



# AMENDED MEETING POSTING

Original posting date: 5/8/2020 Original Posting # T 1639

## 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)

**RECEIVED**

2020 MAY 12 AM 09:46  
NANTUCKET TOWN CLERK  
Posting Number:T 1648

**Committee/Board/s** | SELECT BOARD

**Day, Date, and Time** | WEDNESDAY, MAY 13, 2020 AT 5:00 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

### YOU TUBE LINK:

<https://youtu.be/LEkZ6otnA9Y>

***I. CALL TO ORDER***

***II. SELECT BOARD ACCEPTANCE OF AGENDA***

***III. ANNOUNCEMENTS***

1. The Select Board Meeting is Being Audio/Video Recorded.
2. Nantucket Police Department: May 10 - 16, 2020 National Police Week Proclamation.
3. Census Complete Count Committee Notice: 2020 Census is Ongoing and of Vital Importance to Nantucket.
4. 2020 Committee/Board/Commission Vacancies.

***IV. COVID-19 WEEKLY UPDATE***

1. Select Board Comments/Questions  
- Public Comment

2. Update from State's Reopening Advisory Board Local Member.
3. Report from Nantucket Cottage Hospital (NCH President/CEO; Medical Director)
  - Select Board Comments/Questions
  - Public Comment
4. Emergency Orders - Status
  - Local No. 1 - Temporary Moratorium on Construction/Board of Health 3/30/2020 Supplemental Emergency Order, Amended 4/2/2020
  - Local No. 2 - Personal Care Services
  - Local No. 3 (expired)
  - Local No. 4 - Recreational Shellfish License Extension
  - Local No. 5 - Construction Phased Work Plan
  - Local No. 6 - Landscaping Phased Work Plan
  - Local No. 7 - Essential Worker Mask
  - Local No. 8 - Phase II Construction Back to Work Plan and Associated Construction Guidelines
  - Local No. 9 - Phase II Landscaping Back to Work Plan
  - State Stay at Home/Other Emergency Order(s) - Status
  - Select Board Comments/Questions
  - Public Comment
5. Economic Recovery Task Force Update
  - Select Board Comments/Questions
  - Public Comment
6. Public Information and Town Services Update
  - Outreach update
  - Dedicated email [covid19@police.nantucket-ma.gov](mailto:covid19@police.nantucket-ma.gov)
  - Dedicated phone line 508-325-4111
  - Town offices remain closed to the public through May 18 (State Advisory)
  - Town employees return-to-work planning/implementation
  - Select Board Comments/Questions
  - Public Comment

***V. PUBLIC COMMENT\* FOR ITEMS NOT RELATED TO COVID-19 OR OTHER AGENDA ITEMS***

***VI. NEW BUSINESS\****

***VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS***

1. Approval of Minutes of April 15, 2020 at 6:00 PM.
2. Approval of Treasury Warrants for May 13, 2020.
3. Approval of Pending Contracts from May 13, 2020 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

**VIII. CITIZEN/DEPARTMENTAL REQUESTS**

1. Finance Department: Request for Approval of Sale of \$15,704,313 in General Obligation Bond Anticipation Notes Series A and B.
2. Town Clerk: Request for Re-appointment of Registrar of Voters.

**IX. PUBLIC HEARINGS**

1. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #23660447 to Install Approximately 110' of 9-5" Conduits Encased in Concrete from MH 3, with 2-5" Conduits going Directly to Riser Pole P.1 on Commercial Street and 7-5" Conduits to Stub Inside National Grid Substation Property on Commercial Street.
2. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #29417418 to Install Two Handholes (hh3-1 and hh3-2) on Morey Lane and 22' of Conduit Encased in Concrete off Pole 3 for Service to 5 Morey Lane.
3. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #29458484 to Install Two Handholes (hh45-1 and hh45-2) on Old South Road and 45' of 2-3" Conduit Encased in Concrete off Pole 45 for Service to 109 Old South Road.
4. Public Hearing to Consider Utility Petition from National Grid/Nantucket Electric Company for Plan #29342112 to Install One Handhole (hh20-1) on Sankaty Road and 45' of 2-3" Conduit Encased in Concrete off Pole 20 for Service to 85 Sankaty Road.
5. 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; April 1, 2020; REQUEST TO CONTINUE TO JUNE 3, 2020).

**X. TOWN MANAGER'S REPORT**

1. Review of FY 2021 General Fund Budget Recommendations.
2. Review Recommendations Regarding Town Concession Leases (Surfside, Jetties, Children's Beach) for 2020 Season.
3. Review Status of Fourth of July Fireworks.

**XI. SELECT BOARD'S REPORTS/COMMENT**

1. Committee Reports.

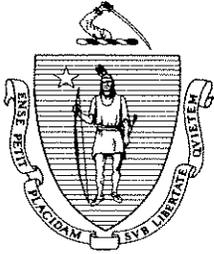
**XII. ADJOURNMENT**

*\*Identified on Agenda Protocol Sheet*

**EXHIBIT 1**  
**AGREEMENTS TO BE EXECUTED BY TOWN MANAGER**  
**UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD**  
**May 13, 2020**  
**\*\*\*AMENDED MAY 11, 2020\*\*\***

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Lease	Town Admin	Nantucket County Sheriff's Department	(\$5,940)	Lease of office space at 20 S. Water St. building for Sheriff's Office	n/a	April 15, 2020 - April 14, 2021
License Agreement	Town Admin	Valet Park of America	(\$11,500)	License agreement for National Grid Candle St. lot for valet parking for summer 2020 season	n/a	June 30, 2020 - September 30, 2020
License Agreement	Town Admin	Valet Park of America	(\$500)	License agreement for three (3) parking spaces on Broad St and up to forty-five (45) parking spaces in the Upper Parking Lot at Jetties Beach for valet parking for summer 2020 season	n/a	June 30, 2020 - September 30, 2020
Advertising Contract	Town Admin	The Inquirer & Mirror	\$49,999	Contract for Town advertising in Inquirer & Mirror	Various departmental budgets	May 28, 2020 - May 26, 2022
Professional Services Agreement	DPW	Plan B Construction Co.	\$48,050	Contract for roof replacement at 38 W. Chester St. employee housing	Article 10/2019 ATM	May 13, 2020 - June 30, 2020
Professional Services Agreement	DPW	Weston & Sampson	\$132,400	Contract for design services for new public works facility, including alternative site analysis	Article 10/2015 ATM	May 13, 2020 - June 30, 2021
Professional Services Agreement	DPW	Weston & Sampson	\$36,500	Contract for Tom Nevers solid waste removal - environmental permitting consulting	Article 14/2018 ATM	May 13, 2020 - June 30, 2021
Professional Services Agreement	DPW	Fuss & O'Neill, Inc.	\$6,389	Contract for agency coordination meeting oversight for Madaket water quality/resilience improvements	Article 10/2018 ATM	May 13, 2020 - June 30, 2021
Professional Services Agreement	DPW	TEC, Inc.	\$11,380	Contract for culvert inventory & agency coordination meetings for Polpis/Wauwinet	Article 10/2018 ATM	May 13, 2020 - June 30, 2021

Amendment to Professional Services Agreement	DPW	Fuss & O'Neill, Inc.	Add \$31,200 to original contract amount of \$239,700 for new contract total of \$270,900	Amend contract for Children's Beach storm water evaluation to include design & construction administration	Article 10/2018 ATM	May 13, 2020 - June 30, 2021
Amendment to Professional Services Agreement	DPW	Beta Group, Inc.	n/a	Amend contract for Sparks Ave/Williams Ln/Pleasant St Multi-Use Path concept design to extend contract end date	n/a	May 13, 2020 - June 30, 2021
Professional Services Agreement	Natural Resources	Horsley Witten Group	\$40,400	Contract for consulting for Sesachacha Pond living shoreline project	State CZM Grant	May 13, 2020 - June 30, 2020
Professional Services Agreement	Our Island Home/Town Administration	Eisenstein Flaherty Associates	<b>\$45,000</b>	Compliance review/Our Island Home	Our Island Home Budget	May 13, 2020 - August 31, 2020



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**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.

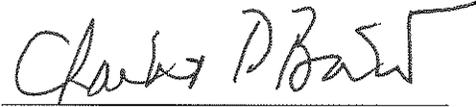
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby 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 6:40 PM this 12th day of  
March, two thousand and twenty.

A handwritten signature in cursive script, reading "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts