

SELECT BOARD

Minutes of the Meeting of May 15, 2019. The meeting took place in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket, MA 02554. Members of the Board present were Matt Fee, Kristie L. Ferrantella, Rita Higgins and Dawn Hill Holdgate. Jason Bridges was absent.

I. CALL TO ORDER

Chair Hill Holdgate called the meeting to order at 6:07 PM following a meeting of the NRTA Advisory Board.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as presented.

III. ANNOUNCEMENTS

1. Town Manager C. Elizabeth Gibson announced that the Select Board meeting is being video/audio recorded in accordance with the Open Meeting Law.

2. Ms. Gibson announced that available seats for boards, committees and commissions for 2019 are posted on the Town website for those interested in government involvement.

3. Police Chief William Pittman and Lt. Angus MacVicar presented annual Police Department personnel awards to the following employees: Detective Christopher Kelly and Volunteer in Police Service (VIP) Phil Hubbard were each presented with a Public Safety Service Award. Sergeant Dan Furtado, Sergeant John Rockett, Detective Robert Hollis, Detective Jackie Mason, Officer Michael Mastriano, Officer Amanda Schwenk, Officer Richard Harrington and Officer John Muhr were each presented with a Chief's Unit Award. Chief Pittman also introduced the following new police officers hired in the last year: Robert Shield, Nicholas DeSaia, Nicholas Iacozzi, Timothy Malo, Conor Desmond, Meghan Giacalone, James Olsen, Christopher McGinty, Chase Colassurdo and Nicholas Terino.

4. Ms. Ferrantella read a proclamation for the Department of Public Works declaring May 19 - 25, 2019 National Public Works Week. DPW Director Rob McNeil announced the DPW is hosting a "Fill-A-Truck" food collection event on Sunday, May 19, 2019 from 1:00 – 3:00 PM at Mid-Island Stop & Shop, 31 Sparks Avenue.

5. Ms. Gibson reviewed current roadwork for the Sewer Department, including permanent trench repair at the intersection of Fairgrounds Road and Old South Road, paving on Green Meadows, Rugged Road, Bayberry Lane and Ticcoma Way, raising/adjusting castings along Vesper Lane, Hummock Pond Road, Monomoy Road and the Meadow View Drive Area.

6. Ms. Gibson announced that the Select Board will hold a public hearing on June 5, 2019 regarding the temporary stop signs on Surfside Road at Bartlett Road.

IV. PUBLIC COMMENT

None.

V. NEW BUSINESS

None.

VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of March 20, 2019 at 6:00 PM; March 27, 2019 at 6:00 PM. The approval of minutes was tabled to a future meeting.

2. Approval of Payroll Warrants for Week of May 12, 2019. Ms. Higgins moved to approve payroll warrants for the week of May 12, 2019; Mr. Fee seconded. So voted 4-0.

3. Approval of Treasury Warrants for May 15, 2019. Ms. Higgins moved to approve treasury warrants for May 15, 2019; Mr. Fee seconded. So voted 4-0.

4. Approval of Pending Contracts for May 15, 2019 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Gibson answered questions from Board members regarding a contract relating to architectural services for the Our Island Home facility. Mr. Fee reiterated that design and construction of a new facility is easy as far as defining costs; how to operate, staff it and fund the operations going forward is the hard part. Ms. Higgins moved to approve pending contracts for May 15, 2019; Ms. Ferrantella seconded. So voted 4-0.

VII. CITIZEN/DEPARTMENTAL REQUESTS

1. Finance Department: Request to Approve Sale of \$18,196,616 General Obligation Bond Anticipation Notes, Series A and B, and \$211,922 General Obligation Grant Anticipation Notes. Director of Municipal Finance Brian Turbitt reviewed the request, noting it is for Sewer, Wannacomet Water, Our Island Home and Airport projects. Ms. Higgins moved to approve the motion in the Board's agenda packet dated May 15, 2019 (attached); Mr. Fee seconded. So voted 4-0.

2. Friends of Nantucket Public Schools: Request for Waiver of Town Noise Bylaw from 10:00 PM to 10:30 PM for M'Ocean Pix Drive-In Movie to be held Tuesday, August 6, 2019 (Rain Date Wednesday, August 7, 2019) at Tom Nevers Park. Ms. Ferrantella moved to approve the noise bylaw waiver for the Friends of Nantucket Public Schools, as presented; Ms. Higgins seconded. So voted 4-0.

