

ADVISORY COMMITTEE OF NONVOTING TAXPAYERS
Minutes of Public meeting 10 A.M., SATURDAY, August 24, 2024 in person
(Trailer Room A and via Zoom)

1. Attending members: Kathy Baird, Lou Bassano, Gary Beller, Gene Briskman, Michael Cody, Patti Deuster, Lynn Filipski, Peter Halle, Peter Kahn, Donna Martino, Steve Perelman, and Pam Suan. Members absent: Bill Gardner, Don Green, Scott Ulm.
2. Chair Peter Halle convened the meeting at 10:00 am and read the Virtual Meeting Script confirming a quorum was present.
3. The Agenda for today's meeting was moved for approval, seconded and passed unanimously.
4. Approval of the minutes from the August 3, 2024 meeting was moved, seconded and passed unanimously.
5. Peter H. introduced Guest Speaker Police Chief Jody Kasper who provided a brief overview of her education and career and noted her observations and challenges within the department and town. Chief Kasper answered questions on the topics of domestic violence (noting that housing challenges play a role); drugs; staffing - (41 permanent positions, 1 vacancy, but many are in training) and Community Service Officers (CSO)); bikes (safety and variety; educating bikers to be predictable), accident rates, pedestrian traffic during ferry arrival, inspection station challenges; dealing with noise and racism, and pros and cons with speed bumps/tables. Members suggested visitor education via advertising on the ferries, car rental agencies on 'the Nantucket way' as a means to encourage civil behavior on the island.
6. Donna Martino provided an update on the Town Council Study Committee goal to submit a draft bylaw to town by November to ensure it moves forward to Annual Town Meeting (ATM) 2025. She and Peter H. met with Joe Grause to explain the rationale for keeping the ACNVT related bylaws in the submitted Town Council proposal. Joe stated the committee's rationale for small revisions to ACNVT Bylaw, believing it was no longer needed in the town charter since everyone will have a voice at Town Council meetings where the legislation would be done. ACNVT members discussed keeping a low profile running up to ATM. Attachments from Peter H. can be found below (proposed changes to current Articles 3 and 2.6) for consideration by members.
7. Peter K. and Kathy provided updates on the ZBA hearings and likely outcomes including the conflict of interest (COI) accusations and members discussed Special Town Meeting Article 1's ability to pass as written.
8. In a discussion of Noise Bylaw modifications, Lynn Filipski suggested that any proposed changes to outdoor day noise bylaw to speak only to amplified noise in public spaces.
9. Peter H. stated a need for an ACNVT approved policy list on issues ACNVT has addressed. What needs to be considered and added? Examples of issues we have considered are, non-discrimination against ACNVT interests, improved traffic flows, noise regulation, and the like. We should also develop an NVT expertise list to assist the town where Members have specific relevant skills; What are those skill needs, who has them and are they willing to donate their time?; Do

members have interest in serving on other committees?; Quality of life issues; how do we become trusted advisors to the Town in a broader way?

10. The next ACNVT meeting will be held via Hybrid/Zoom in the Meeting Trailer (131 Pleasant Street) at 10am Saturday September 7 followed by a final summer season meeting on October 5. Future suggested speakers include the Director of Planning - Leslie Snell and the Steamship Authority representative, Rob Ranney. We will also request an update on their revised plan from Coastal Resiliency Advisory Committee Chair (Leah Hill) at a future meeting.
11. Motion to adjourn was seconded and passed unanimously at 12:15 pm.

The following link represents the recording of this meeting located on the Town of Nantucket YouTube website. [ACNVT Meeting recording for August 24, 2024](#)

Respectfully submitted,

Kathy Baird, Secretary

Attachment 1 – Background on ACNVT Legislation and Bylaws

Attachment 2 – Markup of the current ACNVT Bylaws to fit the Town Council Form of Government

Attachment 1 – Background on ACNVT Legislation and Bylaws

Joe and Donna:

Thanks for the emails.

I would be happy to get together to discuss the future of the ACNVT under a Town Council form of Government.

A bit of background may be helpful. The ACNVT is already in both the Charter and the Town Bylaws, and has been for many years. It has the right to appear and speak at Town Meetings under the current bylaws and Charter:

§ 11-13 Establishment; membership; quorum.

[Amended 4-15-2003 ATM by Art. 66, approved 6-30-2003; 4-1-2019 ATM by Art. 64, approved 8-6-2019]

There shall be an Advisory Committee of Nonvoting Taxpayers consisting of 15 members, appointed by the Town Administrator, with initial appointments, or reappointments of five members for three-year terms, five members for two-year terms, and five members for one-year terms. As the terms expire, all succeeding appointments shall be for three-year terms which shall continue the staggered pattern. In addition, two alternate members shall be appointed annually by the Town Administrator to serve in case of absence, inability to act or conflict of interest on the part of any regular member or, in the event of a vacancy, until such vacancy is filled. Whenever needed, members may be appointed by the Town Administrator to fill an unexpired term. The quorum is established as a majority of members appointed and serving.

