

## SELECT BOARD

Minutes of Meeting of December 1, 2021. The meeting took place via remote participation using Zoom Webinar. Members of the Board present were Jason Bridges, Matt Fee, Melissa Murphy and Dawn Hill Holdgate. Kristie Ferrantella joined the meeting later, as noted.

### I. CALL TO ORDER

Chair Bridges read a prepared statement as to how the meeting will be conducted via remote participation and the ground rules for any discussion and called roll for those present. He called the meeting to order at 5:33 PM.

### II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted.

### III. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson reviewed the following announcements:

1. The Select Board Meeting is Being Audio/Video Recorded.

2. COVID Vaccine Clinic: 131 Pleasant Street Trailer, Sundays from 12:00 to 3:00 PM; Final 2nd Dose Clinic December 19. See <https://www.nantucket-ma.gov/2028/COVID-Vaccine> for Full Schedule.

3. County Commission: Applicant Introduction/Review of Applications for Appointment to Steamship Authority Board of Governors Nantucket Members Seat Scheduled for Wednesday, December 15, 2021 County Commission Meeting, Pursuant to Select Board Committee Appointment Policy. Applications from Robert F. Ranney, current Nantucket representative on the Steamship Board; and Ruth Tonico, were noted.

4. Select Board Announcements/Comments. No comments.

### IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS

1. Emergency Warning Siren Update (Public Comment from November 17, 2021). Chair Bridges noted that at the November 17<sup>th</sup> Board meeting, a public comment was made as to why the emergency warning sirens were not activated for a tornado warning issued for Nantucket County on November 12, 2021. Police Chief William Pittman responded to the question and explained the protocol for activation of the siren system, including the situations during which the sirens could be activated. He noted that the sirens are designed to notify the public, who are outdoors not indoors, of emergency, life-threatening events.

### V. PUBLIC COMMENT

Burton Balkind, who had made the November 17<sup>th</sup> public comment, thanked the Chief for the explanation and asked what people who are outside are advised to do if the sirens are activated. Chair Bridges said that Chief Pittman will respond to Mr. Balkind directly by email.

### VI. NEW BUSINESS

There was no new business.

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

1. Approval of Minutes of November 15, 2021 at 4:00 PM; November 16, 2021 at 2:00 PM; November 17, 2021 at 5:30 PM. Mr. Fee moved approval of items VII-1 through 3; seconded by Ms. Murphy. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes.

2. Approval of Payroll Warrants for November 28, 2021.

3. Approval of Treasury Warrants for November 24, 2021; December 1, 2021.

4. Approval of Pending Contracts for December 1, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Fee moved approval of the pending contracts; seconded by Ms. Holdgate. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes. Ms. Gibson explained the two grant items. Mr. Fee commented that the two grants, one for a succession plan project; and, the other for a wage and classification study are very good best practices and it is good they are being done.

#### VIII. CONSENT ITEMS

1. Gift Acceptance: Police Department. Ms. Murphy moved to accept a gift of 5 electric-assist bicycles valued at \$1,600 each from David Sarlitto, Executive Director of Ocean State Job Lots Charitable Foundation, for use by the Police Department bike patrol program, with thanks; seconded by Ms. Holdgate. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes.

#### IX. CITIZEN/DEPARTMENTAL REQUESTS

1. Valet Park of America: 2021 Summer Valet Service Update. Tim Graney of Valet Park of America, provided a report on the 2021 valet service, and provided comparisons by year since 2018, as contained within the agenda packet materials. He said that 2021 levels surpassed prior years, significantly, despite some various challenges during the summer with National Grid unexpected use of the lot used for the valet program, for unavoidable purposes. Some discussion followed as to specifics of various other issues faced and addressed over the summer, including COVID and staffing challenges. Licensing Coordinator Amy Baxter complimented Mr. Graney's operation, noting they were very helpful with providing barriers for outdoor dining this summer. Chair Bridges thanked Mr. Graney on behalf of the Board.

2. Nantucket Land Council: Request for Approval of Conservation Restriction to be Held by Nantucket Land Council, Inc. for Land Located at 15 Winn Street. Operations Administrator Erika Mooney introduced the item and noted that Attorney Vicki Marsh from Town Counsel's office is present for any questions. She added that it is possible that some non-substantive wording changes might be necessary after Board approval. Mr. Fee moved to find that the Restriction is in the public interest; and to approve it subject to final state approval and potential non-substantive wording changes; seconded by Ms. Holdgate. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes.

