board can't proceed without approval of ATM regardless of the funding source.
Roche – Feels this is a dangerous article.
Motion Not to Adopt. (made by: Roche) (seconded by: Maury) Carried 4-3.
Maury – Wants to keep this open for further discussion. Suggested the proponent and Town Counsel weigh in on this.
Motion **Motion to Reconsider.** (made by: Maury) (seconded by: Glowacki)
Vote Carried 4-3
36. Article JJ Bylaw Amendment: Plastics Ban – Bruce Mandel
Discussion **Gibson** - This article is very ambitious; Mr. Mandel asked if the board would agree to put this forward as a Town Article. Our feeling is to get the current ban, which goes into effect June 1, 2020, in place for a while first. The current bylaw specifies flexible yokes on 6-packs; one change we want is to include 4- and 8-packs. She's not sure it will be ready to incorporate all the changes.
Grause – He struggles with the FinCom making a recommendation on plastics; thinks FinCom should take no action and let ATM decide. This doesn't address Town revenue or expenses.
Discussion about how this bylaw could impact the finances of the Island and individuals.
Kronau – We will find a way for Mr. Mandel to participate in a meeting.
Motion N/A
Vote N/A

37. Article KK Appropriation: Incineration of Solid Waste – Clifford Williams

Discussion **Maury** – He wants to hear from Mr. Williams.

Motion N/A

Vote N/A

38. Article LL Appropriation: Legal Opinion for Beach Access – Clifford Williams

Discussion **Maury** – Wants to hear from Mr. Williams on this as well.

Motion N/A

Vote N/A

39. Article MM Compliant Committee – Theresa Williams

Discussion **Maury** – This is non-binding; doesn't think we need to have a discussion on this.

Schaeffer – This goes against having elected officials.

Grause – He feels this is about her having a grievance with the Town and not wanting to hire a lawyer.

Kronau – This hasn't changed significantly from last year. The irony is she feels the Town won't hear her and we are not inviting her to talk about this.

Grause – He's willing to vote not to adopt with a comment that it hasn't changed significantly and is legally defective.

Kronau – If we don't vote now, we should invite her; the invitation would have the caveat that she must present new information.

Glowacki – Believes we should give people as much access as possible.

Roche – Thinks we should invite her back.

Motion N/A

Vote N/A

40. Article NN Traffic Rules & Regulations: Limit Heavy Commercial Vehicle Delivers in Core District – Grant Sanders

Discussion **Schaeffer** – We had a good discussion last time. He'd like to know if there have been discussions with the contractors.

Julia Lindner, ACK Now – We have a focus group made up of retail and restaurant owners that has invited delivery company owners who use the steamship to talk to them.

Maury – The article as written would restrict delivery trucks of a certain size in Town. Asked if that is how it is being presented.

Lindner – Yes.

Maury – Asked happens to loading zones if trucks can't be in Town during certain hours and is it ACK Now's vision those become parking spaces for cars.

Lindner – We've talked to folks on the Traffic Committee about how Loading zone hours are arbitrary.

Maury – He's trying to understand if the goal is to create parking or clear up congestion.

Lindner – Both. We've been in touch with NP&EDC about what aligns with their goals.

Schaeffer – In efforts to make Island living better, one thing lacking is the financial implications on people.

Kronau – You are studying traffic and at the same time restricting traffic; restricting truck traffic impacts the study.

Lindner – We are volunteering resources, therefore there doesn't need to be appropriations. We also feel strongly that public debate is important.

Motion N/A

Vote N/A

41. Article OO Noise Bylaw Amendment: Gas-Powered Leaf Blowers – Julia Lindner

Discussion **Grause** – He doesn't understand the groundswell to do away with leaf blower; he doesn't notice them or find them objectionable.

Julia Lindner, ACK Now – This was from Tobias Glidden, but ACK Now agreed to support his article. We did research; there is a national trend to go to electric leaf blowers. We're advocating with landscapers; there is a lot of support for this. The support is based on noise, pollution, and that they are lighter than gas.

Schaeffer – Confirmed the Town has a bylaw that restricts noise during certain hours. Asked if this forces landscape companies to immediately buy all new equipment and abandon the old.

Lindner – September 1, 2020 implementation is based upon the landscape companies' buying season being in early Spring. We are in the middle of outreach to landscapers.

Motion N/A

Vote N/A

42. Article PP Zoning Bylaw Amendment: Rural Affordable Development – Steven Cohen

Discussion Maury recused.