3. New Cingular Wireless PCS, LLC (AT&T): Request for Grant of Location Applications for Telecommunication Wires and Wireless Attachments and Appurtenances on Existing Poles Located at: a) 35 Monomoy Road; b) 8 F Street. Attorney Michael Dolan of Brown Rudnick LLP reviewed the request and answered questions from Board members. Ms. Higgins moved to approve the grant of location applications for AT&T for 35 Monomoy Road and 8 F Street, as presented; Ms. Ferrantella seconded. So voted 4-0.

VIII. PUBLIC HEARINGS

1. Public Hearing to Consider Joint Utility Petition from National Grid/Nantucket Electric Company and Verizon New England, Inc. for Plan # 23974345 to Relocate Four Existing Utility Poles (#28 in Town Layout; #29, 30, 31 from Town Layout to Private Property) to Accommodate Richmond Road Improvements on Old South Road. Chair Hill Holdgate opened the public hearing. Jim Huxley of National Grid reviewed the request. Ms. Higgins noted the Sewer Director's comments in the packet. Chair Hill Holdgate closed the public hearing. Mr. Fee moved to approve the joint utility petition for National Grid and Verizon for Plan # 23974345 pursuant to departmental comments (attached); Ms. Higgins seconded. So voted 4-0.

2. Public Hearing to Consider Application for Transfer of Annual All-Alcoholic Beverages Innholder License from Faros 17 Broad, LLC d/b/a Greydon House, Stephanie Sharpe, Manager to Ca'Mercante, LLC d/b/a Greydon House, Taylor Oliver, Manager, for Premises Located at 17 Broad Street. Chair Hill Holdgate opened the public hearing. Licensing Administrator Amy Baxter reviewed the request for a license transfer for Greydon House. Chair Hill Holdgate asked if the same license provisions will remain in place. Ms. Baxter answered affirmatively. There was no public comment. Chair Hill Holdgate closed the public hearing. Ms. Higgins moved to approve the transfer of the annual all-alcoholic beverages innholder license from Faros 17 Broad, LLC to Ca'Mercante, LLC, as presented; Ms. Ferrantella seconded. So voted 4-0.

3. Public Hearing to Consider Application for Alteration of Premises of Annual Wine and Malt Beverages Restaurant License for Forty-Five Surfside Road LLC d/b/a 45 Surfside, Rebecca A. Moesinger, Manager, for Premises Located at 45 Surfside Road. Chair Hill Holdgate opened the public hearing. Mr. Fee recused himself from this matter. Ms. Baxter reviewed the request for an alteration of premises for 45 Surfside to include the outside patio in the licensed premises for wine and malt beverage service. She reviewed the history of the applicant, noting that Ms. Moesinger applied for an all-alcohol beverages license in 2016 which was denied by the Board; was granted a wine and malt beverages license later in 2016 for inside the premises only; and, in 2018 requested an alteration of premises to expand the license to the patio, which was denied because of the objection of the Police Department based on 45 Surfside being across the street from public school property. Ms. Baxter answered questions from Board members and noted there have been no liquor license violations at the premises. Rebecca Moesinger spoke in favor of her request, saying she hopes to have patio service during the summer months. Chair Hill Holdgate said the license was originally granted because Ms. Moesinger said she planned to serve dinner; she asked if Ms. Moesinger has any plans for dinner service. Ms. Moesinger answered no. Ms. Ferrantella said she feels with the type of counter service 45 Surfside has, she is concerned that there would be no monitoring of the patio vs. if this was a restaurant with servers. Portia Moesinger noted that 45 Surfside closes at 2:00 PM so service occurs when most children are at school and added that they do bring food outside to customers. Chair Hill Holdgate said that in the summer there is a lot of summer programming at the school as well as camps; therefore, school is never fully out of session in the summer. Ms. Baxter stated that the Board can put limits on the hours of service, but not the days. Ms. Moesinger said they will be changing their closing hour to 4:00 PM soon. Portia Moesinger said 45 Surfside is not a place where people go to drink; that their patrons usually just have a beer or a mimosa with their meal. Chair Hill Holdgate closed the public hearing. Ms. Higgins said she doesn't see much difference between this application and last year's, adding she is uncomfortable that the premises is within 500 feet of the schools. She noted that the patio is also not screened. Ms. Ferrantella said if the screening was more like Fusaro's it might be more palatable. Chair Hill Holdgate said alcohol service does not seem to be a big part of their service, but there is nothing compelling to change last year's vote. Ms. Higgins moved to deny the application as it is situated within 500 feet of schools; Chair Hill Holdgate seconded. So voted 2-1. Ms. Ferrantella was opposed.

