

SELECT BOARD

Minutes of the meeting of January 9, 2019. The meeting took place in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket, MA 02554. Select members present were Matt Fee, Rita Higgins, Dawn Hill Holdgate, and James R. Kelly. Jason Bridges was absent.

I. CALL TO ORDER

Vice Chair Hill Holdgate called the meeting to order at 6:01 pm.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The Select Board accepted the agenda as presented.

IV. PUBLIC COMMENT

Nantucket Land Council Director Cormac Collier spoke on concerns he has about the Town's fertilizer regulations. He asked the Board to put the matter on a future agenda.

V. NEW BUSINESS

None.

VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of December 19, 2018 at 6:00 PM. Ms. Higgins moved to approve minutes of December 19, 2018 at 6:00 PM; Mr. Kelly seconded. So voted, 4-0.

2. Approval of Payroll Warrants for Week of December 23, 2018; December 30, 2018; January 6, 2019. Ms. Higgins moved to approve payroll warrants for weeks of December 23, 2018 and December 30, 2018; Mr. Kelly seconded. So voted, 4-0.

3. Approval of Treasury Warrants for December 26, 2018; January 2, 2019; January 9, 2019. Ms. Higgins moved to approve treasury warrants for December 26, 2018, January 2, 2019 and January 9, 2019; Mr. Kelly seconded. So voted, 4-0.

4. Approval of Pending Contracts for January 9, 2019 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Kelly moved to approve pending contracts for January 9, 2019; Mr. Fee seconded. So voted, 4-0.

VII. CONSENT ITEMS

1. Gift Acceptance: Human Services (2); Our Island Home. The gifts were accepted by the unanimous consent of the Board, with Town Administration to send letters of thanks to the donors.

2. Resignation: Roads and Right of Way Committee. Ms. Higgins moved to accept Stephen J. Welch's resignation from the Roads and Right of Way Committee; Mr. Fee seconded. So voted, 4-0.

VIII. PUBLIC HEARINGS

1. Public Hearing Regarding Proposed FY 2020 General Fund Budget. Vice Chair Hill Holdgate opened the public hearing. Tobias Glidden thanked the Board for including funding pertaining to its Strategic Plan in the FY 2020 budget. He applauded the Board's efforts on topics related to sustainability; and spoke on three citizen articles he has submitted for the 2019 Annual Town Meeting, suggesting that the Board fund them.

Municipal Finance Director Brian Turbitt spoke on a previous recommendation of Town Administration which has been discussed by the Board several times, of an override for Our Island Home (OIH). Mr. Fee stated that

he feels that collective bargaining for any OIH operational changes with a future potential new facility needs to be resolved before an override is put forward. Mr. Turbitt noted that Our Island Home's population dynamics have changed, and revenues are not coming in as projected; which generates a long-term issue that should be addressed. He added that currently funding for OIH is unstable and unpredictable. Vice Chair Hill Holdgate said that she supports the idea of an override; noting that OIH is an entity that will never be able to pay for itself, but it is a much-needed service to the community. Mr. Kelly spoke on the recent proposal for a "Small House operational model" in a new location which failed at town meeting. Mr. Kelly spoke against an override for OIH. Vice Chair Holdgate spoke further in support of an override for OIH. Ms. Higgins spoke in support of an override. Ms. Gibson noted that a second financial consultant is working on operational financial projections and administrative staff is working to engage an architect to provide options as to keeping OIH at its current site. Mr. Kelly asked that the proposals be placed on an agenda for the Board to discuss. Some discussion followed as to the scope of work for the architect. Mr. Kelly moved to approve the proposed FY 2020 General Fund budget as presented, without an override for OIH; Mr. Fee seconded. So voted, 3-1. Vice Chair Hill Holdgate opposed.

IX. TOWN MANAGER'S REPORT

1. Review of Preliminary Draft 2019 Annual Town Meeting and Election Warrant. Ms. Gibson reviewed an outline of potential articles for the 2019 Annual Town Meeting and Election warrant. The Board discussed possibilities for articles related to Milestone Road/Old South Road transportation improvements. Public Works Director Rob McNeil noted that the plan he previously discussed with the Board for a "pilot round-a-bout" is not as simple as initially expected. He still hopes that a pilot can be implemented at the Old South Road/Fairgrounds Road intersection before Daffodil weekend. Mr. Kelly said he would like to see a recommendation from Town Administration on the transportation improvements. Mr. Turbitt answered questions from the Board regarding a Wastewater Infrastructure Improvement Fund (WIIF) article that would tax up to 3% to fund waste water and water quality initiatives. The Board agreed to put off this article for the moment with reconsideration for the 2020 annual town meeting.

Town Counsel Attorney John Giorgio reviewed a memo he prepared for the Board regarding the Short-Term Rental Tax legislation recently enacted by the state. Attorney Giorgio provided the background of Nantucket's history with the Room Occupancy Tax and explained that the legislation expands the Room Occupancy Tax to short-term rentals. He reviewed the specifics of the legislation and answered questions from the audience and the Board; noting that the Department of Revenue still needs to issue guidelines to municipalities. Attorney Giorgio answered questions from the Board regarding the local option 3% community impact fee that is part of the legislation. Attorney Giorgio continued by reviewing the Cape & Islands Water Protection Fund with revenue generated by an additional 2.75% tax included in the legislation for Cape & Islands towns, that would be destined for Cape & Islands water protection initiatives. Attorney Giorgio answered questions from the audience and the Board regarding the possibility of withdrawing from the implementation of this tax for Nantucket. Several audience members commented on the legislation, the amount of the tax, the implications of the tax and their concerns. Mr. Turbitt reviewed a graphic showing projected revenue with different scenarios of the tax amount. Several audience members disputed the projections and expressed concern as to a negative impact on the island's economy if the legislation is fully implemented. Attorney Giorgio noted that tomorrow he, along with the Town Manager and Assistant Town Manager will be attending a Cape Cod Manager's Association meeting at which Department of Revenue officials are expected to review the legislation and several implementation issues. Tom Dixon, island liaison for Representative Dylan Fernandes, noted the island's legislators are also awaiting guidance from DOR. Ms. Higgins stated that short-term rentals have a significant impact on the island's ecosystem, environment and community which is not completely positive. Mr. Kelly moved to defer implementation of the Cape and Island's Water Projection Fund tax; after some discussion, he withdrew his motion. Mr. Fee stated that he is in favor of reducing the short-term rental tax. The Board had a lengthy discussion on the Cape & Islands Water Protection Fund taxation. Harbor and Shellfish Advisory Board Chair

Andy Lowell said he hopes the tax revenue would be used for harbor and pond water quality. The Board agreed to continue its discussion next week.

Ms. Gibson continued reviewing warrant articles. Planning Director Andrew Vorce noted that the Planning Board may be requesting the addition of another zoning article to the warrant following an upcoming meeting. Attorney Giorgio answered questions from the Board regarding the Home Rule Petition to change the name of the Board from "Board of Selectmen" to "Select Board."

2. FY 2020 Enterprise Fund Budget Reviews: Sewer Enterprise Fund; Solid Waste Enterprise Fund. This item was tabled to January 16, 2019.

X. SELECT BOARD'S REPORTS/COMMENT

1. Final Review/Approval of Memorandum of Agreement; Regulatory Agreement and Declaration of Restrictive Covenants; and Local Initiative Program (LIP) Applications for Local Action Units (LAU) with Department of Housing and Community Development (DHCD) with Richmond Great Point Development, LLC Regarding Workforce Rental and Homeownership Development Projects and Municipal Road Improvements. Housing Specialist Tucker Holland reviewed the agreements and thanked Town Counsel Attorney Vicki Marsh for her hard work to get them finalized. Mr. Kelly moved to approve the agreements as presented; Mr. Fee seconded. So voted, 4-0.

2. Committee Reports.

Mr. Kelly commented that he and Mr. Fee both attended a Town-sponsored Community Resilience Workshop, this past Tuesday at the Nantucket Hotel. They both felt it was a great first step to start the conversation on coastal resilience for Nantucket.

XI. ADJOURNMENT

The meeting was unanimously adjourned at 8:40 PM.

Approved the 23rd day of January, 2019.

SELECT BOARD
JANUARY 9, 2019 – 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- VI. 1. Draft minutes of December 19, 2018 at 6:00 PM
- VI. 4. Pending contracts spreadsheet for January 9, 2019
- VII. 1. Gifts acceptance summary; Saltmarsh Center gift letter; Human Services gift letter with letter from Nantucket Cottage Hospital; OIH gift letter
- VII. 2. Stephen Welch resignation letter to Roads & Right of Way Committee; membership list
- VIII. 1. FY 2020 General Fund budget presentation; FY 2020 Budget Message
- IX. 1. Outline of 2019 ATM warrant articles; updated draft 2019 ATM/ATE warrant; zoning technical amendments article; Town Counsel memo, re: short-term rental legislation; tax percentage chart for short-term rental
- IX. 2. FY 2020 Sewer Enterprise Fund budget; FY 2020 Solid Waste Enterprise Fund budget
- X. 1. Term sheet for Richmond 2019 Memorandum of Agreement; 2019 TON/Richmond MOA; Meadows II regulatory agreement and LIP application; Sandpiper Place I regulatory agreement and LIP application; Sandpiper Place II regulatory agreement and LIP application