

**ADVISORY COMMITTEE OF NONVOTING TAXPAYERS**  
**Notes of meeting 10 A.M., SATURDAY, July 24, 2021 via Zoom**

1. Attending members: Kathy Baird, Gary Beller, Bill Gardner, Don Green, Peter Halle, Peter Kahn, and Mary Russell; Members absent include Lou Bassano, Sue Matloff and Bill Sherman. Invited guests in attendance were Wendy Conway Schmidt and Jay Cohen. Invited Guest Speaker was Town Moderator, Sarah Alger.
2. Chair Gary Beller opened the meeting at 10:10 a.m., read the script for Zoom meetings provided by the town and with a quorum present, the agenda for today's meeting and minutes for the July 10, 2021 meeting were both approved by roll call vote.
3. While waiting for Sarah to arrive at her office, Gary noted the issues and concerns shared with Sarah Alger in advance regarding annual town meeting and governance. Gary and Peter Halle suggested the possibility of having a speaker to discuss the proposed changes to the process for assignments of moorings and slips and the 23 year waiting list for them. Jay Cohen spoke as a boat owner moored in Polpis Harbor who agreed it was likely an issue for more non-residents than residents and it was agreed that perhaps the harbormaster would have that information.
4. Gary welcomed guest speaker Sarah Alger and shared issues of ongoing concern to ACNVT members (e.g. the lack of attendance at the end of the meeting; gaming of the system). Sarah explained that the guidance followed for annual town meeting includes: Chapter 44 of Town Code, the Town Charter (includes non-voting taxpayer (NVT) rights), Town Meeting Time (rule book in place of Robert's Rules) and local traditions and procedures. She noted that Nantucket does permit property owners whose property is directly affected by a warrant article they may speak as a non-voting taxpayer but otherwise the limit is to one NVT appointed by ACNVT. In order to expand the right to speak to NVT, it would have to be presented at town meeting and also voted on at the ballot. Gary noted that other towns and states have expanded those rights to include voice and vote for non-resident property owners on articles that directly affect them and that this would be appropriate considering the 80+% of the residential property taxes are paid by NVT. Gary asked if absentee voting could be considered in a town meeting format and Sarah indicated that it is currently illegal and unlikely to change. Sara mentioned that Nancy Holmes, Town Clerk, attended off-island meetings where these issues are discussed

and she might be a good candidate to be a speaker at a future ACNVT meeting. Peter brought up the topic of streamlining ATM and posed the question as to whether spending authority for the Select Board could be increased so that fewer items would need to be brought before ATM for approval. Gary added his concerns about the Noise Bylaw changes that passed with little debate late in the day with only a few attendees left and noted that it appeared nobody realized that what few restrictions it had, were largely stripped. Peter noted how long it takes to prepare ahead of time on all the issues to be able to intelligently vote so that plus attending and 8+ hour in-person meeting was unachievable by most voters. Sarah indicated this was really the responsibility of the Select Board and Town Government Study Committee and not her role to guide policy or influence the meeting. However she could entertain motions from town or the voting public to re-convene the meeting (for example) if the attendance was extremely low.

5. Peter complemented the town meeting process and how it was handled, especially considering the challenges. Gary asked for Sarah's thoughts on the motion that ended the public debate on Article 90 and she noted that a 2/3 vote was required to stop the debate as well as to change in the order of some of other articles. Sarah noted that the motion to change the order of related citizen's warrant articles was announced in advance (perhaps not enough in advance-just a few days) but there was a legitimate reason for doing so. She also noted the 300+ years of ATM tradition and that current voter cynicism is adversely affecting participation and that representative town meeting (1-200 elected representatives) or a town council form of government were possibilities that were more efficient but might be seen as disenfranchising. 2020 Election non-binding questions (20% voter turnout which is typical). 1. Keep town meeting form of government 887 (Yes) vs. 788 (No); 2. Explore other forms of town government 1102 (Yes) vs. 592 (No). Gary cited the Falmouth situation where they now have a representative form of town government due to previous 'gaming' of the system to pass a controversial article, suggesting education of the voters is necessary before they can make an informed decision on an alternate form.
6. Sarah returned to the Noise Bylaw, noting it was a Select Board (not Citizen's) warrant article and Gary explained the background as an ACNVT initiative worked through the town with an overview

of our recommendations to the committee that was formed. Sarah indicated that this was more of a political issue than a town meeting governance issue. It was further clarified that another citizen's noise warrant article had been rolled into the town version. A discussion of more, but shorter town meetings might help encourage voter engagement, preparation and attendance.

7. Don Green suggested alternative approaches to common (to all residents) issues like noise and Peter indicated it had not been handled as a parochial issue.
8. There was a discussion the helpfulness or overwhelming information provided by the Guide to Town Meeting and all the NCL sessions.
9. Gary asked for clarification on several of the zoning articles which appeared be related to a single property, asking why that type of request could not be decided by the Zoning Board. Sarah responded that the ZB was quite limited by statute and could only grant waivers or special permits, both of which were challengeable in court.
10. Sarah completed her remarks with a debrief on her impression of this year's ATM, citing several positive features she hoped would be carried forward in the future (e.g. better sound system; organized lines to microphones with flag wavers to get her attention and more room to move around).
11. The next ACNVT meeting is scheduled (Zoom) for Saturday August 7 at 10AM, with confirmed guest speaker Kimal McCarthy (Diversity, Equity and Inclusion Officer).
12. There was a motion, seconded and approved by roll call to adjourn the meeting. The meeting was adjourned at 11:46 a.m.

Respectfully submitted,

Kathy Baird, Secretary

The following link represents the recording of this meeting located on the Town of Nantucket YouTube website.

<https://www.youtube.com/watch?v=qBWQ-fEwgcs>