

SELECT BOARD

Minutes of the Meeting of August 7, 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, Kristie Ferrantella, Rita Higgins and Dawn E. Hill Holdgate.

I. CALL TO ORDER

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

II. SELECT BOARD ACCEPTANCE OF AGENDA

Chair Hill Holdgate noted there will an additional announcement and a new business item. The agenda was accepted with these changes.

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 the next Select Board meeting will be August 21, 2019 (Summer Schedule).
3. Ms. Gibson announced that there will be a public information session on Thursday, August 8, 2019 from 6:00-8:00 PM in the PSF Community Room, 4 Fairgrounds Road for discussion on the Town's plans for the Nobadeer Field House.

IV. PUBLIC COMMENT

1. Phil Gallagher noted that the first case of Equine Encephalitis (EEE) was detected in Massachusetts; he asked that the Health Department and Department of Public Works be funded to spray for mosquitos as the Cape is doing. Ms. Gibson clarified this case is not on Nantucket and the Town does not spray. She noted there is information on the Town's website about mosquitoes and preventative measures.
2. Department of Culture and Tourism Director Janet Schulte announced the continuing celebration of Herman Melville with an exhibit at the Seward Johnson Gallery, titled "Not On Any Map," Thursday August 8, 2019.
3. Steve Bender voiced concerns about lead abatement and said that there is sanding going at 62 Orange Street and he questioned if proper lead abatement was occurring there. Mr. Bender said he called the Health Department and was told the state handles those concerns. Mr. Bender stated Health Director Roberto Santamaria is not interested in lead abatement. Ms. Gibson took issue with Mr. Bender's characterization of the Health Department and the Director. Mr. Santamaria said he takes lead abatement very seriously, inspected the property in question and spoke with the state about the property. He said the painting company is properly licensed for lead abatement and was taking proper precautions while sanding.

V. NEW BUSINESS

Licensing Administrator Amy Baxter explained she received a request from Bartlett's Farm to hold a staff event after hours at Cisco Brewery. She noted Bartlett's Farm did this in 2015 with no issues or complaints. Ms. Baxter answered questions from Board members. Mr. Bridges moved to approve the request to extend the entertainment license until 10:00 PM for the Bartlett's Farm event; Mr. Fee seconded. All in favor, so voted.

VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of May 1, 2019 at 6:00 PM. Mr. Bridges moved to approve the minutes of May 1, 2019; Mr. Fee seconded. All in favor, so voted.

2. Approval of Payroll Warrants for Week of July 28, 2019; August 4, 2019. Mr. Bridges moved to approve the payroll warrants for the weeks of July 28, 2019 and August 4, 2019; Ms. Higgins seconded. All in favor, so voted.

3. Approval of Treasury Warrants for July 31, 2019; August 7, 2019. Mr. Bridges moved to approve the treasury warrants for July 31, 2019 and August 7, 2019; Ms. Higgins seconded. All in favor, so voted.

4. Approval of Pending Contracts for August 7, 2019, as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Bridges moved to approve the pending contracts for August 7, 2019; Mr. Fee seconded. All in favor, so voted. Ms. Gibson briefly reviewed the Highway Safety Systems, Inc. contract.

VII. CONSENT ITEMS

1. Gift Acceptances: Natural Resources Department; Anonymous Initial Gift for Playground Equipment. Ms. Higgins moved to accept the gifts for their designated purposes, with thanks to the donors; Ms. Ferrantella seconded. All in favor, so voted.

2. Request for Approval of Change of Manager of Annual All-Alcoholic Beverages Club License for Sankaty Head Club, Inc. d/b/a Sankaty Head Golf Club from Mark Kohler, Manager to Kimberly Matthews, Manager, for Premises Located at 100 Sankaty Road, Nantucket. Mr. Bridges moved to approve the change of manager application for Sankaty Head Golf Club as presented; Ms. Ferrantella seconded. All in favor, so voted.

3. Request for Approval of Change of Manager of Seasonal All-Alcoholic Beverages Hotel License for Andre Associated, LLC d/b/a The Summer House from Christopher P. Karlson, Manger to Peter Karlson, Manager, for Premises Located at 1 Magnolia Avenue, Nantucket. Mr. Bridges moved to approve the change of manager application for The Summer House as presented; Ms. Ferrantella seconded. All in favor, so voted.

4. Request for Approval of Change of Manager of Seasonal All-Alcoholic Beverages Restaurant License for Beachside Associates, LLC d/b/a Summer House Beachside Bistro from Christopher P. Karlson, Manager to Peter Karlson, Manager, for Premises located at 16 Ocean Avenue, Nantucket. Mr. Bridges moved to approve the change of manager application for Summer House Beachside Bistro as presented; Ms. Ferrantella seconded. All in favor, so voted.

