SELECT BOARD
Minutes of Emergency Meeting of March 18, 2020. The meeting took place in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket, MA 02554. Members of the Board present were Dawn Hill Holdgate, Jason Bridges, Matt Fee, Kristie Ferrantella and Rita Higgins participated remotely via conference call pursuant to MGL C. 30A, Section 20*. Town Manager C. Elizabeth Gibson was also present. Also participating remotely were Deputy Director of Planning Leslie Snell, Police Chief William Pittman, and Gary Shaw, President and CEO of Nantucket Cottage Hospital.

I. CALL TO ORDER
Chair Hill Holdgate called the meeting to order at 5:00 PM.

II. OFFICIAL EMERGENCY BUSINESS
1. Request for Select Board to Ratify State of Emergency Declaration in Response to Corona Virus COVID-19 Global Pandemic. Chair Hill Holdgate noted she signed an emergency declaration earlier in the day. Ms. Higgins moved to ratify the State of Emergency declaration; Ms. Ferrantella seconded. So voted by roll call vote.
Chair Hill Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Higgins – Yes.

2. Request for Select Board Endorsement of Emergency Order #1 Pursuant to State of Emergency Declaration for Temporary Moratorium on All Construction Projects on Nantucket. Chair Hill Holdgate explained the reasoning for the request for a temporary moratorium on all construction. Ms. Higgins asked what job sites can be controlled by the Town. Mr. Fee asked what is defined as “construction” and asked if the moratorium applies to landscaping. Chief Pittman explained the proposed Order, noting that landscapers are not included. Chair Hill Holdgate stated that the message that the public needs to understand is that they need to stay away from one another, that the more people stay away from each other the better we are all going to be and ultimately this action will help save lives. She added that while this may sound dramatic, the Hospital is 100% behind the Order. Mr. Fee said he supports the Order, but he is concerned for the people involved in preventing/dealing with the enforcement. He added that he feels there needs to be a timeframe for the moratorium which could be extended if necessary. Chair Hill Holdgate said she wants the moratorium in place for the shortest amount of time possible. Ms. Higgins asked if Boston put a timeframe on its Order. Chief Pittman said Boston did not. He reminded people of the reason behind the Order which is to help flatten the curve. He said that a timeframe could be put on the Order consistent with the School’s closing. Mr. Bridges, Ms. Higgins and Ms. Ferrantella were in agreement on a timeframe consistent with the School closing.

Mr. Fee said the Town needs to “message” the concerns and get answers to citizens’ questions. Chair Hill Holdgate read a letter from the Nantucket Builder’s Association (NBA) with numerous questions. Chief Pittman reiterated that the Town is trying to stop 1:1 contact in the trade setting which is going to be difficult to enforce. He urged people to listen to what the Nantucket Cottage Hospital (NCH) is saying – that the next five to eight-day period is going to make or break this island and people are either going to live or they are going to die. He noted state and federal programs are coming on-line to help people with unemployment benefits. Mr. Fee spoke about loan opportunities and issues with businesses losing money. Chief Pittman reviewed the Town’s efforts to help the community. Chair Hill Holdgate noted that NCH President and Chief Executive Officer Gary Shaw had joined the meeting via conference call. Mr. Shaw gave an overview of the situation and the significance of the Order and stated that he has never seen anything as significant as Coronavirus in his 40-year experience; he
added that it is extremely transmittable. Mr. Shaw said that NCH's resources are extremely limited; he reviewed statistics and what is needed for NCH to be able to care for people who become afflicted. He reiterated that the goal is to flatten the curve as soon as possible and as much as possible. Mr. Shaw spoke in support of the Town's measures. Chair Hill Holdgate opened the meeting to comments via YouTube chat. There was some discussion for this new temporary process for public meetings. Chair Hill Holdgate read many comments and questions from the public, both related and unrelated to the proposed moratorium. Chair Hill Holdgate read the proposed Order. Mr. Fee moved to approve Emergency Order #1 pursuant to the State of Emergency declaration for a temporary moratorium on all construction projects on Nantucket. Mr. Bridges suggested an end date for the moratorium of April 6, 2020 for now, with weekly reviews. Mr. Fee accepted Mr. Bridges' comment as a friendly amendment to his motion. Mr. Bridges seconded motion as amended. Ms. Ferrantella spoke in favor of reaching out to the Governor to stop people from coming to Nantucket. On the motion, so voted by roll call vote. Chair Hill Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Higgins – Yes.

