

Town Government Study Committee

Minutes of the meeting of April 21, 2021. The meeting took place via Zoom. Members of the committee present were: John Brescher, Linda Williams, Rick Atherton, Curtis Barnes, and Tucker Holland.

- 1) Chair John Brescher called the meeting to order at 10:31 am with a quorum.
- 2) Agenda: A motion was made by Rick and duly seconded by Tucker to approve the agenda as written. All voted in favor by voice vote.
- 3) Public Comment: None.
- 4) Meeting Minutes from April 13, 2021: The minutes were not available and the Committee agreed to hold over the minutes of April 13, 2021 until the next meeting.
- 5) Discussion: unresolved items on topics to investigate list
 - a) Expanding role/redefining Town Government Study Committee and Town Governance Committee

John Brescher opened the discussion to the Committee and it was noted that the Committee was still waiting on Lauren Goldberg from Town Counsel in order to correct the technical issues. Linda Williams also noted that the Select Board has implied that the Town Government Study Committee would be wrapping up at this year's Town Meeting. Therefore, the Committee will need to prepare its final report soon.

Linda Williams suggested the Committee compile a list of items that the Committee has commented on and will comment on. Specifically, the Committee may want to address the difference between representative and open Town Meeting. Rick Atherton added that the Committee has made some comments as well and that there were ballot results. Tucker Holland added that his recollection was that the electorate suggested we investigate the topic further.

Linda and Tucker added that it will be imperative for the Committee to document all they've done so far.

John noted that it would be wise to be as objective as possible with many of the findings.

Rick also suggested that we note that Town Counsel has been difficult to get ahold of and has not served this Committee particularly well.

The discussion then focused on whether or not the Town Government Study Committee role should be expanded or redefined.

Curtis noted that if we recommend a Governance Committee, is this just another way for citizens to air their grievances or would they be expected to adjudicate the matter?

Rick noted that he did not find the difference between a Governance Committee and the Town Government Study Committee as one thinks. The difference appeared to the Committee to be who the Committee reports to: the Town Government Study Committee reports to Town Meeting; a Governance Committee reports to the Select Board.

After discussing the matter further, the Committee concluded that a new Committee would be redundant and would not be worth exploring.

In order to continue to finalize the report to Town Meeting, the Committee suggested having a standing meeting on Wednesdays at 10:30 am.

6) Other Business:

The Committee suggested the chair reach out to get in touch with Lauren Goldberg again.

7) Date and Time of the Next Meeting:

The Committee's next meeting will be Wednesday April 28, at 10:30 am 2021 via Zoom.

8) Adjournment:

A motion was made by Linda Williams and seconded by Rick Atherton to adjourn at 11:10 am.

Respectfully Submitted,
John B. Brescher, Chair

MEMORANDUM

TO John Brescher, Chair, Nantucket Government Study Committee, john@gliddenandglidden.com
Members: Rick Atherton, rickatherton@comcast.net; Curtis Barnes, barnesack@comcast.net;
Kristi Ferantella, kferrantella1@gmail.com; Tucker Holland, acktownconsultant@gmail.com;
Campbell Sutton, ccoastpaper@gmail.com ; Linda Williams, czarinalinda@comcast.net

FROM: Nat Lowell, natlowell@comcast.net , Chair NPEDC; Judith Wegner, judithwegner@gmail.com,
Chair, Nantucket Planning Board

RE: Discussion of Nantucket Planning and Economic Development Commission (NPEDC)

DATE: April 12, 2021

Dear Members of the Nantucket Government Study Committee:

We have heard informally that the Study Committee has or might plan to engage in discussion of restructuring or other modification of the NPEDC. In our view, the information that we understand you have received to date fails accurately to characterize the Commission's mission or its structure, among other flaws. For now, we want simply to set the record straight on these two points, without giving undue significance to the views of a single individual who has asserted the virtues of major reforms. We would ask that we have the opportunity to be involved in any further discussion, if in fact you intend to pursue this issue further.