3. Licensing Administration: Renewal of Annual Liquor Licenses. Licensing Administrator Amy Baxter introduced the item and reviewed the annual liquor license renewal process. She also reviewed the current annual liquor license fee schedule, noting that for 2022 these are returned to pre-COVID levels. Mr. Fee asked if any of the licenses have any issues and if so, when would those be reviewed. Ms. Baxter addressed this and reviewed a recommended motion. Ms. Holdgate moved approval of the renewals as shown on the list in the agenda packet with the non-renewal of the licenses for The Brotherhood of Thieves and 56 Union; to confirm that the annual liquor license fees have returned to pre-COVID State of Emergency levels; and, that all licenses are renewed with any and all existing conditions; seconded by Ms. Murphy. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes.

#### X. PUBLIC HEARINGS

1. Public Hearing to Determine Tax Allocation by Classification (Chapter 369, Acts of 1982, as Amended); Percentage of Residential Exemption to be Granted for Fiscal Year 2022 (Continued from November 17, 2021). Chair Bridges opened the public hearing. Assessor Robert Ranney introduced the item and reviewed the

proposed tax rates, tax rate shift and residential exemption as shown in the Board's packet. There being no public comment, Chair Bridges closed the hearing. Ms. Holdgate moved to approve the proposed rates, shift and residential exemption as presented (attached); seconded by Ms. Murphy. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes. Mr. Fee commented on keeping the shift the same, which he supports, but feels it should remain open for review next year. He thanked Mr. Ranney for his work on this matter.

#### XI. TOWN MANAGER'S REPORT

1. Take-it-or-Leave-it Facility Operations Update. Ms. Gibson introduced Recycling Coordinator Graeme Durovich to provide the update. Ms. Durovich provided an update, noting that so far, the re-opening of the facility has been very successful. She complimented the new TIOLI staff for their efforts; as well as other resources on island where items can be taken for reuse. She thanked the community for its support. Chair Bridges thanked the TIOLI staff, noting positive experiences he himself has had at the facility. Ms. Gibson added thanks to the DPW staff as well for a lot of work that went into getting the facility fit for opening.

2. Request for Acceptance of Gift from Sconset Beach Preservation Fund; Request for Execution of Contract for Technical Assistance with Notice of Intent for Modified Erosion Control Project at Baxter Road. Ms. Gibson introduced the agenda item, noting that the Town requested that SBPF fund the technical assistance contract as is often practice for certain expenses related to ventures that benefit private parties with some public benefit, such as Conservation Restrictions, real estate matters and legal fees. She said that the contractor (Arcadis) will report to the Town directly, not to SBPF and that pursuant to the Board's November 2021 position statement regarding this project, this public-private partnership for a coastal erosion project may become a model for future such projects. She said that concerns as to perception that SBPF will control the project if it is funding the technical assistance are acknowledged; however, again the contract is with the Town not SBPF. She added that compliance and sand mitigation have been under significant discussion with SBPF and a Memorandum of Understanding is intended to be executed prior to the filing of the Notice of Intent for a modified project, which will contain enforcement measures. Mr. Fee and Ms. Murphy concurred with Ms. Gibson, emphasizing that this type of structure could quite possibly become a model going forward for similar projects. Mr. Fee moved to accept the monetary gift; and, to execute the technical assistance contract with Arcadis; seconded by Ms. Murphy. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes. Emily Molden, Executive Director of the Nantucket Land Counsel thanked the Board for its approval of the Conservation Restriction, earlier. She commented that the Land Council remains concerned about the current SBPF erosion control project being "un-nourished" and urged the Board to require the current project to come into compliance before submitting a Notice of Intent (NOI). Ms. Gibson thanked Ms. Molden for her comments and said that, again, compliance has been a significant discussion with SBPF, that an MOU is intended to be executed prior to an NOI which will contain enforcement measures. She added that the sand deficit cannot be delivered all at once and that SBPF has submitted a plan to come into compliance with sand mitigation with the Conservation Commission, but it has not been taken up at this point. She said the sand issue is important and thanked Ms. Molden for raising the issue.

Ms. Ferrantella joined the meeting at 6:21 PM.

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

1.Coastal Resilience Advisory Committee: Presentation of Coastal Resilience Plan. Coastal Resilience Coordinator Vincent Murphy introduced the item. Coastal Resilience Advisory Committee (CRAC) Chair Mary Longacre called a meeting of the CRAC to order at 6:22 PM. Mr. Murphy acknowledged and thanked Ms. Longacre and the entire CRAC for their efforts, plus public input that has gone into the development of the plan. Mr. Murphy introduced Trevor Johnson of Arcadis, who is the project manager for the Plan, to provide a presentation of the Plan. Mr. Johnson reviewed the presentation as contained in the Board's agenda packet,