3. Affirmation of Vote of Select Board to File Special Legislation in Connection with Rescheduling April 14, 2020 Annual Town Election. Mr. Fee moved to file special legislation in connection with rescheduling the April 14, 2020 Annual Town Election; Ms. Higgins seconded. So voted by roll call vote. Chair Hill Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Higgins – Yes. Ms. Gibson noted a proposed date for the election is to be determined.

Mr. Bridges thanked all staff working on these matters. Chair Hill Holdgate said one of the questions received is regarding the Emergency Declaration and how it will help Nantucket. Chief Pittman said that for all practical purposes, the state and federal Emergency Declarations accomplish what the Town needs to protect citizens; however, the local declaration emphasizes the seriousness of the situation that our community is confronting and makes available potential reimbursement from FEMA (Federal Emergency Management Agency) and MEMA (Massachusetts Emergency Management Agency) for recovery funding and other resources. Chair Hill Holdgate ended the meeting by urging that all citizens stay at home and shelter in place as much as possible. She added that this is supposed to be a message of the severity of the situation and for people to understand how serious the situation is.

III. ADJOURNMENT
Mr. Bridges moved to adjourn at 6:20 PM; Ms. Higgins seconded. So voted by roll call vote. Chair Hill Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Higgins – Yes. Ms. Gibson noted, again, a proposed date for the election will need to be determined.

Approved the 25th day of March, 2020.
List of documents used at the meeting:

II. 1. Town of Nantucket Emergency Declaration
II. 2. Emergency Order No. 1 – Temporary Moratorium on all construction projects on Nantucket
To the Town of Nantucket Administration:

The Nantucket Builders Association sincerely appreciates the severity of the situation we currently are in and thanks the Town for its ongoing work and efforts to mitigate this crisis on all of our behalf. As we represent numerous tradespeople and their island families, we submit the following list of pressing questions, considerations, ideas and concerns for your consideration, as it relates to the possible closing of construction sites island-wide.

- In Nantucket’s construction industry, onsite workers cannot "take their work home." This means countless families will be without paychecks, and this in turn will ripple out to unpaid rents, bills, and families going hungry. A jobsite closure will have significant negative financial impact on the year-round population.
  - How will the Town assist these families?
  - What programs are in place to assist trades workers financially over the duration of this period?

- In our predominantly residential construction industry, work occurs on private property, not in public spaces like restaurants, schools, banks, etc. This greatly reduces exposure risks and allows for safe distancing practices while at work. Can the Town suggest alternative ways to allow local island residents in the trades to go to work while using social distancing protocols and other mitigative measures, such as requiring all contractors, trades, and onsite workers working indoors to wear respirators, wear gloves, and limit teamwork to one or two workers per task? Owners of construction companies could easily enforce this.

- The vast majority of the jobsites on-island are small to mid-sized residential projects. Instead of a complete shutdown, can’t jobsites be limited to having 10 or less people on site at a time, as is consistent with current mandates on other public gatherings?

- Can the Town limit off-island construction workers from coming to the island/local jobsites to work as a means of safe-guarding the Island's largest, local year-round economic driver (the Construction Industry)?

- If construction sites are to be shut down:
  - Would this action apply to outdoor construction such as foundation work, the framing of a residential shell, landscape construction, landscaping, etc?
  - Are business owners such as millwork, cabinet shops, paint shops, and the like allowed to perform their work? Is that up to the individual business owner?
  - Is service work permitted? Hot water heaters, HVAC equipment etc?
- Are emergency construction services permitted (i.e. flooded basements, leaking roofs or sidewall, imminent structural repairs)?
- Could contractors and trades be allowed to work in vacant homes to perform service work such as painting, plumbing and electrical repairs, boiler replacements, HVAC work, etc?
- What happens to construction projects that are in process and could/will be damaged by shutting them down, such as water damage because of uninstalled windows or roofs not being completed:
  - Whose liability would this damage be? The contractor? The Town?
  - Has the Town spoken with the island’s insurance companies regarding these kinds of potential liability claims?

Please consider the above as you make this very difficult and impactful determination. We understand that the model implemented by Mayor Marty Walsh appears attractive, however the job sites in Boston contain a multitude more workers than even the biggest construction project on Nantucket, and more importantly, they are union jobs. Those tradesmen and women will be paid when they are home. Our workforce will not be so lucky.

The Nantucket Builders Association would like to see the Town take an approach of moderate restrictions aimed at keeping job sites open, and to implement a maximum number of 10 people or less on a jobsite at a time. With such considerations, the industry (and income) will not grind to a complete halt, but will allow a mitigated path for the hard working, year-round trades-workforce to continue earning living—so vital for our island economy.

Respectfully,

The Board of Directors

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