IX. TOWN MANAGER'S REPORT

1. Presentation of Planning and Land Use Services (PLUS) Department Operational Review Report. Ms. Gibson explained that the Town routinely conducts operational reviews of its departments. Last year it was determined to conduct a review of the PLUS Department. She introduced Julia Novak of the Novak Group, the consultant engaged to conduct the review, to present their findings and recommendations. Ms. Novak introduced her colleague Jenn Reichelt and reviewed the project purpose and methodology, the history of the Nantucket Planning and Economic Development Commission (NP&EDC) how PLUS became established and how it operates. She reviewed recommendations for continuous improvement to build on the work done since PLUS was established, as well as administrative structural recommendations. Ms. Novak reviewed next steps to implement the recommendations. Ms. Higgins asked which if any of the recommendations are already underway. Ms. Gibson noted that she and the Director of Planning already communicate frequently which is a recommendation; that one of the recommendations is to have the new position of Assistant Town Manager for Administration conduct coordinated reviews of projects that will involve multiple departments, and that will be assigned to that position once it is filled. Ms. Novak noted that during coordinated reviews of projects, comments from various departments can conflict; she said the new Assistant Town Manger can help facilitate the process, centrally. Chair Hill Holdgate said she would like to see a process for Historic District Commission (HDC) staff approval but noted that many applications are unique. Some discussion followed among Board members. Mr. Fee asked how to best implement the recommendations. Ms. Novak suggested a joint meeting at some point between the Select Board, Planning Board and NP&EDC for those that are policy related. Some discussion followed on various recommendations and how to ensure that the administrative recommendations are implemented.

2. Annual Town Health Insurance Update. The Town's health insurance consultant, Edd Burnes of NFP, gave an update on the status of the Town's health insurance plan annual renewal. He said in November 2017 there were significant plan changes implemented which resulted in almost \$1 million in cost avoidance in the first year. He said in FY 2019 the net avoidance was \$1.8 million.

Chair Hill Holdgate left the meeting at 7:21 PM; she returned at 7:23 PM.

Ms. Byrnes answered questions from Board members. He noted that the plan increase for the coming year is 6%, which is lower than what was projected for the FY 2020 budget. Mr. Byrnes explained other potential health insurance plan options include joining the state's Group Insurance Commission (GIC), but he noted the GIC does not offer Blue Cross Blue Shield plans which are required in all the Town's union contracts. Negotiations would be required.

3. Monthly Town Management Activity Report. Ms. Gibson reviewed Town Management activities from the past month, including but not limited to the PLUS Operational Review, the Coastal Resiliency Plan, the Sewer Master Plan, the Board's Strategic Plan, the Hazard Mitigation Plan, the Beach Management Plan, marijuana establishment license award issues, coordination of spring roadway projects, pre-season beach preparations, Great Ponds management, Surfside Crossing 40B, housing discussions, landfill management, the short-term rental tax legislation, and other various projects and personnel matters.

X. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports. Chair Hill Holdgate reported on last week's meeting with the Department of Environmental Protection (DEP) regarding the Cape and Islands wastewater tax, noting the Town has received a letter from the DEP allowing Nantucket to opt-in. Ms. Gibson reviewed a meeting she attended yesterday with Mr. Turbitt about this matter. She noted that some analysis needs to be done as to how the Town would benefit from opting into the Fund. Chair Hill Holdgate noted that the Community Preservation Committee (CPC) annual meeting is Tuesday, May 21 at 4:00 PM at the Atheneum and that the director of Nantucket Island School of Design and Arts (NISDA) is the guest speaker. Ms. Higgins reported that she recently attended a meeting with Senator Cyr and Representative Fernandes regarding the proposed off-shore wind energy projects. Ms. Higgins also noted there was a meeting today with one of the companies (Equinor) that has been granted a lease area off Nantucket, regarding a host community agreement. She also reported on the recent Pond Forum, noting there were questions on the management of Miacomet Pond and issues with flooding. Mr. Fee reported that the Cape Cod Selectmen and Councilor's Association met on Nantucket last Friday and toured the landfill and digester, followed by lunch at the Brotherhood.

XI. ADJOURNMENT

The meeting was unanimously adjourned at 7:44 PM.

Approved the 5th day of June, 2019.

SELECT BOARD
MAY 15, 2019 – 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- III. 2. 2019 Committee appointment timeline; committee openings information
- III. 3. Letter from Police Chief, re: 2019 Police Employee Awards
- III. 4. National Public Works Week proclamation; Fill-a-Truck ad
- VI. 4. Pending contracts for 5/15/19
- VII. 1. Vote for sale of General Obligation Bond and Grant Anticipation Notes dated 5/15/19
- VII. 2. FONPS noise bylaw waiver request; Tom Nevers Civic Assn. letter of support
- VII. 3. Cover sheet, re: AT&T microcells request; AT&T supplemental information
- VII. 3a. AT&T petition for 35 Monomoy Rd
- VII. 3b. AT&T petition for 8 F St
- VIII. 1. National Grid/Verizon joint utility petition for Old South Rd/Richmond Development; departmental comments
- VIII. 2. Agenda Item Summary for Greydon House Transfer of License; current 2019 liquor license; Liquor License Public Hearing Process; ABCC application
- VIII. 3. Agenda Item Summary for 45 Surfside Alteration of Premises; ABCC Advisory Regarding Guidelines for Extension of Premises to Patio and Outdoor Areas; Liquor License Public Hearing Process; site plans; photos; current 2019 liquor license; 3/21/16 denial letter; 3/16/16, 4/20/16, 4/11/18, 4/25/18 Select Board minutes; ABCC application
- IX. 1. Agenda Item Summary for PLUS Dept. Operational and Staffing Review; PowerPoint presentation; Town of Nantucket Planning and Land Use Services Department Operational and Staffing Review
- IX. 2. Town of Nantucket Health Insurance update presentation
- IX. 3. Monthly Town Management Activities Report

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen (the "Select Board") of the Town of Nantucket, Massachusetts, certify that at a meeting of the board held May 15, 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 \$13,656,856 2.50 percent General Obligation Bond Anticipation Note, Series A (the "Series A Notes") of the Town dated May 24, 2019, and payable October 24, 2109, to J.P. Morgan Securities LLC at par and accrued interest, if any, plus a premium of \$54,490.85.

Further Voted: to approve the sale of \$4,539,760 2.75 percent General Obligation Bond Anticipation Notes, Series B (the "Series B Notes") of the Town dated May 24, 2019, payable May 22, 2020, to Morgan Stanley & Co., LLC at par and accrued interest, if any, plus a premium of \$50,118.95.

Further Voted: to approve the sale of \$211,922 2.70 percent General Obligation Grant Anticipation Notes, Series C (the "Series C Notes", and collectively with the Series A Notes and the Series B Notes, the "Notes") of the Town dated May 24, 2019, and payable May 22, 2020, to Eastern Bank at par and accrued interest, if any.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 2, 2019, as amended, and a final Official Statement dated May 9, 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 Select Board be, and hereby are, authorized to execute and deliver significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes 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 Notes.

Further Voted: that each member of the Select Board, 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 Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: May 15, 2019

Clerk of the Select Board

71525169v.1

UTILITY PETITIONS DEPARTMENTAL COMMENTS

APPLICANT: National Grid and Verizon
TYPE: Petition for Joint Pole Relocations
SITE ADDRESS: Old South Rd/Richmond Development
HEARING DATE: May15, 2019

COMMENTS

NPD: Okay with NPD. -Lt. MacVicar

FIRE: I am good with this, we have been in talks with the Richmond road work as they go along. -Chief Murphy

PLANNING: No Response

DPW: DPW is okay with this petition as is. -Rob McNeil

SEWER: We have been onsite almost daily having to deal with all the utility conflicts in this construction area as old as built plans have been fairly accurate but a lot of other findings have not been as shown. There have also been more conflicts with utilities as was proposed on there plans than non conflicts. There are 2 separate force mains and a gravity line in this project area that have been marked out numerous times since the project started. Extreme caution needs to be used in this area. -David Gray

WWCo: Contact Wannacomet Water Company to mark out any water lines ahead of time.
-Mark Willett

**Contractor must obtain all required Town permits prior to the commencement of work, including but not limited to Street Opening and Street Blocking permits.