5. Request for Approval of Change of Manager of Seasonal Wine and Malt Beverages Hotel License for 1709 Associates LLC d/b/a 29 Fair from Tracy Root, Manager to Ilkania Acosta, Manager, for Premises Located at 29 Fair Street, Nantucket. Ms. Baxter requested this matter be rescheduled in order to investigate whether or not the application is in line with training requirements required by the state. Ms. Baxter answered questions from Board members. 29 Fair owner Peter Carlson said he was "shocked" at the request to reschedule this matter, adding he has tried to do everything he has been requested. Ms. Baxter explained she wanted time to investigate as the proposed manager has no experience and another

job. Ms. Hill Holdgate said this matter can move to the Board's next meeting agenda. Mr. Bridges moved to table this matter to August 21, 2019; Ms. Ferrantella seconded. All in favor, so voted.

VIII. CITIZEN/ DEPARTMENTAL REQUESTS

1. Nantucket Land Council: Request for Approval and Execution of Conservation Restriction to be Held by Nantucket Land Council, Inc. for Portions of Land Located at 22 Vesper Lane. Real Estate Specialist Ken Beaugrand reviewed the conservation restriction for 22 Vesper Lane and recommended approval. Ms. Higgins moved to approve the conservation restriction to be held by the Nantucket Land Council for a portion of land located off 22 Vesper Lane, Nantucket, and to find that the conservation restriction is in the public interest; Mr. Fee seconded. All in favor, so voted. Nantucket Land Council executive director Emily Molden thanked the Select Board, for its approval. Mr. Bridges asked why solar energy can't be installed in the conservation area. Ms. Molden explained that conservation restrictions are not looked at favorably regarding renewable energy.

2. Lemberg Son & Daughter LLC: Request for Waiver of Sewer Privilege Fee for Covenant Lot Located at 3 Hull Lane. Mr. Beaugrand reviewed the request and answered questions from Board members. Mr. Bridges moved to waive the Sewer Privilege Fee for the covenant lot at 3 Hull Lane; Mr. Fee seconded. All in favor, so voted.

IX. REAL ESTATE MATTERS

1. Request for Acceptance of Quitclaim Deed and Approval of Settlement Statement for 7 Amelia Drive, Nantucket, Shown on Assessor's Map 67 as Parcel 434, More Particularly Described in Deed Recorded with Nantucket County Registry of Deeds in Book 1452, Page 303 and shown as Lot 23 on Plan 30-D Filed with said Registry of Deeds. Mr. Beaugrand reviewed this matter and encouraged the Board to accept the Deed for 7 Amelia Drive. Ms. Higgins moved to accept the deed for 7 Amelia Drive as presented; Ms. Ferrantella seconded. All in favor, so voted.

X. PUBLIC HEARINGS

1. Public Hearing to Consider Rate Increases for Private Pay Residents at Our Island Home: Daily Private Pay Rate, Semi-Private Room from \$500 to \$560 per Day; Daily Private Pay Rate, Private Room from \$520 to \$580 per Day. Chair Hill Holdgate opened the public hearing. Our Island Home Director Brett Lennerton reviewed the request to increase rates, noting that this is the second portion of the rate increase which originated in 2018. There was no public comment. Chair Hill Holdgate closed the public hearing. Ms. Higgins moved to approve the room rate increases as presented; Ms. Ferrantella seconded. All in favor, so voted. Mr. Lennerton answered questions from Board members.

XI. TOWN MANAGER'S REPORT

1. Our Island Home: 5-Star Quality Rating System Report. Mr. Lennerton reviewed the five-star rating system, noting Our Island Home is one-star, which is not very good but not indicative of poor care. He reviewed the staffing rating, which he believes will increase to four-star with the addition of new Registered Nurses. Mr. Lennerton also noted that the health inspection rating increased from two-start to three-star since the issuance of the report. He answered questions from Board members. Mr. Fee voiced continued concerns about properly staffing the facility long-term.

2. Fiscal Year 2019 End of Year Budget Reports: Our Island Home Enterprise Fund; General Fund; Solid Waste Enterprise Fund. Mr. Lennerton presented the end of year FY 2019 budget for Our Island Home and

answered questions from Board members. He noted that total revenue decreased 7% from FY 2018 due to a decrease in the census resulting from deactivated beds during renovations.

Chair Hill Holdgate left at 7:01 PM; she returned at 7:03 PM.

Finance Director Brian Turbitt stated that the town seriously needs to consider an operating override to continue running Our Island Home; he said more money is needed and he doesn't see how it can be funded otherwise. Mr. Fee said a serious discussion needs take place to see if the Town can afford to be in the nursing home business. Chair Hill Holdgate said if the community is in favor of an override to keep the nursing home operating, she would be in favor of moving forward with design for a new facility. She added that the community needs to understand that a long-term, on-going subsidy will require increasing taxes.

Mr. Turbitt reviewed the General Fund end of year FY 2019 budget and answered questions from Board members. He noted that revenue is up by 2% primarily due to real estate taxes; he added that building permit revenue was down. Mr. Turbitt reviewed the FY 2019 top 12 capital projects and investment activity. He answered questions from Board members.

Department of Public Works Director Rob McNeil reviewed the end of year FY 2019 budget for the Solid Waste Enterprise Fund, noting that total revenues were down 2% but expenses were down 10%.

3. Review/Potential Adoption of Pond Management Principles. Ms. Gibson noted the Natural Resources Department has been working on pond management principles quite a while and has held a couple of public forum presentations. She said with the help of the Nantucket Pond Coalition a consultant was hired to review pond issues and strategies to manage pond health, most specifically Miacomet Pond. Thais Fournier, the Town's Water Resource Specialist, reviewed a presentation of "Nantucket's 7 Great Ponds." She noted that since the 1980s the Town has been managing four ponds: Hummock, Long, Miacomet and Sesachacha. Ms. Fournier said issues with the ponds include water quality, public access and recreation, flooding and roadway impacts and invasive/harmful species. She reviewed the overarching goals of the pond management principles and reviewed nitrogen trends for the four ponds noted above. She noted that the last permitted opening of Miacomet Pond was in 2005 due to flooding and the Pond was illegally opened in 2018. Ms. Fournier reviewed recommendations including in-pond management short-term goals of controlling nutrient loading through the removal of endangered species and opening ponds; and long-term goals of improving public access, reducing nitrogen input, public education and outreach and best management practices. She noted next steps include the development of an island-wide water quality management plan. Ms. Fournier answered questions from Board members. Ms. Higgins moved to adopt the pond management principles as presented; Ms. Ferrantella seconded. All in favor, so voted.

4. Paid Parking System Update. Ms. Gibson noted that staff members met yesterday with the Barnstable Parking Program Manager. She reviewed a draft outline of the development of a paid parking program on Nantucket, including estimated costs/expenses, estimated revenues, a timeline, ideas for transition/incentives, public outreach/education and challenges that need to be addressed. Ms. Gibson also reviewed a three-year implementation plan.

XII. SELECT BOARD'S REPORTS/COMMENT

1. Siasconset Beach Preservation Fund (SBPF) Appeal of Conservation Commission Decision Process Discussion. Attorney George Pucci of Town Counsel's office gave an update on the SBPF appeal, noting that SBPF has filed an appeal with the Massachusetts Department of Environmental Protection (DEP) for a

superseding order of conditions as the Conservation Commission denied its application to expand the geotextile tube project beyond what is already constructed. Attorney Pucci said that if the DEP issues a superseding order of conditions the Select Board can appeal that decision. Attorney Pucci answered questions from Board members and said this is an unusual case in that the Town of Nantucket is also an applicant on the Conservation Commission permit. Discussion among Board members and Attorney Pucci followed. Ms. Gibson noted that she authorized Attorney Pucci to attend a DEP site visit.

2. Committee Reports. Ms. Ferrantella reported on a Neighborhood First meeting; noted that there is a Waste Summit on August 15, 2019 at 6:00 PM; and stated that she recently met with the Advisory Committee of Non-Voting Taxpayers. Mr. Fee reported that he attended a plastics meeting with representatives of Stop & Shop; and voiced concerns over a private beach closure in Madaket.

XIII. ADJOURNMENT

The meeting was unanimously adjourned at 9:04 PM.

Approved the 8th day of January, 2020.

SELECT BOARD
AUGUST 7, 2019 – 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- V. 1. Letter from Cisco Brewers re: Bartlett's Farm staff party
- VI. 1. Draft minutes of May 1, 2019 at 6:00 PM
- VI. 4. Pending contracts spreadsheet
- VII. 1. Gift summary/recommended motion; Natural Resources gift; Jetties Beach Playground gift
- VII. 2 – 5. Agenda Info Summary (AIS) re: Change of Manager applications
- VII. 2. Sankaty Head Golf Club change of manager application
- VII. 3. The Summer House change of manager application
- VII. 4. Summer House Beachside Bistro change of manager application
- VII. 5. 29 Fair Street change of manager application
- VIII. 1. AIS re: 22 Vesper Lane Conservation Restriction (CR); Town Counsel report; motion for approval; CR for 22 Vesper Lane; CR plan
- VIII. 2. AIS re: Sewer Privilege Fee (SPF) waiver request; Lemberg SPF waiver request; Sewer Waiver Requests Policy; Sewer Fee Waiver Request History; 3 Hull Lane Covenant Agreement; plot plan
- IX. 1. AIS re: 7 Amelia Drive; Quitclaim Deed; Acceptance of Deed; Settlement Statement; plot plan
- X. 1. AIS re: Our Island Home (OIH) room rate increase request; letter from OIH Administrator
- XI. 1. AIS re: OIH 5-Star Rating System Report; OIH 5-Star Quality Rating System presentation
- XI. 2. FY 2019 End of Year Budget Reports: OIH Enterprise Fund, General Fund; Solid Waste Enterprise Fund
- XI. 3. Great Ponds Management Principles presentation; Executive Summary – Pond Management Principles 2019; Great Ponds Management Principles
- XI. 4. Paid Parking System update; draft Paid Parking Plan Development Outline; multi-year Parking Management System implementation plan
- XII. 1. Conservation Commission (ConCom) June 20, 2019 decision re: Siasconset Beach Preservation Fund (SBPF); MassDEP notification letter re: SBPF appeal; SBPF appeal of ConCom decision – request for superseding Order of Conditions