



## Members

Robert Vanderslice, Co-Chair  
John Fulghum, Co-Chair  
Barbara Beatty  
DeWitt Brown  
Jeff Lewis  
Dana Sheehan  
Julie Tarmy  
Judy Zahora

### TOWN OF NAHANT Advisory and Finance Committee

Tuesday March 30, 2021 Meeting Minutes

Members Present: Beatty, Brown, Fulghum, Lewis, Vanderslice, Tarmy, Sheehan, Zahora

Members Absent: none

Others Present: K. Carangelo, 781-581-6964, 781-598-4067, V. Patek, A. Nieto, E. Potts, A. Barletta, K. Marden, ipad

Meeting called to order at 7:05

RV asked clerk to post meeting for Thursday April 1<sup>st</sup>. Not on Calendar properly, but is posted at Town Hall and on Website.

JF reached out to printer about lead times and deadline. April 9<sup>th</sup> is ambitious. Will confirm deadline. Discussed process of printing Warrant. Mailed to voter 7 days before Town Meeting.

Assessor's office meeting right now. Not sure we will see Sheila tonight to go over budget and discuss article 32.

AB: Latest changes to Warrant: Article 11, \$75k for recycling bins and \$50K for Compost from Rubbish Enterprise account, retained earnings. 64 gallon recycling carts with wheels (these are the medium size) – collect every other week eventually - trying to ease our way into changing over to trash carts as well. Savings on recycling will save on trash eventually. Less trash in the environment. Looking at DEP grant which would give us \$10 - \$15 per bin, so we may not use the whole \$75K.

JF: this article has already been voted to recommend.

AB: Let me know if you need help with supporting statement information.

Article 23: MWRA borrowing – RV read FinCom response written by Lewis and Beatty as a courtesy.

AB: Borrowing may not be paid back thru the debt shift.

AN: We do include it as part of debt shift. Doesn't understand terminology of 'capacity fees' as opposed to 'water rates' in response.

JL: Searching for proper terminology.

Discussion on 'per capita' vs. 'household', rate vs. fee.

AB: Understanding was that this conversation was done. Property taxes are low, w/s rates are higher. Would not benefit residents. The way we are doing it is the right way. Not sure this is the time to open this conversation.



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JL: It could be more equitable for payers. From acctg standpoint, it would be acknowledging the fact that running the water and sewer department is expensive, and it is not going away. I think that it is a \$3 million/year instead of a \$2 million/year.

DS: How much would w/s rates would go up and how much would prop taxes go down by doing this?

JL: Simple answer is, this year's debt exclusion is \$811,000. IN a perfect world, your debt exclusion would go down by this amount in property taxes across those payers, but the sewer cost revenues would go up by this amount. Depends on who the larger users are.

RV: Just to be clear, there are two different questions we are talking about simultaneously. Question one is: Where should the capital costs be charged? General Fund, i.e. in Prop Taxes or as W/S rates.

Questions two is: Assuming they were on the w/s side, how should they be charged. What's the equitable way to charge them? Per household, per consumption or something else.

Agreed that both questions are worth exploring on the revenue side. Something that BOS can decide on before next fiscal year. Town Manager, Accountant, FinCom & BOS should continue to discuss. Include info in opening letter instead of w/lt Art 23.

Article 25: Firearms discharge – added 'from the mean low water line' to verbiage.

BB: Is there a state law that covers this?

AB: Not specific to hunting-it is specific to public safety. Nahant has a lot of coastal activity. Our by-law goes further than State law. There are hunting laws that talk about being a certain distance from roads or buildings. This is taking it further away from coast.

RV: Just for the record: 'Discharge of any firearm or release of any arrow upon or across a state or hard surfaced highways, or within 150 feet of any such highway...' These are things that are prohibited.

'Possession of loaded firearm or discharge of a firearm, or hunting on the land of another within 500 feet of any dwelling or building in use, unless with permission of the owner or occupant.'

BB: No mention of anything about a shore?

RV: No.

DS: Not going to make a difference. Using a shotgun will not go more than 100 feet. Won't affect the hunters, but people on shore will still hear it. The sound will still be as loud.

JZ: Are we waiting for legal counsel on this?

AB: BOS voted to send this article to the Planning Board for their process. They provide the recommendation on this at town meeting. W

We can defer to planning board.

Article 37 is now Chapter 90 article

Article 38 is now Plastic bag ban article

BB: This article contains fines. How will that be enforced?



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AB: Reported to public health agent, who has working relationship with businesses in town. Will follow-up with legal about proper verbiage. Legal compared it to other towns' bylaws.

Article 40: Citizen Petition – Lowlands drainage. AB met with Christine, and had a neighborhood meeting. Christine had an edit for AB to take to BOS. 'infrastructure' vs 'outfall' into Lynn Harbor.

DB: Proper use of eminent domain?

AB: We have a w/s easement here.

JZ: Where did the \$100K figure come from?

AB: Combination of costs for study, storm water basin to be built, dredging of ditches. We agreed on a cost of \$100K.

JF: Meeting was considered a success?

AB: Yes. C.Liscio wants to be sure there is \$ for feasibility study.

DS: Outfall there now?

AB: Yes, but blocked by revetment – we have an easement here – to reopen might involve permitting problems. Study would give us all due process. Where are you on CPC articles?

JF: Meeting with them this Thursday. A. Barletta left the meeting at this point.

DS: Compost Article – I have an update. After talk with Zack, resident or beach sticker – Zack put up a sign stating that a resident Beach sticker is required to use the Compost area.

JZ: That's quick. And it stops people from out of town from using area.

JF: This is first volley to convince town that the sticker is required for Beach and dump. Next year BOS can address where the fees go from the sticker. Currently go to recreation. Possible future increase in fee for sticker?

JF: Sent request to Barletta to include sticker verbiage in article.

On to articles:

Article Coast Guard Design

JZ: Added some points to article response, per Dana's comments.

**Zahora made a motion to take recommendation from CGHD&D committee,**

DS: Can we wait to postpone?

JZ: We can, but they've been working on this for three years and we agreed on this last year.

**Tarmy seconded.**

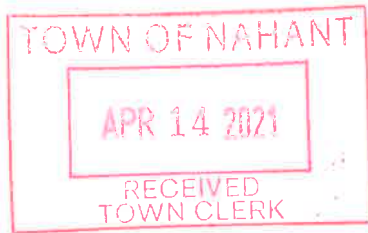
DS: I support the concept, but feel there isn't any discussion on what to do with the proceeds of the sale.

JZ: That is outside the scope of the committee. I included this in my response statement. It will not change what the committee will recommend.

DS: Feel the comments are helpful, but if it's part of the article, doesn't make it more forceful?

JZ: No. We can recommend, but I don't believe it's enforceable. Shared her response.

RV: We can work with BOS to change article?



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JZ: How we use the proceeds is outside the purview of the FinCom.

RV: Allison, what happens to these funds?

AN: We stated at a previous meeting that any proceeds from sale of municipal property, per MGL Finance laws, go into General Fund. Tony may have to talk to legal, but never seen funds go anyplace else.

RV: We don't want these funds to go to operating expenses.

DS: How do we make this happen? Make it part of the article?

JF: K. Carangelo – does the committee have a position on using any of the funds from the sale of these houses toward Eminent Domain costs?

JZ: No. The money will be coming in in dribs and drabs. We have to pay off the debt associated with this property first.

JF: Coming in slowly kind of opens it up to getting lost in the budget.

DS: Annual income on the property will also be coming down at the same time. It should go to retiring the debt.

JF: Ask the CGH committee tomorrow night at their meeting. JZ: Bottom line we want this to get done. Don't want to refinance. Discussion on how to shape response to this article.

AN: MGL supersedes what we want to do with proceeds.

RV: Town meeting votes on the article, not our recommendation.

JL: How does earmarking take place?

AN: Would have to check with legal.

Discussion on whose article this is, CGH or BOS. Possibly change verblage in article to state how proceeds will be used. Motion withdrawn. Vote will take place at a later meeting.

Article 24, 27, 28, 32, 33 all voted last year to recommend.

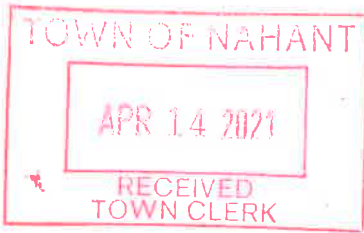
Art 24: Wastewater by-law – I/I – mandated by DEP – **Motion to approve by Zahora, seconded by Tarmy. Unanimous ayes.**

Art 25: Firearm discharge – **Motion to approve made by Beatty, seconded by Brown. Unanimous ayes.**

Art 26: Snow Removal – Sidewalks – **Motion to approve made by Tarmy, seconded by Vanderslice.**

**3 ayes/5 nos. Motion failed.** Further discussion on clarifying ownership and enforcement. **Motion made by Zahora not to recommend, seconded by Brown. 4 ayes/4 nos. Motion failed.** Discussion on making no recommendation. Committee agrees to no recommendation on this. No vote taken. Give an explanation in our response.

Art 27: short-term rental Excise tax – **Motion to recommend made by Zahora, seconded by Beatty. Unanimous ayes.**



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Art 28: Short-term By-law – **Motion to recommend made by Beatty, seconded by Brown. Unanimous ayes.**

Art 29: Marijuana local tax – **Motion to recommend made by Zahora, seconded by Beatty. Unanimous ayes.**

Art 30: defer to Planning Board – **No recommendation.**

Art 31: Veteran's work-off - **Motion to recommend made by Tarmy, seconded by Beatty. Fulghum, Beatty, Vanderslice, Lewis, Zahora, Tarmy, Beatty aye. Sheehan abstain. 7/1 pass.** Short discussion on MGL mandating maximum amount of \$1,500 with \$400 minimum. Same rate as for seniors.

Art 32: Senior deferred prop tax interest – **No vote taken.** A Barletta thinks it is necessary.

Art 33 & 34: Town-owned land – **No recommendation. Needs to go to TOLSC**

Art 35: Tree by-law – short discussion – Tree City requirement – language has been 'cleaned up' since last year – opens up grant possibilities – concern about planting trees in spots that will obstruct views – invasive species – **Motion to recommend made by Beatty, seconded by Tarmy. Fulghum, Beatty, Vanderslice, Tarmy, Sheehan – ayes; Brown & Zahora – no. Lewis abstain. 5 ayes/2 no/ 1 abstain. Motion passes.**

Community input – K. Carangelo – any discussion on giving discount to folks who have already purchased their own recycling bin?

JF: Great question. We will ask Tony.

**Motion made by Zahora to adjourn, seconded by Brown. Unanimous ayes.**

**Meeting adjourned at 9:36.**