Schaeffer – This is a major issue that impacts the entire Island. Wants to hear from Mr. Cohen after we get the recommendation from Planning Board.

Stephen Maury – Explained that the number of bedrooms is limited by the size of the lot; this doesn't allow for the creation of four giant homes on a subdivided lot.

Roche – Asked if this is a veiled way to impact density.

Grause – Feels this doesn't have to do with affordable housing; it's about subdividing lots.

Glowacki – The issue is complex; there are people who can't afford \$800,000 homes and covenant homes are a valuable resource for them.

Motion N/A

Vote N/A

43. Article QQ Zoning Bylaw Amendment: Residential Event Facility – Steven Cohen

Discussion **Kronau** – Waiting on Planning Board recommendation.

Motion N/A

Vote N/A

44. Article RR Sewer District Map Change: Correia Lane and Marylin Drive – Linda Williams

Discussion **Kronau** – Waiting on Sewer Commission recommendation.

Motion N/A

Vote N/A

45. Article SS Bylaw Amendment: Outdoor Lighting – Linda Williams

Discussion **Kronau** – Invite Ms. Williams to discuss this.

Motion N/A

Vote N/A

46. Article TT Zoning Map Change: LUG-3 to LUG-1 – Driscoll Way – James Driscoll

Discussion **Kronau** – Waiting on Planning Board recommendation.

Motion N/A

Vote N/A

47. Article UU Zoning Map Change: VR to VN – Polpis Road & Chatham Road – Robert von Kampen

Discussion **Kronau** – Waiting on Planning Board recommendation.

Motion N/A

Vote N/A

48. Article VV Zoning Map Change: LUG-2 to 4 R-20 – 25 Rugged Road – Irean Schreiber

Discussion **Kronau** – Waiting on Planning Board recommendation.

Motion N/A

Vote N/A

49. Article WW Bylaw Amendment: Chapter 66 – Prohibit Obstructions on Beach – Burton Balkind

Discussion **Kronau** – Hopes the proponent can be here at the January 7th meeting.

Motion N/A

Vote N/A

50. Article XX Zoning Bylaw Amendment/Home Rule Petition: Coastal Erosion Liability Waiver – Richard Atherton

Discussion **Kronau** – Waiting on Planning Board recommendation.

Motion N/A

Vote N/A

51. Article YY Appropriation: Hazardous Waste – Andrew Lowell

52. Article ZZ Public Priority Damage – Andrew Lowell

53. Article AAA Affordable Housing – Andrew Lowell

Discussion **Kronau** – She will invite Mr. Lowell to discuss these.

Motion N/A

Vote N/A

V. OTHER FINCOM BUSINESS

1. Discussion in Respect to December 16, 2019 Capital Program Committee (CapCom) Status Update Meeting.

Maury – It would have been helpful to have information before that meeting. Every Town Department head was here, who could answer any question; however, no one had anything to say because they didn't have the information.

Grause – A presentation given to the Select Board the week prior would have been a good template for the December 16th meeting.

Roche – There was no context. She wanted to see a project status update on previous-years projects.

Kronau – Last year, we had a sensible review before the holidays. Wants to know FinCom's ability to force delivery in a timely manner.

Gibson – That is why we tried to schedule meetings with Select Board, FinCom, and CapCom chairs throughout the fall. CapCom has ambitiously overhauled the review process; now there is a massive amount of information requested for their review. Department of Public Works has a large number of project and CapCom felt they couldn't rule on some of those the due to the lack of information. After ATM last year, we had a discussion about this exact problem. It's not so much the enforcement of the deadline as much as coordination along the way.

Maury – It was frustrating to have all the people in the room who have answers and nothing to work with.

Schaeffer – We need to be more diligent about getting committee reports.

2. Appoint FinCom Representative to the Contract Review Committee (CRC).

Kronau – She's stepping off CRC. Mr. Maury has agreed to step in.

Motion to Appoint Mr. Maury to CRC. (made by: Glowacki) (seconded by: Grause) Carried unanimously

3. Committee Reports:

a. Neighborhood First – Joe Grause. Discussion about role of Neighborhood First regarding Affordable Housing Trust Fund (AHTF).

4. Next meeting: Thursday, January 9, 2020; 4:00 p.m.; 4 Fairgrounds Road Community Room

Discussion about whether or not to meet on Thursday as well.

Gibson – Noted that the agenda should better specify which articles are being reviewed.

Motion to Adjourn at 6:04 p.m. accepted by unanimous consent.

Submitted by:

Terry L. Norton