



# 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

**Monday, January 13, 2020**

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

Called to order at 4:00 p.m.

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

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

Late Arrivals: Roche, 4:03 p.m.

Documents used: January 9, 2020 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. January 9, 2020: No action at this time.

### IV. DISCUSSION OF OPEN ITEMS AND POTENTIAL MOTIONS FOR CITIZEN ARTICLES FOR 2020 ATM

1. Article C Re-establish Parks & Recreation Department – Maria Zodda

Discussion **Kronau** – Ms. Zodda was to come in but she’s ill; she said her husband is attending in her stead. Suggested tabling discussion until 6:15. She sent a document for member review. She invited Ms. Zodda to come on the 16<sup>th</sup> as well.

**Grause** – Questions if this is a small passionate group or a more broad-based group.

**Glowacki** – Asked if FinCom will get a Select Board recommendation.

**Gibson** – Town Counsel doesn’t support this article, and it doesn’t provide a funding source.

Motion N/A

Vote N/A

2. Article D Prohibiting Glyphosate – Cheryl Emery

Discussion **Kronau** – She scheduled Ms. Emery to speak on March 2; she’s away until then. Our motions are due March 3. We could ask Noah Karberg to talk about this; he’s familiar due to impacts on the Airport.

**Maury** – Feels that is overly gracious and pushes a decision on this to the wire. The area of impact and enforceability are important; the general consensus is glyphosate is bad.

**Schaeffer** – Suggested Ms. Emery find someone to speak to this Article for her.

**Roche** – Massachusetts is introducing Bill H.792 that would ban glyphosate in the State. The question is if there is an issue on Nantucket - is there glyphosate in the soil or water.

**Maury** – It’s our policy not to approve a home rule petition on an issue being handled by the State. We’re not experts or charged with understanding the science of it.

**Vieth** – Her question is the financial implication of banning it.

**Glowacki** – There was also a discussion about the number of home rule petitions Nantucket sends up to State.

Discussion about the scientific issues with the use of glyphosate.

Consensus is ready to vote.

**Grause** – Our comment should be that we aren't taking action because the State is.

Motion **Motion to Take no action and prepare a comment that summarizes the discussion.** (made by: Grause) (seconded by: Maury)

Vote Carried unanimously

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

Discussion **Kronau** – She received an email from Ms. De Alberdi that this article is being pulled; they have found other sources of funding. Doesn't know what "pulling it" means in mechanics.

Motion N/A

Vote N/A

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

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

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

Discussion **Glowacki** – He's confused on these; the questions around Articles O & P were valid. There is \$50,000 mentioned regarding the database but no appropriation connected with any of these.

**Maury** – Last year the Department of Public Works (DPW) said they had an issue with the amount of signage being asked; this year the requested signage is much less. He thinks Jason Bridges and Matt Fee were indicating there is a problem with getting the funding.

**Roche** – It says they have to come back to a future ATM to appropriate the money; we can require at that time they dictate who would own and manage the database.

**Glowacki** – He supports Articles O & P but not Article N.

**Schaeffer** – They don't have the database formulated.

**McEachern** – If we erect signs based upon accident data and someone gets injured elsewhere, he questions if that put the Town at risk of liability.

**Kronau** – That's a good question for John Giorgio (Town Counsel). She's reluctant on approving laws that are difficult to enforce. Mr. Maury made a good point: instead of diagnosing the problem, we know the problem so implement changes to mitigate that.

**Schaeffer** – If we don't agree on Article N to begin with, waiting for Mr. Giorgio is a waste of time.

**Vieth** – Her concern with Article P is when the bike lane is in the road.

**Grause** – On narrow roads, the car is to wait until there is room to pass a cyclist with 3-foot clearance. It's difficult to enforce that law but is a good thing to do to protect cyclists.

**Roche** – The rule in general is a good idea; there are specific streets that are narrow and cause a problem.

Discussion about education of cyclists and drivers on the existence of the 3-foot law should Article P be passed.

**Kronau** – She's happier with Article O now that the number of signs has been reduced. Everyone must be more careful.

Motion **Motion Not to Adopt Article N.** (made by: Grause) (seconded by: McEachern)

Vote Carried 8-1//Roche opposed

Motion **Motion to Adopt Article P.** (made by: Roche) (seconded by: Glowacki)

Vote Carried 8-1//Vieth opposed

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

Vote Carried unanimously

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

Discussion **Grause** – The basic impact stands to be on ropes and other obstructions that extend beyond the highwater mark.

**Glowacki** – Confirmed that this would not impact erosion control structures.

**McEachern** – The Commonwealth created the Waterfront Protection Act in 1866 as a right for citizens to walk the beach, unless it is private property down to the low water mark. He questions why we would muck up our code because the Waterfront Protection Act does prohibit fences on the beach; you file a grievance against that property owner and take appropriate actions. New Chapter 91 licenses, which are up for renewal every 10 years, detail what can and can't be done on the property; old Chapter 91 licenses, established between 1866 and 1990, don't have that detail. For the Town to spend money on legal counsel when you can look at it yourself, that is his problem.

**Gibson** – That has happened but there are citizens who don't accept it.

**McEachern** – Based upon that, we should not support this. He feels it is incorrect to spend money on that.

**Grause** – We also have problems where due to the depth of the beach and bank, there is a trespassing problem; not just beach use. What Mr. McEachern said about Chapter 91, the State supports beach-front property owners who have deeded rights to the low water mark.

Discussion about the problems faced by waterfront property owners versus public passing on the beach.

Consensus want to talk to town Counsel on Thursday.

Motion N/A

Vote N/A

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

Discussion **Kronau** – We're waiting for Planning Board.

**Grause** – Read into the record Ms. Leslie Snell's comments regarding why this article was previously voted down by the Planning Board.

Motion N/A

Vote N/A

**V. OTHER FINCOM BUSINESS**

1. Committee Reports.

a. CRC: Maury – Moving into deliberations but have a bulk of site visits to do. Have over \$900,000 in requests. Will come to FinCom with our proposal on February 11<sup>th</sup>.

2. Saturday Department Budget meeting.

**Kronau** – Last year we assigned different people to different sections of the budget.

Police/Harbor Master/Emergency Preparedness: Peter McEachern and Joanne Roche

Fire: Peter Schaeffer and Chris Glowacki

Wannacomet Water Company/'Sconset Water Company: Jill Vieth and Joe Grause

Airport coming on January 21<sup>st</sup>: George Harrington and Steve Maury

Sewer: Jill Vieth and Joe Grause

General Fund: Steve Maury and Denice Kronau

DPW: Peter McEachern and Joe Grause

Solid Waste Enterprise Fund: George Harrington and Chris Glowacki

OIH Enterprise Fund: Peter Schaeffer and Chris Glowacki

**Gibson** – Doesn't want any department going to FinCom to get a request approved that Town Administration did not recommend. Also, she doesn't want department heads barraged with a bunch of questions they didn't see in advance.

**Kronau** – Asked that Ms. Gibson send the members a copy of the December 7, 2019 Select Board presentation.

**Gibson** – As of January 8, the Select Board adopted the FY2021 General Fund budget to go forward to FinCom with one change to add \$200,000 to the Health and Human Services allocations.

**Kronau** – On January 29<sup>th</sup> Capital Program Committee is presenting to the Select Board; we will post it as a FinCom meeting, so we can attend and ask questions.

**Turbitt** – He will forward a copy of the report to the members.

3. Technical Override for Our Island Home (OIH)

**Kronau** – This will come up on Saturday. The Select Board voted to do an override.

**Turbitt** – The mechanism at ATM will be FinCom’s motion for the Enterprise Fund under the Operating Budget article, there will be an amount raised from user charges; there is \$5m in the article plus appropriate \$500,000 contingent upon successful ballot vote. If it passes the ballot, we have the authority to raise the levy to \$500,000. If it doesn’t pass, we would need to convene Special Town Meeting to allocate through the regular raise and appropriate within the levy limit and allocate retained earnings to balance and close out the budget. We can’t set a tax rate without having a Town Meeting regarding this. The initial \$5m would be allocated to OIH and not useable in other areas. He doesn’t envision a scenario where OIH is not working at a deficit. The \$5m would grow at 2.5%. Every year we submit a compilation of certified public expenditures and the State has allocated money to offset the cost; last year we received. \$1.3m; the \$5m does not include that.

Discussion about how OIH might generate retained earnings and how those would be used.

**Glowacki** – He’s trying to figure out how to attach the money to OIH.

**Turbitt** – There is no legal way to attach it in subsequent years; when we do interior budget, that money is off the table. Over the years, OIH retained earnings have gone down.

**Gibson** – If we keep taking money out of the General Fund to support OIH, that could result in cutting other Town services. OIH should be funded from a stable source.

**Turbitt** – The override is a way to fund OIH without taking away from other Town services.

**Grause** – Apart from OIH, asked if the General Fund revenue and expense lines are in balance.

**Turbitt** – The General Fund is in balance; we tend to run slightly better.

**McEachern** – At some point a decision about OIH must be made, whether or not the Town want to continue supporting it.

**Dawn Hill Holdgate**, Select Board – The Select Board needs some word from the community about if we want to stay in the business before we go forward with constructing a new building.

**Kronau** – She’d prefer to see the override specific to OIH; it’s more transparent that way rather than mixing it with other things. Potentially the override could be a wake-up call for the public regarding operation of OIH.

**McEachern** – From the Capital Program Committee’s view, the Senior Center is inclusive where OIH is exclusive. The Senior Center is available to everyone in the community. OIH has a limited number of beds.

4. Public Information Session on Articles:

**Kronau** – She has scheduled two for March 12<sup>th</sup> and 19<sup>th</sup>; we would have to set ground rules because the articles are “put to bed.” The idea behind this is transparency into our thought process and it is an opportunity to reach the voters.

**Maury** – One idea was to get information out to the public in a casual environment. The Civic League is considering supporting these sessions rather than holding its own “Meet the Articles” event.

**Gibson** – We met about doing a video; we will do that probably with the debt exclusion. This meeting will have to be cut off to avoid a debate that will also occur at ATM. It’s good for people to hear the rationale behind FinCom’s vote but not debate it.

**Kronau** – She sees this as more for the public, not the sponsors.

**Grause** – Suggested the FinCom chair could explain the vote at ATM floor.

**Gibson** – Last year we tried to have several informational sessions about the articles; they weren’t televised. Leslie Snell did a zoning session but not many people showed up. She’s concerned about two 3-hour session; that seems like a lot of time.

**Maury** – Thinks someone should volunteer to post this on Facebook; it would be an opportunity to stamp out mis-information.

**Hill Holdgate** – There are people who won’t come to these sessions and the questions will come up at ATM anyway.

**Kronau** – We don’t have to decide on this today. She will add this to the January 16<sup>th</sup> agenda for further discussion.

5. Next meeting: Thursday, January 16, 2020; 4:00 p.m.; 4 Fairgrounds Road Training Room  
Articles DD, II, EE, & C with Town Counsel present.  
Saturday, January 18, 2020; 8:30 a.m.; 4 Fairgrounds Road Conference Room  
Departmental budget presentations.

Motion to Adjourn at 5:50 p.m. accepted by unanimous consent.

Submitted by:  
Terry L. Norton