MEETING POSTING
TOWN OF NANTUCKET
Pursuant to MGL Chapter 30A, § 18-25
All meeting notices and agenda must be filed and time stamped with the Town Clerk’s Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

Committee/Board/s | SELECT BOARD
---|---
Day, Date, and Time | WEDNESDAY, APRIL 1, 2020 AT 6:00 PM
Location / Address | REMOTE PARTICIPATION VIA ZOOM AND YOU TUBE
Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law (Attached)
Information on viewing the meeting can be found at https://www.nantucket-ma.gov/138/Boards-Commissions-Committees
Signature of Chair or Authorized Person | ERIKA MOONEY
WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

AGENDA
Please list below the topics the chair reasonably anticipates will be discussed at the meeting

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

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

2. COVID-19 Weekly Update:
   a. Local Emergency Orders - Status
      #1 - Temporary Moratorium on Construction (Emergency Mgt Dir)
      Potential Action Item: Discussion/Vote to Extend Moratorium

      #2 - Personal Care Services (Temporary Shutdown) (Health Dir)

      #3 - Stay at Home Order (Emergency Mgt Dir)
      Action Item: Ratification of Allowance for Package Stores to Provide Curbside Service

   b. State Emergency Order(s) - Status

   c. Report from Nantucket Cottage Hospital (NCH President/CEO; Medical Director)

   d. Public Information (Asst Town Manager/Tivnan)
- Outreach update
- Dedicated email covid19@police.nantucket-ma.gov
- Dedicated phone line 508-325-4111

e. Economic Impact Work Group (C&T Director)

f. Town Services Status (Town Manager)
   - Offices remain closed through April 6/7 (local vs state orders)
   - Essential services only in place; some occurring remotely
   - Daily call with Emergency Response Team
   - Daily communication with employees
   - Daily SITREP to Select Board
   - Town budget/staffing update

g. Public Comments Related to COVID-19

IV. PUBLIC COMMENT FOR ITEMS NOT RELATED TO COVID-19 OR OTHER AGENDA ITEMS

V. NEW BUSINESS*

VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS
1. Approval of Minutes of October 2, 2019 at 6:00 PM; March 25, 2020 at 6:00 PM.
2. Approval of Treasury Warrants for April 1, 2020.
3. Approval of Pending Contracts from April 1, 2020 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VII. TOWN MANAGER’S REPORT

VIII. SELECT BOARD’S REPORTS/COMMENT
1. Moderator Consultation with Select Board Regarding Rescheduling 2020 Annual Town Meeting.
2. Discussion Regarding Rescheduling April 14, 2020 Annual Town Election.
3. Committee Reports.

IX. PUBLIC HEARINGS
1. Public Hearing to Consider the Appeal of Lydia Denney Palmer LLC of Historic District Commission Approval of Certificate of Appropriateness No. 72738 for an Addition, Regarding Property Located at 112 Wauwinet Road, Map 11, Parcel 20 (Continued from January 15, 2020; February 5, 2020; REQUEST TO CONTINUE TO MAY 13, 2020).

X. ADJOURNMENT

*Identified on Agenda Protocol Sheet
**EXHIBIT 1**
**AGREEMENTS TO BE EXECUTED BY TOWN MANAGER**
**UNLESS RESOLUTION OF DISAPPROVAL BY THE SELECT BOARD**
**April 1, 2020**

<table>
<thead>
<tr>
<th>Type of Agreement/Description</th>
<th>Department</th>
<th>With</th>
<th>Amount</th>
<th>Other Information</th>
<th>Source of Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment to Professional Services Agreement</td>
<td>Police/Public Works-Facilities</td>
<td>Tom Hanlon Landscaping, Inc.</td>
<td>Amend current contract amount of $227,251.12 to add $26,588.50 for new contract value of $253,839.62</td>
<td>Add 4 Fairgrounds Rd Public Safety Complex to existing Town-wide landscaping contract</td>
<td>Public Buildings Budget</td>
</tr>
</tbody>
</table>
ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;
NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General’s implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.
Given in Boston at \[\frac{2}{3}\] PM this 12th day of March, two thousand and twenty.

\[\text{Charles D. Baker}\]

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts