



FinCom Minutes for February 2, 2023

Town of Nantucket Finance Committee

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Committee Members: Denice Kronau (Chair), Joseph T. Grause Jr. (Vice-chair), Jeremy Bloomer
Chris Glowacki, Steve Maury, Peter McEachern, Joanna Roche, Peter Schaeffer, Jill Vieth

MINUTES

Tuesday, February 2, 2023

ZOOM – 4:00 p.m.

Called to order at 4:02 pm. by Ms. Kronau.

Staff in attendance: Libby Gibson, Town Manager; Brian Turbitt, Director of Finance; Susan Carmel, Assistant Director Finance; Mariya Basheva, Assistant Town Accountant

Attending Members: Kronau, Bloomer, Maury, Schaeffer, Vieth, Roche, Grause, McEachern

Absent Members: Glowacki

Documents used: Proposed Articles for Review and Consideration

I. APPROVAL OF AGENDA

Motion	Motion to Approve. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried -0//Vieth, Bloomer, Schaeffer, Maury and Kronau-aye

II. ANNOUNCEMENTS AND PUBLIC COMMENTS

Kronau called for public comments. (None)

III. ADOPTION OF MINUTES

Motion	Motion to Approve Meeting Minutes from January 28, 2023. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 5-0// Vieth, Bloomer, Schaeffer, Maury and Kronau-aye

IV. REVIEW AND DISCUSSION OF ANNUAL TOWN MEETING WARRANT ARTICLES SPONSORED BY TOWN ADMINISTRATION AND SELECT BOARD

Discussion:	Brian Turbitt, Director of Finance ARTICLE 5 – Recommended raising and appropriating \$500,000 from the fiscal 2024 for tax levy and other general fund revenues of the town. This action aims to establish a reserve fund for Fiscal Year 2024, pursuant to Chapter 40, section 6 of the General Laws.
Motion	Motion to Adopt. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

Discussion:	Brian Turbitt, Director of Finance ARTICLE 17 – Explained Article 17 proposes amending the description for the previously approved Public Works facilities design improvements. Initially, it referenced 188 Madaket Road, and the amendment seeks to include and/or 10 Sun Island Road. This change is intended to facilitate the exploration of a potential new site for the DPW facilities campus. Since this is a borrowing article, there's a need to amend the language to authorize the funds to be borrowed specifically for this purpose, as outlined in the article. The proposed site for the DPW facilities campus, which includes 10 Sun Island Road near the airport, requires an amendment to the previously approved article. This amendment is necessary to incorporate the continued feasibility undertaking within the scope of this article, as approved in a prior town meeting. The purpose is to ensure that the funds allocated can be specifically used for the development of the DPW facilities at this particular location.
Motion	Motion to Adopt. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

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Discussion:	Brian Turbitt, Director of Finance ARTICLE 24 – Article 24 concerns the Waterways Improvement Fund allocation. Annually, there is a request for an allocation, and historically, this money has been utilized for replacement or work around the Town pier. The recommendation, as presented to the Finance Committee, is to allocate \$367,000 for the specified purposes. Any unexpended money at the year-end would revert back into the fund, available for appropriation in a subsequent town meeting. The designated purposes for the fund include various types of work around the Town, and it has been consistently used for such purposes in the past. The amount of \$367,000 is a recurring figure that has been carried forward based on the recommendation from the deputy police chief in the marine department.
Motion	Motion to Adopt. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

Discussion:	Brian Turbitt, Director of Finance ARTICLE 25 – The Ambulance Reserve Fund serves as a repository for all revenue generated from the town's ambulance services. This fund is instrumental in supporting the payment of seven full-time firefighters, EMTs, or paramedics, covering all associated benefits such as health insurance and payroll taxes. Additionally, it caters to operating supplies needed to equip the ambulances, including band-aids and necessary drugs for administration. Although the fund is tapped for capital expenditures every three years, there is no allocation for an ambulance in the current year's capital program plan. The proposed amount of \$806,669 is intended to cover the costs of the seven full-time firefighters and any required operating supplies for the ambulances. The funding for the Ambulance Reserve Fund is supported by the salaries of the seven lowest-paid firefighters, EMTs, and paramedics. These personnel are fully allocated into this fund. Revenue for the fund is generated by charging individuals who are transported to the hospital or anyone requiring ambulance services. A billable schedule is in place, with charges varying based on the level of services provided. These charges are billed to insurance companies or directly to individuals if they do not have insurance coverage. This system ensures a steady influx of funds into the Ambulance Reserve Fund.
Motion	Motion to Adopt. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

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Discussion:	Brian Turbitt, Director of Finance ARTICLE 26 – The proposed appropriation of \$200,000 is related to the ferry embarkation fee. This fee has gained attention in the news, with some communities expressing a desire for an increase. The funds from the ferry embarkation fee are utilized to finance Community Service Officers (CSOs) in the downtown core district during the summer season. The requested appropriation is intended for purposes such as public safety protection, emergency services, and any other lawful use. Traditionally, these funds have been consistently used to fund CSOs in the downtown core district. If the amount exceeds \$200,000, the excess is then transferred into the police department's operating budget. This allocation strategy ensures that the funds collected from the ferry embarkation fee contribute to public safety initiatives, particularly in areas with increased activity during the summer season. The ferry embarkation fee is levied at a rate of 50 cents per person on each ticket. Libby Gibson, Town Manager In the case of the ferry embarkation fee, the allocation to each port is based on the passengers getting on or off at that specific location. For passengers getting off on Nantucket, the town receives the 50 cents fee. Conversely, for passengers getting off on Hyannis, Hyannis receives the 50 cents fee. The distribution is based on the embarkation and disembarkation points, with each port receiving the fee for the passengers associated with its location. This ensures that the revenue collected is directed to the respective ports depending on the travel route of the passengers. Brian Turbitt The total amount received from the ferry embarkation fee varies each year, typically ranging between \$200,000 to \$270,000. The variation is influenced by factors such as utilization and the timing of receipts in a fiscal year. On average, considering approximately 350,000 people contributing the 50 cents fee per person, the total revenue falls within the mentioned range. Libby Gibson Changing the ferry embarkation fee from 50 cents to a higher or lower amount would typically involve a legislative process. Special legislation may be required to amend the fee structure. In the past, there have been discussions about increasing the fee in this Town. The proposed use of the proceeds, as discussed by the Select Board, would be directed towards transportation initiatives, such as expanded or increased services for the Nantucket Regional Transit Authority (NRTA).
Motion	Motion to Adopt. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

Discussion:	Brian Turbitt, Director of Finance ARTICLE 27 – The proposal is to seek the town's vote to appropriate and raise funds, either through borrowing, transfer from available funds, or pursuant to any applicable statute, for the purpose of paying the County of Nantucket's required assessment for Fiscal Year 2024. The specified amount is \$179,075. The intention is to authorize the expenditure of these funds for County purposes, aligning with Massachusetts General Laws and the County Charter.
Motion	Motion to Adopt. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

Discussion:	Brian Turbitt, Director of Finance ARTICLE 28 – It seems that the proposed article would only be necessary if there was a failure to reach an agreement between the town and the County through the County Review Commission regarding the budget. However, since the assessment has been adopted, and there is presumably an agreement in place, the appropriate course of action would be to "take no action" on this particular article.
Motion	Motion to Take No Action. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

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Discussion:	Libby Gibson, Town Manager ARTICLE 70 – The proposed changes are aimed at assisting the fire department in addressing challenges related to collecting fines for false private alarms. The language modifications are designed to streamline the process and, hopefully, reduce the number of false alarms they deal with. Notably, the suggested changes involve moving this provision to be under the authority of the Select Board rather than being part of the Town Code. The revised wording introduces clarity, for example the term "user" and emphasizing that the responsible party for the fine is often the owner rather than the occupant of the premises. Additionally, there is a proposed increase in the fine amount from \$100 to \$300 or an amount set by the Select Board. Committee Members discussion ensued during which there seem to be some confusion and concern about certain provisions in the proposed bylaws related to fines for false alarms. The mentioned section, 26-13 Violations and Penalties, includes a provision that imposes a fine of \$300 per day for each continuing violation. This provision appears to apply when a violation persists over multiple days, and each day of violation is considered a separate offense subject to the \$300 fine. There's also mention of potential conflicts with another section, 26-8 B Consequences for False Alarms, where the fine is set at \$100 unless determined otherwise by the Select Board. It's recommended to seek clarification from the relevant departments, potentially having them explain the proposed changes in more detail at the next meeting. If necessary, amendments can be made during the motion process to ensure consistency and clarity between different sections of the proposed bylaws.
Motion	No action was taken.

Discussion:	Libby Gibson, Town Manager ARTICLE 77 – The proposed change appears to categorize Saturdays as a legal holiday for the specific program or purpose mentioned. This adjustment could have implications for the counting of business days and time frames related to certain activities.
Motion	Motion to Adopt. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

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Discussion:	Libby Gibson, Town Manager ARTICLE 80 – The discussion centers around the idea of extending the term for members of the select board from the typical three years to five years. The rationale behind this proposal is to provide newly elected individuals with a longer period to comprehend the intricacies of the town's operations. The concern is that the learning curve for new members often takes a significant portion of their initial term, and by the time they fully understand everything, their three-year term is already concluding. It's worth noting that Town Council has advised that there is no other municipality in the state that currently has five-year select board terms. This suggests that the proposed change would be somewhat unconventional compared to the standard practices in other municipalities. The decision to extend the term would likely require careful consideration, taking into account both the benefits of a longer learning period and the potential challenges associated with deviating from established norms. It's clear that there are nuanced discussions around the optimal term length, taking into account factors such as the learning curve for new members, the potential for reelection challenges, and the overall commitment of individuals serving on the select board. The decision would likely involve a careful weighing of these considerations to find an appropriate balance for the town. Maury These are valid points in support of considering a five-year term for select board members. The analogy to planning board members suggests that a longer term is seen as appropriate for positions with complex responsibilities and longer learning curves. Additionally, the acknowledgment that recent precedents have shown it is acceptable for individuals to leave a position early due to changing life circumstances may alleviate concerns about the potential disincentive for those seeking shorter-term commitments. Knowing that flexibility exists and that individuals can step down if necessary might make a longer term more palatable for those who wish to contribute to change in the near term. Ultimately, the decision on the term length for select board members would likely involve a balance between providing adequate time for effective service and allowing flexibility for individuals in the face of changing circumstances. Grause Shared his perspective, which suggests a neutral stance on the issue, acknowledging mixed feelings about whether a five-year term is appropriate. The idea of taking no action as the finance committee and allowing the select board to make a case for or against the proposal during town meeting is a reasonable approach. This way, the decision on the term length would be left to the voters, and the select board would have the opportunity to present their rationale directly to the community. This approach respects the democratic process and allows for open discussion and consideration of different viewpoints during the town meeting. It also avoids imposing a specific recommendation on the voters, leaving the decision in their hands based on the arguments presented by the select board and any other relevant perspectives. Roche This perspective highlights the importance of carefully considering the potential unintended consequences of policy changes, particularly in terms of the diversity and accessibility of participation. If the goal is to encourage a broader and more diverse representation on the select board, the potential impact on different demographics and age groups should be thoroughly assessed before making a decision on the term length.
Motion	Motion to take no action. (made by: Peter Schaeffer) (seconded) (34:50)
Roll-call Vote	No Vote was Taken.

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Discussion:	Charlie Gibson, Deputy Chief Provided the following overview of the proposed bylaw amendment to Article 70: The proposed bylaw amendment, Article 70, aims to update and retool the existing false alarm bylaw, which was originally written in 1989. The primary objective is to adapt the bylaw to technological changes, especially the shift from commercial box alarms to private alarm systems used in residences. The bylaw, initially focused on police monitoring, now includes provisions for the fire department to address false fire alarms. Key changes involve cleaning up language, removing outdated clauses, and adjusting the fine schedule. Notably, fines are no longer specified in the bylaw itself, allowing the Select Board to set fines as deemed appropriate after a public hearing. The overarching theme is to make individuals accountable for false alarms, especially those generating multiple false alarms in a year. The rationale behind the amendment includes cost considerations, as responding to false alarms can be expensive for the fire department. The proposed changes reflect the need to bill individuals for false alarms, particularly if they exceed a certain limit. The amendments aim to streamline the process of setting fines, making it more responsive and efficient through Select Board discretion after a public hearing. Bloomer Questioned Section 26-13, which introduces an additive fine for violations of the false alarm bylaw. It stipulates that anyone who violates the bylaw is subject to a fine of \$300, and this fine can continue for each day that the violation persists, with each day considered a separate offense. Gibson To summarize, the \$300 fine outlined in section 26-13 is intended for more deliberate actions that violate the bylaw, as opposed to the charges associated with unintentional false alarms covered in a different section. This distinction helps delineate penalties for different types of offenses related to alarm systems within the bylaw. The consistent use of the language regarding a maximum civil penalty of three hundred dollars across various Town bylaws is intentional for the sake of uniformity. This standardized language is applied for consistency in penalties for violations across different bylaws. Town Council has suggested maintaining this language in the false alarm bylaw to ensure alignment with the prevailing practice observed in other town bylaws. In essence, the goal is to foster responsible ownership and reduce the occurrence of false alarms by empowering property owners to take direct action in resolving issues with their alarm systems.
Motion	Motion to Adopt. (made by: Joanna Roche) (43:53)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

Discussion:	Libby Gibson, Town Manager ARTICLE 85 – Article 85 proposes a Home Rule Petition to amend the Charter of the Town of Nantucket, implementing specific recommendations from the Town Government Study Committee. This is a resubmission, indicating that the proposal has been previously presented to Town Meeting and received approval at least once. However, as it hasn't been acted upon by the legislature, it is being reintroduced with the aim of securing legislative approval for the proposed amendments to the town's charter.
Motion	Motion to Adopt. (made by: Roche)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

Discussion:	ARTICLE 86 – Article 86 appears to be a proactive measure related to fertilizer best management practices. This proposal is reminiscent of a motion made last year during discussions about fertilizer regulations. At that time, there was concern that state-level legislation might not pass, and the committee wanted to ensure that Nantucket retained the ability to enhance and regulate its fertilizer best management practices.
Motion	Motion to Adopt. (made by: Roche)
Roll-call Vote	Carried 7-0// Vieth, Roche, Bloomer, Grause, Schaeffer, Maury, and Kronau-aye

V. DATE OF NEXT MEETING

Next meeting: Monday, February 6, 2023; 4:00 pm.

VI. COMMITTEE REPORTS

Roche	The discussion at the last meeting of the Coastal Resilience Advisory Committee involved the budget allocation for coastal resilience efforts. It is expected that this topic will continue to be a focus of discussion at future meetings. The committee is actively working on understanding and breaking down the coastal resilience plan to define its implications for the general population of Nantucket. Additionally, there are plans to disseminate information to the community, aiming to increase awareness and understanding of the coastal resilience initiatives on the island. The Contract Review Committee has thoroughly debated, and in some cases exhaustively discussed, all grant applications. However, final recommendations are pending until the applications for the Cannabis part of the grant are finalized.
Schaeffer	The recent meeting of the group focused on discussing the challenges and difficulties in addressing the subject at hand. A significant portion of the meeting was spent on logistical matters such as scheduling the next meeting. The group delved into data-related discussions, a topic that has been ongoing since the first meeting. However, progress on the subject remains slow, with some members expressing difficulty in navigating the complex issues. There are challenges within the group, including differences in opinions on whether to spin off a separate committee without a neutral moderator. The fundamental issue revolves around not clearly understanding the problem at hand, making it challenging to formulate a solution. Furthermore, there is apprehension about the upcoming town meeting, particularly in relation to two articles. One of these articles seems acceptable, but there are worries about the potential implications of another article, as passing it could significantly impact the group's efforts and create a different set of challenges. Overall, the uncertainty surrounding the problem and the potential outcomes at town meeting contribute to the apprehension and difficulty in reaching a consensus within the group. Kronau There is a concern that the group may struggle to reach a consensus and create a warrant article due to the difficulty in aligning on a specific proposal. The inability to present a coherent and agreed-upon proposal would be considered disappointing, highlighting the challenges the group faces in effectively addressing the subject matter.

VII. OTHER BUSINESS

Kronau mentioned that she received an email from Gail Walker suggesting a presentation from her experts on outdoor lighting and noise. The scheduled date for these topics is February 16th's meeting, and the question is posed whether the committee wants to include a presentation in this regard.

Vieth suggested to have Gail Walker email a presentation similar to the way Hillary did before, allowing committee members to review it in advance. The idea is that having this information beforehand could be helpful, especially in understanding concepts like wattage versus lumens and the restrictions on outdoor lighting. The hope is that this approach would enhance the committee's understanding of the topic, particularly in terms of the amount of light permitted on properties and how it compares to other light sources.

Schaeffer stated there are two main concerns raised. One is the challenge of enforcement. The second concern is the complexity of the information related to outdoor lighting regulations. Instead of receiving a comprehensive download of detailed data, there's a suggestion to ask Gail Walker for a concise summary of the article that would be presented to the town.

Roche stated that there is a desire to understand the practical aspects of outdoor lighting regulations, particularly in terms of light intensity. The suggestion is for Gail Walker to provide examples, such as bringing a light to the meeting and demonstrating the difference between existing downlights and what is being proposed.

By consensus, the Committee agreed to communicate with Gail Walker and provide her with the points mentioned.

VIII. ADJOURNMENT

Motion	Motion to Adjourn at 6:04 pm. (made by: Schaeffer) (seconded)
Roll-call Vote	Carried 7-0//Schaeffer, Maury, Bloomer, Glowacki, Grause, Roche, and Kronau-aye

Submitted by:
Elaina Cano