



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, February 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 Administrator; Brian Turbitt, Director of Finance; Alexandria Penta, Financial Analyst

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

Absent Members: Grause, McEachern

Documents used: Warrant Articles for 2020 Annual Town Meeting.

Agenda adopted by unanimous consent.

I. ANNOUNCEMENTS

II. APPROVAL OF PRIOR MEETING MINUTES

1. None

III. PUBLIC COMMENT

None

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

1. Article 105 (Real Estate Acquisition: East Hallowell Lane) Elizabeth Finlay
2. Article 106 (Real Estate Conveyance: East Hallowell Lane) Elizabeth Finlay

Discussion **Ken Beaugrand**, Real Estate Specialist – The property would be paid for by the people in parcel 79 and would not impede beach access. Registered land is with the land court and the title is not challengeable; recorded land is just recorded in the Registry of Deeds and subject to a title search. The abutter should carry the cost of a survey and for Town Counsel.

Motion **Motion to adopt Article 105 & 106.** (made by: Maury) (seconded)

Vote Carried unanimously
3. Article 107 (Real Estate Acquisition: North Road) Jessie Brescher
4. Article 108 (Real Estate Conveyance: North Road) Jessie Brescher

Discussion **Ken Beaugrand**, Real Estate Specialist – Noted an error in the warrant article regarding the amount of property. There is no public interest in maintaining this portion of the street as the abutters have access off Clifton Street or Coffin Street. The abutter should carry the cost of a survey and for Town Counsel.

Motion **Motion to adopt Article 107 & 108.** (made by: Schaeffer) (seconded)

Vote Carried unanimously
5. Article 109 (Real Estate Acquisition: Cherry Street) Susan Burns
6. Article 110 (Real Estate Conveyance: Cherry Street) Nicole Evangelista

Discussion **Ken Beaugrand**, Real Estate Specialist - There is no emergency access out of this area except through Blueberry Drive. The Planning Board insists there be other emergency access; Cherry Street exists from Field Avenue to Folger Avenue; what needs to be done is create emergency access from Folger Avenue out. Recommend that the required easement be given to the Town of at least 20 feet wide from Folger to South Shore Road. This is currently a walking path. The Town would be responsible for getting the access in drivable shape; the abutters should pay for the survey and legal costs.

Kronau – Asked if the abutter is willing to comply with the easement.

Beaugrand – We have not yet spoken to them; his job was to figure this out and make a recommendation. The next step is to speak with the abutter and ascertain how to proceed. If this article passes and the abutter is not willing to comply, the Town can take the land by eminent domain since it is critical for emergency access.

Vieth – She thinks it’s odd that no one has talked to the land owner.

Gibson – The town hasn’t notified the property owners because these are not town-sponsored articles.

Kronau – Some members seem to want more information about these two articles on why Ms. Burns is interested in this property.

Motion **Motion to adopt Article 109 & 110.** (made by: Maury) (seconded)

Vote Carried unanimously

7. Article 111 (Real Estate Acquisition: North Carolina Avenue) Arthur Reade

8. Article 112 (Real Estate Conveyance: North Carolina Avenue) Arthur Reade

Discussion **Ken Beaugrand**, Real Estate Specialist – This is a paper road with a number of Town-owned lots. The recommendation is to create an easement to access the Town lots in Block 142 & 143.

Motion **Motion to adopt Article 111 & 112.** (made by: Glowacki) (seconded)

Vote Carried unanimously

9. Article 113 (Real Estate Conveyance: 4 Morgan Square) David Callahan

Discussion **Ken Beaugrand**, Real Estate Specialist – We recommend that this not proceed as it doesn’t have the companion disposition article; that could be addressed at Fall Special Town Meeting.

Motion **Motion to take no action.** (made by: Maury) (seconded)

Vote Carried unanimously

10. Article 9 (Appropriation: Health and Human Services)

Discussion Taylor Hilst, Director Human Services

Dorothy Hertz, Human Services Contract Review Committee (CRC) Chair – Have just completed our deliberations so have not drafted the report; she will get the recommendations to Mr. Turbitt. Summarized the organizations’ missions, goals, and requests:

A Safe Place: recommend awarding \$55,000

Small Friends: recommend awarding \$15,000

Artists Association of Nantucket: recommend awarding \$18,200

Health Imperative: recommend awarding \$75,000

Nantucket Cottage Hospital Social Services: recommend awarding \$211,123.33

Fairwinds Counseling Services: recommend awarding \$116,397.80

South Coastal Legal Services: recommend awarding \$4,500

Cape Cod Mediation: recommend awarding \$2,578.80

Elder Services of Cape Cod and Islands (Meals on Wheels): recommend awarding \$20,000

Interfaith Council: recommend awarding \$70,000

Martha’s Vineyard Community Services: recommend awarding \$18,000

Alliance for Substance Abuse Prevention: recommend awarding \$44,200

The total appropriation is for \$650,000.

Motion **Motion to accept the recommendations of the CRC.** (made by: Maury) (seconded)

Vote Carried 6-0//Glowacki & Vieth recused

11. Article 69 (Traffic Rules and Regulations: Limit Heavy Commercial Vehicle Deliveries in Core District) Grant Sanders

Discussion **Julia Lindner**, ACK Now – We continued discussions with stakeholders since the last meeting; earlier today sent Ms. Kronau an email request asking FinCom to consider an amendment to the article in its motion: to strike the restriction on hours of delivery. That would turn this into a data gathering initiative, which we would be satisfied with for moving forward. Thanked the Traffic Safety Work Group (TSWG) for doing some work to alleviate the issues.

Schaeffer – Asked if the TSWG was never doing this study.

Lindner – We do not expect TSWG to be the resource taking this low. ACK Now would volunteer its time and effort for data gathering.

Glowacki – Asked why they need a warrant to do this.

Lindner – We don't; we could do it independently.

Roche – Asked how the information would be made available to the public.

Lindner – It's from working with the Town using an existing framework.

Vieth – Asked how the study would be kept an open process.

Lindner – There is no reason we would not share the information.

Vieth – Because of your legal status, you're an advocacy group so we don't know who provides you with funding. She's uncomfortable giving ACK Now Select Board endorsement when we don't know who's behind them.

Lindner – We don't want to appear open with the public about who's funding us.

Vieth – They are pushing the traffic study which is part of their program. She's uncomfortable with that.

Harrington – We as a board would have been more positive if we had data before knowing what the *modus operandi* is and what the samples would be. He's not comfortable with endorsing this for those reasons. He doesn't think the Town should be in a position to endorse this effort; focusing on one segment of what's going on with Town traffic is not going to provide a clear picture.

Schaeffer – Asked if there is a way for them to link into the Town so it is not solely an ACK Now project.

Lindner – We've started doing that in working with the Traffic Planner. We are definitely considering a much larger study of congestion and have talked to groups about what that would look like.

Kronau – To the Select Board, this is a non-binding directive; asked if this is something the Select Board would really appreciate.

Jason Bridges, Select Board – Their strength is they can move fast outside the municipal bureaucracy. The Select Board is looking at ways to alleviate the traffic issue.

Gibson – Agrees with Mr. Bridges. Anyone can do this study now without permission from the Select Board.

Nat Lowell – This worry about congestion has been going on for years; now we have more boats and more trucks. He's been working on this for 20 years with the drivers and the Steamship Authority (SSA); it is not easy. What ACK Now is doing has been tried in the past; we are still an imperfect downtown. He has worked with TSWG to implement some tiny improvements; they will help but you won't see it. If all the trucks arrived at 5:30 to be done by 7:30, there would still be issues due to no place to park; you have to spread them out. ACK Now has brought attention to this 50-year-old issue and that's a good thing.

Kronau – If we make a motion to adopt, it would be with striking the delivery-time restriction. ACK Now will forward that change to the Moderator before ATM for discussion on the meeting floor.

Roche – Asked if there is a way to make this a better article for those who object. Discussion about the objections to the article what change might make this more palatable.

Kronau – Her objection is this direct the Select Board when ACK Now doesn't need that.

Schaeffer – There is a huge advantage to ACK Now acting on their own and coming back with an article when they're done.

Kronau – Closed the public comment portion.

Motion **Motion to take no action.** (made by: Schaeffer) (seconded)

Vote Carried unanimously

12. Article 79 (Bylaw Amendment: Noise – Gas-powered Leaf Blowers) Julia Lindner

Discussion **Kronau** – While Ms. Lindner is here, FinCom voted not to adopt. Asked if Ms. Lindner wants to present evidence the might cause the committee to reconsider its vote.

Lindner – Wants the Board to hear from someone who has gone through the experience of using electric leaf blowers and asked that the hearing be reopened with the hope of reconsidering the vote.

Maury – Asked if Ms. Lindner had taken the opportunity to speak with more landscaper

Lindner – Many of them are off Island now so it’s been difficult.

Maury – His concern is pushing this forward when we don’t know if it will be widely accepted; there hasn’t been a demonstrated need. It is up to ACK Now to prove that a large number of people are concerned and the impact on the industry stakeholders. We know who the landscapers are, but we have seen no poll of their views. We know who complaints are reported to, but we haven’t seen the number of complains.

Schaeffer – Agrees with Mr. Maury.

Lindner – We can report back on that. Of the 100 landscapers polled, we’ve heard from 1/3 and the majority are in favor of this. We monitor noise complaints but not the type of noise so it’s hard to present that information.

David Troast, Ernst Land Design – A piece of legislation like this would correct health hypocrisy; i.e. cigarettes are bad so banned on public property, but 2-stroke engines are okay. As a company, we decided to push toward environmental protection and noise reduction so made the investment for electrical equipment. All we’ve heard since is positive feedback. He feels confident the majority of people complaining about noise aren’t going to file for landscapers. IF you give them the option, he thinks the data would change. Over 2 years, the cost of an electrical blower is less due to reduced need of maintenance.

Maury – The explanation doesn’t seem to comport with the facts. We don’t know that the use of blowers is increasing and that complaints are increasing. If we are talking about the lung health of people nearby, let’s talk about that. Someone is purporting to hear complaints, but we haven’t met that person. By having these out there, he feels their use will increase; it is not the job of the Town to push it.

Kronau – At the January 28th meeting, we had a preponderance of people not in favor of this article. As written, it is tied to facts that have no support. She thinks over time, this will happen due to it giving companies a competitive edge. We are not reopening this article.

Maury – Noted that we reopened a vote with a motion to reconsider, according to Robert’s Rules of Order, that can only happen within a meeting; the motion should have been a motion to rescind, which requires a 2/3 majority.

Discussion about a comment on the FinCom motion not to adopt.

Motion Existing motion stands; no action.

Vote N/A

13. Article 93 (Home Rule Petition: Real Estate Conveyance – Portions of 170 and 174 Orange Street and 2 Milestone Road)

Discussion **Jessie Bell**, Nantucket Islands Land Bank – We’ve been having conceptual discussion about improvements to the rotary, utilities and bike paths. Our land is protected by the State Constitution and requires a legislative process for Land Bank to dispose of it. The land disposed of has to be replaced by equal or greater land. Packets for these articles should be available at ATM showing the *quid pro quo*. Currently we don’t have definite plans of what the town wants to do; we also need a Memorandum of Understanding.

Gibson – The Town has no problem waiting on this to be able to present the complete package.

Motion **Motion to take no action.** (made by: Maury) (seconded)

Vote Carried unanimously

14. Article 95 (Home Rule Petition: Real Estate Easement Conveyance: Candle House Lane)

Discussion **Jessie Bell**, Nantucket Islands Land Bank – This easement is near Angola Street and would be used for stormwater infrastructure and drainage purposes.
See discussion for Article 93

Motion **Motion to take no action.** (made by: Harrington) (seconded)

Vote Carried unanimously

15. Article 23 (Rescind Unused Borrowing Authority)

Discussion **Turbitt** – You can vote this even without the motion; he sent Ms. Gibson the motion to take no action because we can't rescind yet; there would be a comment from Ms. Gibson.

Motion **Motion to take no action.** (made by: Glowacki) (seconded)

Vote Carried unanimously

V. NEXT MEETING DATE/ADJOURNMENT

Date: Tuesday, February 18, 2020; 4:00 p.m.; 4 Fairgrounds Road Community Room

VI. COMMITTEE REPORTS AND OTHER BUSINESS

1. **Kronau** – Per questions from Joe Grause, confirmed with Ms. Gibson about when the Real Estate Advisory Committee assesses the value of property addressed by the real-estate articles after they have been voted on at ATM.
2. **Vieth** – Regarding Article 9, she had not seen the list of organizations provided by the CRC so didn't know that the Artists Association was one of the recipients. Suggested FinCom get that list before the meeting.
3. **Vieth** – Regarding the reopening of articles, she hopes we don't do that because it takes up a lot of time. It would be better if they had all the information to us earlier.

Motion to Adjourn at 6:08 p.m. accepted by unanimous consent.

Submitted by:

Terry L. Norton