

SELECT BOARD

Minutes of the Meeting of March 22, 2023. The hybrid meeting took place in person at the Public Safety Facility Community Room at 4 Fairgrounds Road; and, via remote participation using Zoom Webinar. Members of the Board present were Jason Bridges, Matt Fee, Dawn Holdgate and Dr. Malcolm MacNab. Brooke Mohr participated remotely.

I. CALL TO ORDER

Chair Bridges called the meeting to order at 5:33 PM following a meeting of the County Commissioners.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted.

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.

2. No Select Board Meeting on Wednesday, March 29, 2023 (5th Wednesday); Next Meeting to be Held on Wednesday, April 5, 2023.

3. Select Board Announcements/Comments.

Chair Bridges noted an issue that has been repeatedly raised by Megan Perry regarding a state Natural Heritage and Endangered Species Program (NHESP) permit for the Surfside Crossing 40B housing project. He reviewed the “action plan” previously reviewed by the Town Manager at the Board’s February 8, 2023 meeting:

- Follow-up with Town staff as to their receipt of the email in question – which has been done
- Notify NHESP of the correct email address for notifications to the Town of Nantucket – which has been done
- Notify all departments that when in receipt of a state permit of any kind it must be forwarded to Town Administration – which has been done

He asked if the action already taken is sufficient for the Board, or does it want to request additional action. Ms. Holdgate said she believes this is in the purview of the Town Manager and the appropriate follow-up has occurred. Dr. MacNab indicated that any policy by the Board would most likely be the same as what the Town Manager has already put into place. Ms. Mohr concurred, adding that there were unusual circumstances with respect to this particular email and said she is satisfied with the action taken. Mr. Fee said he is not completely satisfied because he feels there was not an “owner” of this issue. He said this was a “serious mess up” and is concerned it could happen again. He noted that staffing resources are the cause and spoke further about the need to prioritize Town business issues and provide housing for Town employees. Chair Bridges concurred with Ms. Mohr and Ms. Holdgate; and asked if Dr. MacNab was satisfied. Dr. MacNab responded affirmatively.

IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS

There were no follow-up items.

V. PUBLIC COMMENT

Ms. Perry thanked the Board for taking up the NHESP issue. She said she is concerned about “future human errors”. She requested a copy of the email(s) referenced that were sent by the Town Manager to Town staff.

Housing Director Tucker Holland spoke on a “Housing Day” at the State House tomorrow, for which a number of Islanders are travelling to Boston. He thanked those planning to attend.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of March 8, 2023 at 5:30 PM; March 9, 2023 at 9:00 AM; March 15, 2023 at 5:30 PM. Ms. Holdgate moved approval with the exception of the March 15th minutes which are to be tabled to the next Board meeting; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Holdgate moved approval of items VII. 2-3; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

2. Approval of Payroll Warrants for March 19, 2023.

3. Approval of Treasury Warrants for March 22, 2023.

4. Approval of Pending Contracts for March 22, 2023 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Mohr moved approval of the Pending Contracts as presented except the Process First contract; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Mohr stated that she is recusing from the vote on the Process First contract. Ms. Holdgate moved approval of the Process First contract; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

VIII. REPORTS

1. Project Update - Surfside Area Water Service and Transportation Enhancements. Assistant Town Manager Gregg Tivnan introduced the item, reviewed the prior updates given to the Board, introduced the project team members and explained the purpose of the project. Andy Miller of CDM Smith and Brian Myers of GPI reviewed their presentations as contained in the Board’s agenda packet on the water service project and roadway projects, respectively, including progress made since the last update to the Board, a project overview, design features, right-of-way impacts, timing and permitting. Mr. Fee said he likes the traffic calming and road narrowing and asked about establishing additional parking near the disc golf course. Mr. Myers said they could look into this; and it could require approval from the state Department of Conservation and Recreation.

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS

1. Applicant Introduction and Appointment to Council on Aging. Applicant Rocky Fox spoke on his application.

Ms. Holdgate moved to appoint Rocky Fox to the Council on Aging for a term to expire in 2023; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

The order of items IX. 2-3 was reversed.

3. Nantucket Island Chamber of Commerce:

Licensing Administrator Amy Baxter and Chamber of Commerce Executive Director Peter Burke spoke on the Daffodil Festival event and its permitting. Chair Bridges disclosed that the organization he works for is a member of the Chamber of Commerce.

Ms. Holdgate moved approval of items 3a and b as presented; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

a) Request for Approval and Execution of MassDOT Event Notification Form for Daffodil Parade and Sconset Tailgate Picnic to be Held Saturday, April 23, 2023.

b) Annual Request for Waiver of Chapter 54(1)(c) (Alcoholic Beverages) of the Code of the Town of Nantucket for Daffodil Festival Tailgate Picnic in Sconset.

2. Licensing Office:

Licensing Administrator Amy Baxter reviewed and explained items 2a and b.

a) Request for Approval of Estimated Seasonal Population of Nantucket for Seasonal Liquor Licenses.

Ms. Holdgate moved to approve the estimated seasonal population of Nantucket at 45,000; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

b) Renewal of Seasonal Liquor Licenses. Mr. Fee moved to approve the seasonal liquor licenses for 2023 – 2024 (where applicable) as presented; seconded by Dr. MacNab; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

4. Human Services Contract Review Committee: Review of Recommendations for Allocation of Health and Human Services Funding for FY 2024.

Chair Bridges recused himself from this item and left the table. Contract Review Committee Chair Dorothy Hertz reviewed the reports (two) as contained in the Board's packet. Mr. Fee commended Ms. Hertz for thorough reports. Dr. MacNab concurred and suggested that a local newspaper publish the reports. Ms. Mohr thanked the Committee for its hard work and time and effort.

Chair Bridges returned to the table.

5. Sewer Department: Request for Waiver of Town Noise Bylaw from March through June 2023, 7:00 PM to 1:00 AM for Manhole and Stormwater Repairs at Various Locations Including S. Beach Street, N. Beach Street, Pleasant Street, Orange Street and Union Street. Sewer Director David Gray explained that request, noting that night work for this type of work began last year due to the need to mitigate daytime traffic issues.

Mr. Fee moved approval of the request as presented; seconded by Dr. MacNab; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

X. PUBLIC HEARINGS

1. Public Hearing to Consider Amending Commercial Landfill User Fee Schedule for Fiscal Year 2023.

Chair Bridges opened the hearing. Director of Finance Brian E. Turbitt reviewed the recommended fee increases, as well as the recent history of these fee increases. He also reviewed the information in the Board's packet, noting the costs to operate the Town's solid waste function. Mr. Fee said all municipal fees should be increased, annually. Mr. Fee asked about tiering kitchen fees. Mr. Turbitt said that when the solid waste manager position is filled, this could be an item for review.

There being no public comment, Mr. Fee moved to close the hearing; seconded by Ms. Holdgate; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Holdgate moved approval of the commercial landfill user fees for FY 2023 as presented; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

2. Public Hearing to Consider a Utility Petition from National Grid/Nantucket Electric Company, Plan #30728098 to Install Approximately 35' of 2-4" Conduit from Existing Pole 10 Across Fairgrounds Road to Property Located at 31 Fairgrounds Road. Chair Bridges opened the hearing. Chair Bridges opened the hearing. Jose Vasquez of National Grid reviewed the petition.

There being no public comment, Ms. Mohr moved to close the hearing; seconded by Ms. Holdgate; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Mohr moved approval of the petition as presented including any and all department conditions; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

3. Public Hearing to Consider a Utility Petition from National Grid/Nantucket Electric Company, Plan #30595814 to Install One Handhole (HH23-2) and Approximately 40' of 2-3" Conduit Across West Chester Street for Service to 60 West Chester Street. Chair Bridges opened the hearing. Chair Bridges opened the hearing. Jose Vasquez of National Grid reviewed the petition.

There being no public comment, Ms. Holdgate moved to close the hearing; seconded by Dr. MacNab; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Holdgate moved approval of the petition as presented including any and all department conditions; seconded by Ms. Mohr; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

4. Public Hearing to Consider a Utility Petition from National Grid/Nantucket Electric Company, Plan #30592175 to Install Approximately 120' of 2-3" Conduit from Pole 33 Alongside Wauwinet Road to Proposed Padmount Transformer near Intersection of Pocomo Road and Wauwinet Road for Service to 55 Wauwinet Road. Chair Bridges opened the hearing. Jose Vasquez of National Grid reviewed the petition.

There being no public comment, Ms. Holdgate moved to close the hearing; seconded by Dr. MacNab; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Holdgate moved approval of the petition as presented including any and all department conditions; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

5. Public Hearing to Consider a Utility Petition from National Grid/Nantucket Electric Company, Plan #30657315 to Install Approximately 50' of 2-3" Conduit from Existing Handhole 6-1 Across and Alongside Hummock Pond Road to Proposed Handhole 6-2 near 23-25 Hummock Pond Road. Chair Bridges opened the hearing. Jose Vasquez of National Grid reviewed the petition.

There being no public comment, Ms. Holdgate moved to close the hearing; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Ms. Holdgate moved approval of the petition as presented including any and all department conditions; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

XI. TOWN MANAGER'S REPORT

1. Monthly Town Management Report. Ms. Gibson said she does not have a written report for tonight.

XII. SELECT BOARD'S REPORTS/COMMENT

1. Review/Adoption of Select Board Comments to May 6, 2023 Annual Town Meeting Warrant Articles. Chair Bridges noted there was a joint meeting with the Board, Planning Board and Finance Committee on March 20th to review article motions. Mr. Fee noted that he was not able to attend that meeting. Chair Bridges suggested the Board consider comments as to taking no action on any of the short-term rental articles. Ms. Mohr agreed. Mr. Fee agreed and reviewed current comments from the Planning Board on these articles. The Board agreed to add comments to indicate that it supports the Planning Board motions to these articles (59 – 61). Ms. Holdgate commented on Article 36, a citizen article relating to the HDC, noting that an independent review seems likely. Dr. MacNab said he is not sure about such a comment since the Board has not approved that review yet. The Board had some discussion as to whether or not it should comment on certain articles. Dr. MacNab said he does not think the Board needs to comment on the citizen articles. Ms. Mohr said with regard to Article 36, she agrees with Ms. Holdgate and said she would support a comment indicating that the Board has committed to an independent review. Dr. MacNab disagreed that the Board has made that commitment at this point. Ms. Holdgate agreed, the Board has not yet acted upon an independent review. Finance Committee Chair Denice Kronau spoke on the Finance Committee's discussion of this article, which revolved around the need for a complete review of the HDC. Mr. Fee asked if Article 44 (Zoning/Parking) was discussed at the joint meeting, noting that a Planning Board Motion is to be provided at Town Meeting. Chair Bridges said that it was not. Some discussion

followed on this. Mr. Fee asked about Article 76 (Outdoor Lighting). Chair Bridges and Ms. Kronau reviewed the discussion on this article at the joint meeting. Ms. Mohr asked if the Board wanted to support one housing article over another (Article 35 vs Article 18). Dr. MacNab said he feels the Board needs to support housing but that a discussion as to one over the other would need more thorough review. Ms. Mohr said that the Board did discuss this during the FY 2024 budget process. Ms. Holdgate said she would support a comment that supports the Finance Committee motion not to adopt Article 35 but to support Article 18 instead. Ms. Mohr agreed. Chair Bridges and Dr. MacNab agreed. Some discussion followed as to having a Board comment for both articles. The Board agreed to have a “support the Finance Committee Motion” comment for Articles 35 and 18.

2. Committee Reports. Ms. Holdgate reported on a Community Preservation Committee meeting earlier this week. Ms. Holdgate reviewed a joint workshop meeting with the Select Board and Conservation Commission held yesterday, saying it was collaborative and positive. Chair Bridges concurred, as did Dr. MacNab and Mr. Fee. Ms. Mohr said the opportunity to informally brainstorm together led to good dialogue. Mr. Fee said such workshop sessions with this type of dialogue are important. Ms. Mohr agreed and reiterated the importance of consensus building.

XIII. ADJOURNMENT

Ms. Holdgate moved adjournment at 7:06 PM; seconded by Mr. Fee; by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; Ms. Mohr – Yes; so voted.

Approved the 5th day of April 2023.

**SELECT BOARD
MARCH 22, 2023 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- VII. 1. Draft minutes of 3/8/2023; 3/9/2023 open session; 3/15/2023
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. AIS re: Surfside Area Water Service & Roadway Projects; 10/12/2022 AIS; Water Main presentation; Surfside Roadways presentation
- IX. 1. Council on Aging membership/applicant list; COA application
- IX. 2a. AIS re: Seasonal Population; ABCC Seasonal Population Estimation Form; Liquor License Quotas; Nantucket Data Platform report
- IX. 2b. Seasonal Liquor License Renewals; ABCC Certification form for Seasonal Renewals; List of 2023 Seasonal Liquor License Renewals
- IX. 3a & b. AIS re: Daffodil Festival
- IX. 3a. Daffodil Permit Application; Daffodil Car Parade Route; Sconset Picnic Map; Daffodil Event Description & Layout
- IX. 3b. Request for waiver of public consumption of alcoholic beverages
- IX. 4. CRC Human Services Grant Recommendations Report; Cannabis Grant Recommendations
- IX. 5. AIS re: Sewer Dept Noise Bylaw Waiver request
- X. 1. AIS re: Commercial Landfill Fee Increase; Proposed Landfill Fee Schedule
- X. 2. AIS re: NGrid petition - 31 Fairgrounds Rd; Departmental Comments; NGrid petition; Plan
- X. 3. AIS re: NGrid petition - 60 West Chester St; Departmental Comments; NGrid petition; Plan
- X. 4. AIS re: NGrid petition - 55 Wauwinet Rd; Departmental Comments; NGrid petition; Plan
- X. 5. AIS re: NGrid petition - 23-25 Hummock Pond Rd; Departmental Comments; NGrid petition; Plan
- XII. 1. Draft 5/6/2023 ATM Warrant as of 3/17/2023