including the scope of the plan, the process of recommendation development, and public input and engagement. He reviewed project evaluation criteria used to help prioritize approaches for each area of Nantucket. He spoke about the multiple phases and opportunities provided for public engagement. He noted that a significant cost is associated with the projects contained within the Plan and it will be important to prioritize them. He added that while the cost is extremely high, there are also quantifiable benefits in the form of avoided damages to buildings and avoided disruption to critical transportation routes. He noted that everyone in the community is responsible for investing and implementing coastal resiliency measures. Mr. Johnson said that the projects need to start getting implemented as soon as possible and continue over the next 10-15 years. He gave an overview of a potential prioritization strategy. He also reviewed next steps and emphasized public participation and community engagement. He turned the discussion over to Ms. Longacre. Ms. Longacre thanked Mr. Murphy for his work and also Mr. Johnson and Arcadis. She emphasized several points made by Mr. Johnson, including sustainability and the community's obligation to reduce potential impacts, going forward; and, the need to fund the projects. CRAC member Joanna Roche thanked Ms. Longacre for her leadership in guiding the Plan to this point. She spoke on the process of developing the Plan and said it was very comprehensive and inclusive. CRAC member Sarah Bois concurred with Ms. Roche and spoke on funding issues. CRAC member Gary Beller agreed. CRAC member Peter Brace emphasized the need for public education, noting that public buy-in is crucial. Discussion followed on this. Chair Bridges asked the Committee about the most challenging things it found with the process. CRAC member Ian Golding said that the enormous amounts of sand being necessary for numerous projects is a serious issue. Ms. Longacre said her challenge is grasping the short-term dangers of climate change and the need to address them fairly quickly. Ms. Roche said the financial piece is very challenging and the communication of it to the community without being frightening. Mr. Fee, also a member of the Committee, said changing peoples' perceptions is hard and needs to be kept at the forefront. Various other comments were made by CRAC members as to the challenges of the Plan, including the cost, the magnitude and the necessity. Chair Bridges noted the need for resources to implement the plan, specifically staff. Ms. Longacre said that property owners also have their own responsibilities, that do not need to involve Town oversight. Mr. Fee spoke about the need for regulatory changes to prevent development in vulnerable areas that may not cost money but could be a struggle to implement. Discussion continued as to the importance of the Board's commitment to the Plan and its implementation. Ms. Longacre said that the CRAC recommendation is to proceed to adopt the Plan, tonight. Chair Bridges asked for Board comment on that recommendation. Ms. Murphy said she thinks a bit more time for Town Administration to consider what "adoption" means, should be allowed. Mr. Fee said he supports adopting the Plan tonight. Ms. Holdgate said she could go either way. Ms. Ferrantella agreed. Mr. Fee said he doesn't think anything is going to change and sees no reason to adopt the Plan tonight. Mr. Fee so moved to adopt the Plan tonight; seconded by Ms. Ferrantella. Some discussion followed. Ms. Holdgate said that she is not sure how much review the Finance Committee and/or Capital Program Committee have done on the Plan and a bit later of an adoption might allow for those groups to review it. By roll call vote: Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – respectfully, No; Ms. Murphy – respectfully, No; Chair Bridges – respectfully, No. The Motion did not pass. Ms. Longacre asked for a timeframe for adoption and whether or not CRAC should make any presentations to the Finance Committee or Capital Program Committee. The Board generally agreed to bring the Plan back for adoption at its January 12, 2022 meeting; and, that if CRAC is able to make such presentations that would be welcome, but it is not an immediate concern. Discussion continued regarding presentations to other Boards. Rick Atherton suggested that impacts and details of the Plan as to impacts on neighborhoods, be more defined before the Board adopts the Plan. He said he supported the continuation until January. Chair Bridges again, thanked everyone for their time and effort. Tobias Glidden enthusiastically expressed support for the Plan. Ms. Longacre stated she disagrees with Mr. Atherton, as to examining details before adopting the Plan. CRAC adjourned its meeting at 7:42 PM.

2. Director of Planning: Review of Short-term Rental (STR) Report. Ms. Murphy stated that she is recusing from the discussion tonight due to her role as a property manager who handles short-term rentals. Ms. Holdgate said

that for the time being she will recuse as well. Mr. Fee said concerns were expressed to him as to his own participation, however, he is prepared to participate tonight. Director of Planning Andrew Vorce reviewed a November 29, 2021 Planning Board meeting at which the issue of short-term rentals was an agenda item, using a presentation contained in the Board's agenda packet. Chair Bridges said that public comment will not be taken on this matter tonight; however, it will be on a Select Board agenda again the near future, with public comment.

Ms. Holdgate left the meeting at 8:13 PM.

Mr. Vorce reviewed a map showing the location of short-term rentals registered with the State. He also reviewed where these are by zoning district; and complaints as documented with the Police Department for a period of time in 2020 specific to short-term rentals. He reviewed regulatory options, as well as six potential "working concept" warrant articles that have been discussed by the Planning Board. Discussion followed as to various working concepts. Chair Bridges said he currently prefers the concept of a bylaw to license short-term rentals. All Board members expressed a desire to connect the concept(s) to retaining as much employee/community housing as possible. Chair Bridges said it would be beneficial to have the Select Board and Planning Board on the "same page" with whatever concept is put forward. Chair Bridges asked about the treatment of primary residences vs seasonal residences. Town Counsel John Giorgio advised that making a distinction as to these could be susceptible to legal challenge and/or disapproval by the Attorney General. Discussion continued as to various aspects of the concepts. It was generally agreed to hear more from Planning in early January.

3. Continued Review/Potential Votes on Select Board-Sponsored 2022 Annual Town Meeting Warrant Articles; Review of Citizen Warrant Article Submittals. Ms. Gibson reviewed the status of potential Select Board-sponsored warrant articles, noting little has changed since the Board's last discussion on November 17<sup>th</sup>.

4. Committee Reports. Ms. Murphy said the Board of Health's indoor mask order is lifted as of tomorrow, due to an improvement in the number of positive cases.

### XIII. ADJOURNMENT

At 8:56 PM, Mr. Fee moved adjournment; seconded by Ms. Murphy. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

Approved the 8<sup>th</sup> day of December 2021.

SELECT BOARD  
DECEMBER 1, 2021 – 5:30 PM  
REMOTE PARTICIPATION VIA ZOOM  
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- III. 3. SSA Governing Board - Nantucket Member - UPDATED applicant list; R. Ranney application; R. Tonico application; Ad for SSA Governing Board seat
- IV. 1. Emergency Warning Siren Update
- VII. 1. Draft minutes of 11/15/2021; 11/16/2021; 11/17/2021
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. Gift summary/ recommended motion; Police gift
- IX. 1. AIS re: 2021 Valet Service Update; Car counts 2021 – 2018; Bag counts 2021-2018
- IX. 2. AIS re: Conservation Restriction (CR) for 15 Winn St; Conservation Restriction and Preservation Restriction Policy; Cover letter from Nantucket Land Council; Report from Town Counsel re: 15 Winn St CR; Redline draft CR for 15 Winn St
- IX. 3. AIS re: 2022 Annual Liquor License Renewals; ABCC Certification Form; 2022 Liquor License renewal list; 2022 Licensing Fees; 2019 Fee Increase Public Notice
- X. 1. Memo from Assessor re: Tax Rate Hearing; Tax Rate Options Table
- XI. 2. AIS re: gift from SBPF; Contract with Arcadis for technical assistance; 9/28/21 Joint Town/SBPF Statement; 11/11/21 Select Board Position Statement re Baxter Road/SBPF Project; 11/23/21 Scope of Work for Arcadis contract for the technical assistance for NOI; Gift acceptance email from SBPF
- XII. 1. AIS re: Coastal Resilience Plan; Links to Coastal Resilience Plan; CRAC recommendation; Updated Presentation on Coastal Resilience Plan
- XII. 2. Local Short-Term Rental Data and Bylaw Amendment Options presentation; Short-term rentals points (map)
- XII. 3. Outline #4 for 2022 Annual Town Meeting with attachments

TO: Select Board

FROM: Rob Ranney, Assessor

DATE: December 1, 2021

RE: Tax Rate Hearing Fiscal Year 2022

The proposed tax rates for the fiscal year 2022, subject to final certification by the Department of Revenue are listed below:

|                                           | <b>FY 2021</b> | <b>FY 2022</b> |
|-------------------------------------------|----------------|----------------|
| Residential Rate                          | \$3.63         | \$3.82         |
| Open Space                                | 3.43           | 3.62           |
| Commercial, Industrial, Personal Property | 6.20           | 6.53           |

These rates are based on a shift of 170% of the tax burden to the commercial, industrial and personal property classes and a residential exemption of 25% of the average residential value. For the fiscal year 2022 the average residential value is \$2,164,077.

It is important to understand that the average residential value for purposes of determining the residential exemption includes vacant land and is not truly representative of what the average homeowner pays. A review of all properties eligible for the residential exemption shows the following:

|                                            | <b><u>FY 2021</u></b> | <b><u>FY 2022</u></b> |
|--------------------------------------------|-----------------------|-----------------------|
| Residential Exemption                      | \$522,914             | \$541,019             |
| Average Res Value                          | \$2,091,654           | \$2,164,077           |
| Average Res Tax Bill                       | \$7,593               | \$8,267               |
| Average Commercial Value                   | \$2,234,398           | \$2,270,692           |
| Average Com Tax Bill                       | \$13,853              | \$14,828              |
| Average Value Year-Round Value             | \$1,353,868           | \$1,358,369           |
| Average Year-Round Tax Bill with Exemption | \$3,016.43            | \$3,124.34            |