§ 11-14 Duties.

[Amended 6-25-2020 ATM by Art. 70, approved 10-27-2020]

The Committee will make recommendations to the Select Board on issues of concern to the nonresident taxpayers.

Moreover, non-voting taxpayers already have the right to address the Nantucket Town Meetings - through the ACNVT. See, §44-2 B of the Nantucket Code and §2.6 of the Town Charter.

2.6 Rights of Nonresident Property Owners

One spokesperson for the Town's nonresident property owners shall be allowed to speak at any annual or special Town Meeting on matters before the Meeting but only at such times during a Meeting as the Moderator may allow and in accordance with the rules of order.

§ 44-2 Restriction of speech.

B.

The Chairman or Vice Chairman (or his designee) of the Advisory Committee of Nonvoting Taxpayers will be allowed to speak, but not vote, at Annual and Special Town Meetings on matters of concern to the nonvoting taxpayers.

[Added 5-7-1991 ATM by Art. 43, approved 9-6-1991]

I have spoken at a Town Meeting on items of importance to Non-voting Taxpayers, as have other designated Members of the ACNVT.

This is all to say that there is a tradition of the ACNVT participating in Town Government that should continue. As a group of 15 non-resident citizens who meet year-round and focus on matters of concern to NVT's ("Non-Voting Taxpayers"), I think we play a positive role that is helpful and should continue.

I understand that under the proposed Town Council, the Council will replace the Town Meeting as the legislative body, and that anyone - permanent resident and seasonal resident – will be able to address the Town Council under rules yet to be determined. I think that the Council will be well served by an Advisory Committee of NVT's on important issues.

When is it convenient to meet and discuss?

Thanks,

Peter
Chair, ACNVT

Attachment 2 – Markup of the current ACNVT Bylaws to fit the Town Council Form of Government

Joe:

In advance of our meeting, I took the liberty of sketching out language that could be adopted by the Town Council Study Committee as part of the Charter it is drafting. The language would continue the NVT Advisory Committee in its current form should the Town adopt the Town Council Form of government. It would entail changing only two words.

As you may be aware, our Committee's only purpose is to keep up with what is going on in Nantucket, and provide advice from the viewpoint of Non-Voting Taxpayers. Our "power" is the quality of our observations and advice. We are not single issue warriors, who tend to polarize issues. We are not one and done. We try and consider all sides and come up with solutions that are a win-win for year round and Summer residents when a proposed action appears to us to be one sided, or when something appears to be neglected that is of valid interest to Summer Residents. We are collegial and work well with others. A number of us serve on other Town Committees. I served on the *Ad Hoc* noise committee a few years ago. Peter Kahn and Bill Gardner served on the STR Working Group. Gary Beller serves on the Coastal Resilience Advisory Committee. Donna Martino and Pam Suon (alternate) are serving as nonvoting members of your Committee.

Summer Resident Advisory Committees are not unique to Nantucket. One is more likely to find them in Towns that have large numbers of Summer home owners. For example, Chatham has the SRAC (Summer Residents Advisory Committee). "SRAC members are appointed to three-year terms to: Give summer residents a voice; Give the Select Board the benefit of information and views; Give fresh outlooks to the town and finally, to Take a position and make a case for or against town matters." <https://www.chatham-ma.gov/395/Summer-Residents-Advisory-Committee> Truro has a similar Part Time Residents Advisory Committee. <https://www.truro-ma.gov/part-time-resident-advisory-committee>

Here is the operative language that the Town Council Study Committee may incorporate into the draft Charter to continue the ACNVT in its present form.

§ 11-13 Establishment; membership; quorum.

[Amended 4-15-2003 ATM by Art. 66, approved 6-30-2003; 4-1-2019 ATM by Art. 64, approved 8-6-2019]

There shall be an Advisory Committee of Nonvoting Taxpayers consisting of 15 members, appointed by the Town Administrator, with initial appointments, or reappointments of five members for three-year terms, five members for two-year

terms, and five members for one-year terms. As the terms expire, all succeeding appointments shall be for three-year terms which shall continue the staggered pattern. In addition, two alternate members shall be appointed annually by the Town Administrator to serve in case of absence, inability to act or conflict of interest on the part of any regular member or, in the event of a vacancy, until such vacancy is filled. Whenever needed, members may be appointed by the Town Administrator to fill an unexpired term. The quorum is established as a majority of members appointed and serving.

§ 11-14 **Duties.**

[Amended 6-25-2020 ATM by Art. 70, approved 10-27-2020]

*The Committee will make recommendations to the ~~Select Board~~ **Town Council** on issues of concern to the nonresident taxpayers.*

Best,

Peter

Peter E. Halle
Chair, ACNVT