Mission:

- Regional planning agencies are created pursuant to state legislation. Nantucket's NPEDC was created by special legislation after being authorized by a home rule petition voted affirmatively at town meeting. As a result, changes would have to proceed once again through town meeting and the state legislature. Other regional planning agencies are typically much larger, better funded, with more staff, and with responsibilities associated with coordinating among adjacent locales including multiple municipalities. For example, the Vineyard's Commission is responsible for an area that includes six separate towns. Nantucket is an island with only a single town, so the particulars of the NPEDC are in important ways distinctive. It would be a mistake to assume that what works for the Boston or Cape Cod or even the Vineyard regional commissions applies readily here.
- Among other things, NPEDC and other regional planning agencies operate as "metropolitan planning organizations" (MPO) mandated by federal law as a means of facilitating transportation and transit planning and tapping federal and state funds for eligible projects within their jurisdictions. We believe Nantucket is fortunate to have been allowed to have its own regional planning organization since otherwise any available state and federal funding for transportation purposes would only be allocated if approved through another larger MPO that likely would not understand local needs and would likely allocate funding to other competing communities within its jurisdiction. The proponent of reform does not seem interested or aware of these consequences.
- The Planning Board is authorized by state statute (chapter 41, section 81D) to develop the community's master plan. It works with the NPEDC which in turn, pursuant to its authority,

coordinates work on small area plans for different parts of the island where there is need and desire by residents to address targeted issues relevant to the overall Master Plan. The NPEDC is not the ultimate authority for planning on the Island, but was constituted to include all elected members of the Planning Board to facilitate coordination on planning.

Structure

- The NPEDC is primarily composed of elected officials. Planning Board members are elected on Nantucket with the understanding that they serve both on the Planning Board itself and on the NPEDC. Other members are designated by elected officials in other elected bodies (Select Board/County Commissioners which designates one of their members to serve on the NPEDC), the Housing Authority (an elected board which designates a representative), the Conservation Commission (a board appointed by the Select Board with a member designated by the Select Board to serve on the NPEDC), for a total of 8 out of 11 members. Three members at large members are elected by the Commission, following an open application process, to provide additional relevant perspectives. Thus the characterization you have had that the NPEDC is not composed of elected representatives is flatly incorrect and misleading. The NPEDC as currently composed reflects the Nantucket view that there should be close accountability of key town government entities to the electorate. The regional commissions that have been proposed as “superior” to the current NPEDC cover much larger areas, and have multiple towns, so they lack the opportunity to maintain that kind of close connection to the electorate.
- The relationship between the NPEDC and the town is incorrectly described in the information provided to you to date. There is a memorandum of understanding in place that governs the role of the NPEDC on behalf of the town and the relationship of the Town Manager and Planning Director. The NPEDC does NOT appropriate funds from the Treasury of Nantucket. The characterization of the Novak Consulting Report is incorrect in that that report only suggested further consideration of the question of the relationship between the town and NPEDC and clearly did not recommend a change. This matter was indeed discussed with town administration after the submission of that report. It is surprising to see someone wholly uninvolved in these discussions try to cite the report as reaching definitive conclusions to the contrary.

In our shared experience, the following considerations should be borne in mind. We are one town and have regulatory boards in place that work together. There is a fantastic balance of different perspectives from those boards represented on the NPEDC. The 2012 memorandum of understanding with the town creates an effective working matrix. The current arrangement provides key financial support to the town, covering the salary of a transportation manager and leveraging available state and federal funding for transit. Changing the mission or structure of the NPEDC would likely require action at town meeting and by the state legislature, and would deny the town of an effective means of collaboration and needed funds. We ask that you bear these factors in mind as you decide whether, and under what auspices, you might recommend action changing the NPEDC as it currently exists.

Sincerely,

Nat Lowell, Chair, NPEDC

Judith W. Wegner, Chair, Nantucket Planning Board