



AMENDED MEETING POSTING

Original posting date: 7/17/2020 Original Posting # T 1836

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 JUL 20 AM 10:53
NANTUCKET TOWN CLERK
Posting Number:T 1846

Committee/Board/s	SELECT BOARD
Day, Date, and Time	WEDNESDAY, JULY 22, 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/5AGtNOTbFVE>

- 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. No Select Board Meeting on Wednesday, July 29, 2020.
- 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)
 - Local Board of Health Emergency Order No. 12 (Mandatory Face Covering)
 - Status of Reopening Massachusetts
 - Select Board Comments/Questions
 - Public Comment
4. Public Information and Town Services Update
 - Outreach update
 - Dedicated email 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 Treasury Warrants for July 22, 2020.
2. Approval of Pending Contracts from July 22, 2020 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Airport Commission: Request for Select Board to Declare Emergency Regarding Per- and Polyfluoroalkyl Substances (PFAS) and to Request that the Department of Revenue Approve Deficit Spending by the Town to Address the PFAS Emergency.
2. Finance Department: Request for Approval of Refunding General Obligation Bonds for Airport.
3. Department of Culture and Tourism: Request to Schedule 2021 Independence Day Celebrations on July 3, 2021 (Fireworks Weather Date of July 5, 2021).
4. Richmond Great Point Development, LLC: Request to Allow Additional Modular Housing Structures to be Transported Prior to September 15 Over the Road Moratorium End Date, and to Block On-Street Parking Along Washington Street from Salem Street to Coffin Street due to Overwide Units.

IX. REAL ESTATE MATTERS

1. Affordable Housing Trust: Request for Approval to Partially Fund Habitat for Humanity Nantucket's Construction of a Duplex at 31 Beach Grass Road in Richmond's Sandpiper I Development.

2. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcel Known as Parcel 33, Central Street, Unnamed Parcel and Elm Street as Shown on Plan of Land Entitled "Plan of Land Taking and Articles 94 and 95, 2009 ATM in Nantucket, Massachusetts," Dated November 7, 2016, Prepared by Nantucket Surveyors, LLC and Recorded with Nantucket County Registry of Deeds as Plan No. 2016-113, Pursuant to Vote on Article 95 of 2009 Annual Town Meeting (Tabled from January 29, 2020; February 19, 2020).
3. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcel Known as Parcel 1, Central Street, Unnamed Way and Myrtle Street as Shown on Plan of Land Entitled "Taking and Disposition Plan of Land in Nantucket, MA Prepared for P. Rhoads Zimmerman & Low Beach, LLC," Dated November 3, 2014, Prepared by Blackwell & Associates, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2014-101, Pursuant to Vote on Article 95 of 2009 Annual Town Meeting (Tabled from February 19, 2020).
4. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcel Known as Parcel 2, Myrtle Street, Unnamed Way and Holly Street as Shown on Plan of Land Entitled "Taking and Disposition Plan of Land in Nantucket, MA Prepared for P. Rhoads Zimmerman & Low Beach, LLC," Dated November 3, 2014, Prepared by Blackwell & Associates, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2014-101, Pursuant to Vote on Article 95 of 2009 Annual Town Meeting (Tabled from February 19, 2020).

X. TOWN MANAGER'S REPORT

XI. SELECT BOARD'S REPORTS/COMMENT

1. Discussion/Potential Scheduling of Fall Special Town Meeting.
2. Determine any Local Ballot Questions for November 3, 2020 Federal/State Election.
3. Continuation of Discussion/Update as to Racial Equity/Race Relations Task Force/Community Forum.
4. Committee Reports.

XII. PUBLIC HEARINGS

1. Public Hearing to Consider the Appeal of 6 Magnolia Ave LLC of Historic District Commission Approval of Certificates of Appropriateness No. HDC2020-01-0470 and -0471 for an Addition and Selective Demolition, Regarding Property Located at 6 Magnolia Avenue, Map 73.3.1, Parcel 57.

XIII. ADJOURNMENT

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

Select Board Agenda Protocol:

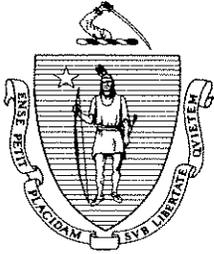
- **Roberts Rules:** *The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.*
- **Public Comment:** *For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of 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
July 22, 2020

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Grant Agreement	Various	Commonwealth of Massachusetts Department of Energy Resources	(\$139,340)	Grant award to fund energy conservation measures, EV charging stations, HVAC upgrades, boiler replacement, and administrative costs for Nantucket High School, Town Hall, Visitor's Center and vehicle infrastructure	Grant Award	July 22, 2020 - March 31, 2022



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
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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.

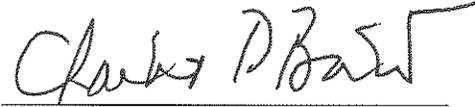
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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