



# 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)

**RECEIVED**

2020 JUN 12 AM 08:40  
NANTUCKET TOWN CLERK  
Posting Number:T 1724

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

**Day, Date, and Time** | WEDNESDAY, JUNE 17, 2020 AT 5:00 PM

**Location / Address** | REMOTE PARTICIPATION VIA ZOOM WEBINAR  
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/JVQVu IBvXc>

***I. CALL TO ORDER***

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

***III. ANNOUNCEMENTS***

1. The Select Board Meeting is Being Audio/Video Recorded.
2. Census Complete Count Committee Notice: 2020 Census is Ongoing and of Vital Importance to Nantucket.
3. 2020 Annual Town Meeting is Thursday, June 25, 2020 at 5:00 PM at Nantucket High School; Pre-Annual Town Meeting Forum No. 2 is Thursday, June 18, 2020 at 5:00 PM via Zoom Webinar.

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

1. Select Board Comments/Questions  
- Public Comment

2. Report from Public Health Director
  - Select Board Comments/Questions
  - Public Comment
3. Emergency Orders - Status
  - Local Board of Health/Select Board Joint Emergency Rule and Order No. 11 (Outdoor Dining at Restaurants)
  - State Phased Reopening of Workplaces and Imposing Workplace Safety Measures/Safer-at-Home Advisory/Other Emergency Order(s) - Status
  - Select Board Comments/Questions
  - Public Comment
4. Review and/or Approval of Applications from Restaurant Liquor Licensees for Changes of Premises for Outdoor Dining.
5. Economic Recovery Task Force Recommendations 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/public closure status
  - 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 WARRANTS AND PENDING CONTRACTS***

1. Approval of Payroll Warrants for June 14, 2020.
2. Approval of Treasury Warrants for June 17, 2020.
3. Approval of Pending Contracts from June 17, 2020 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

***VIII. CONSENT ITEMS***

1. Richmond Development: Request for Consent of Grant of Easements with National Grid over Portions of Sandpiper Place I and Sandpiper Place II Developments Pursuant to Town/Richmond Regulatory Agreement.

***IX. CITIZEN/DEPARTMENTAL REQUESTS***

1. Finance Department: Request for Approval of Sale of \$8,112,200 in General Obligation Bond Anticipation Notes.

***X. TOWN MANAGER'S REPORT***

1. Monthly Town Management Activities Report.

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

1. 2020 Annual Board, Committee, Commission Appointments.
2. Discussion/Update as to Racial Equity/Race Relations Task Force/Community Forum (continued from June 20, 2020).
3. Committee Reports.

***XII. ADJOURNMENT***

***\*Identified on Agenda Protocol Sheet***

*Select Board Agenda Protocol:*

- **Roberts Rules:** *The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.*
- **Public Comment:** *For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Select Board. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action. Except in emergencies, the Board will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.*

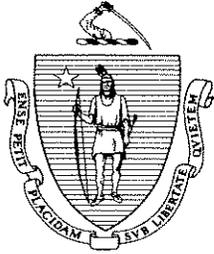
*Public Comment is not to be used to present charges or complaints against any specifically named individual, public or private; instead, all such charges or complaints should be presented in writing to the Town Manager who can then give notice and an opportunity to be heard to the named individual as per MGL Ch. 39, s 23B.*

- **New Business:** *For topics not reasonably anticipated 48 hours in advance of the meeting.*
- **Public Participation:** *The Board welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on the clarity of information presented. The Board will hear any staff input and then deliberate on a course of action.*
- **Select Board Report and Comment:** *Individual Board Members may have matters to bring to the attention of the Board. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.*

**EXHIBIT 1**  
**AGREEMENTS TO BE EXECUTED BY TOWN MANAGER**  
**UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD**  
**June 17, 2020**

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Consent to Sublease Agreement	Town Admin	Nantucket Community Sailing	(10% rental income from sub-lease)	Consent agreement to allow Nantucket Community Sailing to sub-let Town-owned premises at 12 Industry Road to Madaket Marine for outdoor storage of 15-25 boats for 2020 summer season	n/a	2020 Summer Season
Amendment to License Agreement	Town Admin/ Marine Dept	TBT Moorings, Inc. d/b/a Nantucket Moorings	n/a	Restructure and Increase Mooring Rental Rates	n/a	June 17, 2020 - October 15, 2024
Amendment to Professional Service Agreement	Town Admin	Thomason & Associates	n/a	Amend contract for Resilient Nantucket project for an additional year for project completion (State Grant end date extended 1-year due to COVID)	n/a	June 17, 2020 - June 30, 2021
Professional Service Agreement	Affordable Housing Trust	PES Associates	\$8,050	Contract for environmental site assessment for 135-137 Orange St.	AHT Budget	June 17, 2020 - June 30, 2021
Professional Service Agreement	Public Works	Victor-Brandon Corp.	\$4.0M	Contract for FY21 roadwork and paving	Various	July 1, 2020 - June 30, 2021
Professional Service Agreement	Public Works	KOBO Utility Construction Corp.	\$2.0M	Contract for FY21 roadwork and paving	Various	July 1, 2020 - June 30, 2021
Professional Service Agreement	OIH	Seascapes Aquariums	\$34,620	3-year renewal contract for maintenance of fish tank at OIH	OIH budget	July 1, 2020 - June 30, 2023
Professional Service Agreement	Marine	Glyn's Marine	\$49,999	Contract for routine maintenance and repairs for Marine Dept. vessels and motors	Marine Budget	July 1, 2020 - June 30, 2023
Amendment to Professional Service Agreement	Marine	GZA Geoenvironmental, Inc.	n/a	Amend engineering contract for F-Street pier repairs to extend an additional year due to delays in permitting	n/a	June 17, 2020 - June 30, 2021
Amendment to Professional Service Agreement	Natural Resources	University of Massachusetts Dartmouth/SMAST Program	n/a	Amend contract for water quality monitoring for one additional year	n/a	June 17, 2020 - April 30, 2021

Amendment to Professional Service Agreement	Fire	Specialty Vehicles, Inc.	n/a	Amend contract for purchase of new ambulance for six additional months due to delays in delivery	n/a	June 17, 2020 - December 31, 2020
License Agreement	Select Board	NFI Realty Trust	n/a	Annual license for public use of section of privately-owned property at 40 <sup>th</sup> Pole for public beach use	n/a	June 17, 2020 - October 15, 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.

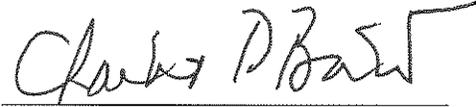
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby 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 that reads "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts