



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 SEP 04 PM 02:59
NANTUCKET TOWN CLERK
Posting Number:T 1996

Committee/Board/s	SELECT BOARD
Day, Date, and Time	WEDNESDAY, SEPTEMBER 9, 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/j-r76pBhfaQ>

- 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. Recognition of Retiring Assessor Deborah Dilworth with 36 Years of Service to the Town of Nantucket.
 4. Committee Appointment for Vacant Historic District Commission Associate Seat Scheduled for Wednesday, September 23, 2020; Deadline for Applications is Friday, September 18, 2020 at Noon.

IV. COVID-19 WEEKLY UPDATE

1. Select Board Comments/Questions
 - Public Comment

2. Report(s) from Public Health Director and Nantucket Cottage Hospital President:
 - COVID19 Case Metrics
 - Flu Vaccine Update
 - Other
 - Select Board Comments/Questions
 - Public Comment

3. Report(s) from Licensing Administrator:
 - Enforcement - Review of Massachusetts Gatherings Order (COVID-19 Order No. 46).
 - Other
 - Select Board Comments/Questions
 - Public Comment

4. Fall/Winter Community Events Update/Review from Chamber of Commerce; Economic Recovery Task Force Update from Culture and Tourism Director.

5. Emergency Orders/Board of Health Actions - 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)
 - August 7, 2020 and July 30, 2020 Board of Health Votes Regarding Restaurant/Food Service Establishment Hours and Closures
 - Status of Reopening Massachusetts
 - Select Board Comments/Questions
 - Public Comment

6. Public Information and Town Services Update
 - Outreach Update
 - 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 MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of November 6, 2019 at 6:00 PM.

2. Approval of Payroll Warrants for August 23, 2020; September 6, 2020.

3. Approval of Treasury Warrants for August 26, 2020; September 2, 2020; September 9, 2020.

4. Approval of Pending Contracts from September 9, 2020 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CONSENT ITEMS

1. Gift Acceptances: Our Island Home; Natural Resources Department; Human Services (Saltmarsh Senior Center); Fire Department.

IX. CITIZEN/DEPARTMENT REQUESTS

1. Request for Approval and Execution of Land Exchange Agreement with Keep on Trucking LLC/Reis, Pursuant to Vote of Article 100 at 2020 Annual Town Meeting (Tabled from August 19, 2020).
2. Sandy Pedals Bike Share: Review Status of Proposal; Request for Approval of Locations on Town Property and/or Memorandum of Understanding/License for Use of Town Property (continued from August 5, 2020; August 19, 2020).

X. PUBLIC HEARINGS

1. Public Hearing to Consider Renaming Coon Street.

XI. TOWN MANAGER'S REPORT

1. Update Regarding MassWorks 2020 Infrastructure Grant Application for Waitt Drive Improvements.
2. Sewer Department: Presentation Regarding Third Sewer Force Main Project (Sea Street to Surfside Wastewater Treatment Facility).
3. FY 2020 Fourth Quarter/End of Year Budget Reports: General Fund; Our Island Home Enterprise Fund; Solid Waste Enterprise Fund; Airport Enterprise Fund.
4. DPW: Review and Request for Approval of Revised Washington Street/Francis Street/Union Street Intersection Improvements Plan.
5. Request for Exemption Under MGL Ch. 268A, §19(b)(1) and Disclosure of Appearance of Conflict of Interest as Required by MGL Ch. 268A, §19(b)(1) to Delegate Authority Regarding Appointment of Assessor to Assistant Town Manager.
6. Review of 2021 Annual Town Meeting and Annual Town Election Timeline.

XII. SELECT BOARD'S REPORTS/COMMENT

1. Continuation of Discussion/Update as to Racial Equity/Race Relations Task Force/Community Forum.
2. Committee Reports.

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.

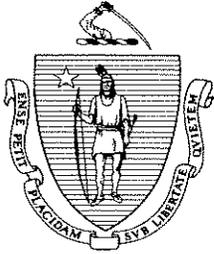
- **New Business:** *For topics not reasonably anticipated 48 hours in advance of the meeting.*
- **Public Participation:** *The Board welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce 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
September 9, 2020

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Grant Agreement	Fire	Commonwealth of Mass - Office of Public Safety & Security	(\$4,484.70)	Grant award for purchase of equipment and PPE for use in Coronavirus response	State Grant	September 9, 2020 - June 30, 2021
Grant Agreement	Fire	FEMA	(\$20,216.56)	Grant award for purchase of equipment and PPE for use in Coronavirus response	Federal Grant	September 9, 2020 - June 30, 2021
Grant Agreement	DPW	Nantucket Garden Club	(\$1,000)	Grant award for purchase of daffodil bulbs to be planted at three (3) local cemeteries	Local Grant	September 9, 2020 - June 30, 2021
Professional Services Agreement	Natural Resources	Arcadis U.S., Inc.	\$549,977	Contract for development of Island-wide coastal resilience plan	Article 10/2019 ATM	September 9, 2020 - September 30, 2021
Professional Services Agreement	Marine	SMRT	\$62,100	Contract for site design, plans, specifications and bid documents for improvements to Marine Dept. maintenance and layup yard on Shadbush Rd	Article 10/2020 ATM	September 9, 2020 - June 30, 2023
Professional Services Agreement	DPW	PeopleGIS	\$46,800	Annual contract for DPW work order software maintenance and support	DPW Budget	July 1, 2020 - June 30, 2021
Professional Services Agreement	DPW	ACV Environmental Services, Inc.	\$75,000	Contract for four (4) hazardous waste collection events in FY21	Solid Waste Budget	September 9, 2020 - June 30, 2021
Purchase Agreement	DPW	Belson Outdoors	\$12,192.02	Contract for purchase of 20 bike racks	MassDOT Shared Streets State Grant	September 9, 2020 - June 30, 2021
Professional Services Agreement	Sewer	Environmental Partners Group	\$1,447,757	Contract for design of new sewer force main from Sea St. to Surfside WWTF	Article 20/2019 ATM	September 9, 2020 - June 30, 2023
Amendment to Professional Services Agreement	DPW	CDM Smith	Add \$110,000 to current contract amount of \$95,000 for new contract total of \$205,000	Amend current contract for landfill environmental monitoring to include additional services	Solid Waste Budget	September 9, 2020 - June 30 2021

Amendment to Professional Services Agreement	DPW	Tom Hanlon Landscaping	Add \$6,340.80 to current contract amount of \$253,839.62 for new contract total of \$260,180.42	Amend current contract for Town-wide landscaping services to include seasonal maintenance of Veteran's Memorial Park at Town Building	Facilities Budget	September 9, 2020 - March 14, 2022
Amendment to Professional Services Agreement	DPW	William Sherry	n/a	Amend current contract for MOBY/Wave bus stop at Surfside Beach to extend contract end date to allow for project completion	Ozone Gift	September 9, 2020 - June 30, 2021
Amendment to Professional Services Agreement	DPW	Vanasse Hangen Brustlin, Inc.	n/a	Amend current contract for engineering of Goose Pond traffic control station to extend contract end date	n/a	September 9, 2020 - June 30, 2021
Amendment to Professional Services Agreement	DPW	Horsley Witten Group	n/a	Amend current contract for Town Pier parking lot design to extend contract end date	n/a	September 9, 2020 - June 30, 2021
Amendment to Professional Services Agreement	DPW	Outdoor Power	n/a	Amend current contract for landscaping materials and equipment repairs to extend contract end date	n/a	September 9, June 30, 2021
Amendment to Professional Services Agreement	DPW	Fuss & O'Neill, Inc.	n/a	Amend current contract for engineering services for Cow Pond Lane roadway drainage improvements to extend contract end date	n/a	September 9, 2020 - June 30, 2021
Amendment to Professional Services Agreement	DPW	Fuss & O'Neill, Inc.	n/a	Amend current contract for engineering services for North Liberty St. roadway and drainage improvements to extend contract end date	n/a	September 9, 2020 - June 30, 2022
Amendment to Professional Services Agreement	DPW	Fuss & O'Neill, Inc.	n/a	Amend current contract for engineering services for Surfside Beach drainage improvements to extend contract end date	n/a	September 9, 2020 - June 30, 2021
Amendment to Professional Services Agreement	DPW	Fuss & O'Neill, Inc.	n/a	Amend current contract for engineering services for Bartlett Road/Raceway Dr roadway and	n/a	September 9, 2020 - June 30, 2021

				drainage improvements to extend contract end date		
Amendment to Professional Services Agreement	DPW	Fuss & O'Neill, Inc.	n/a	Amend current contract for the development of storm water bylaws and regulations to extend contract end date	n/a	September 9, 2020 - October 23, 2021
Amendment to Professional Services Agreement	DPW	Beta Group Inc.	n/a	Amend current contract for Island-wide bike path condition assessment to extend contract end date	n/a	September 9, 2020 - June 4, 2022
Amendment to Professional Services Agreement	DPW	Environmental Partners Group	Add \$33,400 to original contract amount of \$65,200 for new contract total of \$98,600	Amend current contract for fuel storage tank removal and assessment at 16 Broad St. to include continued services through project completion and extend contract end date	Article 10/2015 ATM & Article 10/2019 ATM	September 9, 2020 - June 30, 2021
Amendment to Professional Service Agreement	DPW	MECO Environmental Service	n/a	Amend current contract for underground storage tank removal and above ground storage tank installation at 16 Broad St. to extend contract end date	n/a	September 9, 2020 - June 30, 2021



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.

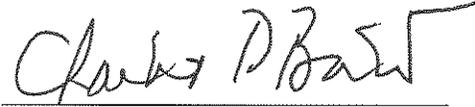
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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