

## SELECT BOARD

Minutes of the Meeting of February 13, 2019. The meeting took place in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket, MA 02554. Members of the Board present were Jason Bridges, Matt Fee, Rita Higgins, Dawn Hill Holdgate and James R. Kelly.

### I. CALL TO ORDER

Chair Bridges called the meeting to order at 6:00 PM.

### II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as presented.

### III. ANNOUNCEMENTS

1. Assistant Town Manager Gregg Tivnan announced that the Select Board meeting is being video/audio recorded in accordance with the Open Meeting Law.
2. Mr. Tivnan announced that the Police Department will be conducting an annual test of the outdoor warning sirens at 2 Fairgrounds Road, the Madaket Fire Station at 293 Madaket Road and the Sconset Fire Station at 10 West Sankaty Road on Tuesday, February 26, 2019 at noon.
3. Mr. Tivnan announced Town offices will be closed Monday, February 18, 2019 in observance of Presidents' Day.

### IV. PUBLIC COMMENT

Tobias Glidden commented that Glidden's Island Seafood has been sold to Joan and Jeff Henderson of Fresh Catch Seafood, but they will be keeping the Glidden's name. He invited the public to come to Glidden's Seafood on Saturday, February 16, 2019 from 10:00 AM to 5:00 PM to celebrate.

### V. NEW BUSINESS

None.

### VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of February 6, 2019 at 6:00 PM. Ms. Hill Holdgate moved to approve the minutes of February 6, 2019 at 6:00 PM; Ms. Higgins seconded. All in favor, so voted.
2. Approval of Payroll Warrants for Week of February 10, 2019. Ms. Hill Holdgate moved to approve payroll warrants for the week of February 10, 2019; Ms. Higgins seconded. All in favor, so voted.
3. Approval of Treasury Warrants for February 13, 2019. Ms. Hill Holdgate moved to approve treasury warrants for February 13, 2019; Ms. Higgins seconded. All in favor, so voted.
4. Approval of Pending Contracts for February 13, 2019 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Higgins moved to approve pending contracts for February 13, 2019; Ms. Hill Holdgate seconded. All in favor, so voted.

### VII. CITIZEN/DEPARTMENTAL REQUESTS

1. Finance Department: Request for Approval of Sale of General Obligation Bond Anticipation Note for Sewer. Director of Municipal Finance Brian Turbitt reviewed the request, noting the Bond Anticipation Note

(BAN) is for \$5,161,235 for the Sewer Department. Ms. Hill Holdgate moved to approve the sale of the General Obligation BAN as presented, pursuant to the vote in the Select Board's packet dated February 13, 2019 (attached); Ms. Higgins seconded. All in favor, so voted.

2. Nantucket Chamber of Commerce: Chair Bridges recused himself from this matter. Mr. Kelly left the meeting at 6:04 PM; he returned at 6:05 PM.

a) Request for Expansion of Street/Sidewalk Blocking Permit for Daffodil Festival Antique Car Parade on Main Street to Include Federal Street from India Street to Main Street. Operations Administrator Erika Mooney reviewed the request to expand the car parade onto the portion of Federal Street from Main Street to India Street and reviewed a street map showing the area of expansion. She stated that she spoke with the public safety liaisons from Police and Fire who recommend that a portion of Main Street from Fair Street to Orange Street (one lane) remain open for public safety purposes. Ms. Higgins moved to approve the street blocking as presented, with the recommended lane opening on Main Street from Fair Street to Orange Street; Mr. Kelly seconded. So voted 4-0. Jamie Howarth, representing the Chamber of Commerce, suggested that an EMT be stationed on Union Street between Main Street and Salem Street for the event. He also spoke against allowing Main Street to be opened between Fair Street and Orange Street. Fire Chief Stephen Murphy noted that the Fire Department does not station EMTs downtown for this event and keeping the road open to Orange Street is important for access to Orange Street in case of an emergency. Mr. Howarth stated he would like to have public safety stationed downtown for this event. Vice Chair Hill Holdgate and Mr. Tivnan both noted that these requests should have been made during the staff-level events meeting.

b) Annual Request for Waiver of Chapter 54(1)(c) of the Code of the Town of Nantucket for Daffodil Festival Tailgate Picnic in Sconset. Ms. Higgins moved to approve the waiver of Chapter 54(1)(c) as requested; Mr. Kelly seconded. So voted 4-0.

## VIII. TOWN MANAGER'S REPORT

1. Review and Adoption of Hazard Mitigation Plan (Joint Meeting with Nantucket Planning and Economic Development Commission (NP&EDC)). NP&EDC Chairman Nat Lowell noted his Commission does not have a quorum present. Land Use Specialist Holly Backus introduced Noah Slavin of Milone and MacBroom, the Town's consultants for this project, to present the Town's updated Hazard Mitigation Plan (HMP). Mr. Slavin reviewed the goals of the HMP, the benefits of having a plan, the natural hazards addressed, and various actions/strategies of the HMP. He noted the Town has already completed the Community/Coastal Resilience Plan and formal designation as a state-recognized Municipal Vulnerability Program (MVP) Community is underway. Mr. Slavin reviewed the multi-step adoption process for the HMP, including approval by the state and the Federal Emergency Management Agency (FEMA). Ms. Backus reviewed a Certification of Adoption, noting that over the next six months plus she will be working with Town staff to implement the various strategies. She noted that public concerns on the HMP were received and an addendum to the HMP has been drafted for the Board's review. Mr. Slavin noted corrections made to the plan, adding the HMP cannot be changed without starting over with the state and FEMA. Maureen Phillips, who sent written comments to the Board today, stated she appreciated the corrections made but feels further corrections are still needed. She noted that the Town's prior plan expired in 2012 and asked who is responsible for ensuring the plan is updated in a timely manner. Ms. Backus stated she is responsible. Mr. Kelly asked what the pressure is to adopt the HMP tonight. Ms. Backus explained that the Town received a grant from the Massachusetts Emergency Management Agency (MEMA) with a timeline for adoption. Mr. Kelly spoke in favor of pausing the process to "hammer out" the details of the plan, stating

he cannot support the HMP tonight without further changes. Discussion followed on continuing the matter to allow the Board and the public more time to digest the plan and the addendum. Chair Bridges suggested bringing this matter back at the Board's March 6, 2019 meeting. NP&EDC member Judith Wegner thanked the Board for deferring adoption of the plan, stating she feels it is an imperfect document and the Town should have expectations for a good document and an opportunity for public comment. Ms. Hill Holdgate moved to table this matter to March 6, 2019 and to ensure the addendum is corrected and factual; Mr. Fee seconded. Ms. Higgins noted the HMP is a "massive document" and she appreciates the public comments made. On the motion, all in favor, so voted. Some comments followed as to what department is responsible for the Plan.

Ms. Hill Holdgate left the meeting at 6:39 PM; she returned at 6:40 PM.

Ms. Higgins said ownership of the plan needs to be clear. She asked how it will tie into the Coastal Resiliency Plan. Special Projects Manager Chuck Larsen said the Plans will be coordinated.

Mr. Fee left the meeting at 6:42 PM.

2. Affordable Housing Trust Fund: Report of Reuse of Fire Station Property at 131 Pleasant Street for Affordable Housing; and/or Continued Discussion of Other Reuse Options. Housing Specialist Tucker Holland explained that at its November 14, 2018 meeting, the Board asked the Affordable Housing Trust Fund (AHTF) to look at the Fire Station property at 131 Pleasant Street to evaluate viability for housing at the site. He said the AHTF engaged Union Studio, an architecture and community design firm from Providence, RI to create preliminary schematics for the site, and introduced Douglas Kallfelz, principal of Union Studio.

Mr. Fee returned to the meeting at 6:45 PM. Town Manager C. Elizabeth Gibson joined the meeting.

Mr. Kallfelz reviewed the concept of providing housing options to a broad range of community members. He reviewed the existing site and goals for the site, noting they have focused on one-bedroom and studio apartments. He reviewed conceptual drawings, noting the site is designed around existing sewer lines crossing the property and includes a mixed-use of the property, and the idea of phasing the project to allow a municipal use of the existing fire station while the rest of the site is built out. Mr. Kallfelz answered questions from Board members. Mr. Kelly spoke in favor of the presentation. Ms. Hill Holdgate stated she likes the designs, the mixed-use and the phasing. She noted her concerns about having enough parking on-site. Mr. Fee said density needs to be placed in the right places, not in the countryside. He said this is the right direction and the right place. Ms. Higgins said she would like solar roofs to be explored, adding she likes the idea of phasing the project. AHTF vice chair Brooke Mohr thanked the Board for inviting the AHTF into the conversation and allowing them to help develop an "incredible" proposal. She said she is "delighted" with the phasing concept to meet the Town's short-term needs for office space while moving forward with the mixed-use development of the rest of the site. Ms. Higgins asked Ms. Gibson for her thoughts on the proposal. Ms. Gibson responded that there is an overall need for Town office space and while she appreciates the phasing concept, there will need to be a more final plan for where permanent, consolidated Town office space will be located. She added that she is surprised to see a commercial use incorporated into the plan because when this matter was last discussed it was for housing only. Ms. Hill Holdgate spoke in favor of moving forward with Town Administration's recommendation to use the fire station for short-term municipal office space and to move forward with developing the AHTF plan for the site. She suggested looking at long-term municipal office space plans again after 2019 Annual Town

Meeting. Discussion followed among Board members about municipal office space at this location. Mr. Kelly moved to pursue action to take the AHTF plan to the next level and see the temporary municipal office space plan done in a way that would be compatible with the phasing of this project; Ms. Hill Holdgate seconded. Ms. Hill Holdgate asked if moving forward with design plans for the site would be funded by the AHTF. Ms. Mohr said the AHTF can discuss that for housing, not for municipal office space. Mr. Kelly thanked the AHTF for its leadership. On the motion, all in favor, so voted. Members of the public commented on various aspects of the conceptual plans.

#### IX. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports. Ms. Hill Holdgate reported that she, Ms. Gibson and Mr. Turbitt attended a recent Cape Cod Selectmen and Councilor's Association meeting regarding the short-term rental tax legislation. Ms. Gibson noted there were issues expressed among Cape towns regarding the Water Protection Fund, of which they are all a part. She noted that there is discussion among some towns to look at special legislation to dedicate some of the anticipated revenue for specific purposes. Ms. Higgins reported on Monday's Vineyard Wind hearing before the federal Bureau of Ocean Energy Management.

#### X. ADJOURNMENT

The meeting was unanimously adjourned at 7:20 PM.

Approved the 6<sup>th</sup> day of March, 2019.

## VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Nantucket, Massachusetts, certify that at a meeting of the board held February 13, 2019, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of a \$5,461,235 3.00 percent General Obligation Bond Anticipation Note (the "Note") of the Town dated February 22, 2019, and payable May 24, 2019, to Eastern Bank at par and accrued interest, if any, plus a premium of \$17,529.35.

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 31, 2019, and a final Official Statement dated February 7, 2019, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Note.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no

deliberations or decision in connection with the sale of the Note were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: February 13, 2019

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Clerk of the Board of Selectmen

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**SELECT BOARD**  
**FEBRUARY 13, 2019 – 6:00 PM**  
**PUBLIC SAFETY FACILITY COMMUNITY ROOM**  
**4 FAIRGROUNDS ROAD**  
**NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 2. Warning Sirens announcement
- VI. 1. Draft minutes of 2/6/2019
- VI. 4. Pending contracts for 2/13/2019
- VII. 1. Sale of Bond Anticipate Note vote dated 2/13/2019
- VII. 2a. Chamber of Commerce application for street/sidewalk blocking; associated map
- VII. 2b. Ch. 54(1)(c) of the Town Code; Chamber request for open container waiver
- VIII. 1. Hazard Mitigation Plan (HMP) cover sheet; HMP presentation; HMP Certificate of Adoption; link to draft HMP; Holly Backus email, re: public comments; Nantucket Coastal Conservancy comments; Madaket Residents Association comments; H. Backus email, re: HMP addendum; HMP Addendum
- VIII. 2. Nantucket Workforce Housing presentation; portion of Select Board minutes of 12/14/2018; memo from Assistant Town Manager, re: reuse of 131 Pleasant St; reuse options; aerial plan of 131 Pleasant St