

SELECT BOARD

Minutes of Meeting of March 24, 2021. The meeting took place via remote participation using Zoom Webinar pursuant to Governor Baker's March 12, 2020 Order regarding the Open Meeting Law (attached). Members of the Board present were Dawn Hill Holdgate, Jason Bridges, Matt Fee (arrived 5:06 PM), Kristie Ferrantella and Melissa Murphy.

I. CALL TO ORDER

Chair Holdgate called the meeting to order at 5:00 PM. She read a prepared statement as to how the meeting would be conducted via remote participation and the ground rules for any discussion and called roll for those present. Chair Holdgate recessed the Select Board meeting at 5:05 PM for a meeting of the County Commissioners. The Select Board meeting resumed at 5:17 PM.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted without change.

III. ANNOUNCEMENTS

1. The Select Board meeting is being audio/video recorded.

2. Coastal Resilience Advisory Committee: Arcadis Development of New Tools for Public Use Regarding Coastal Flooding, Erosion and Sea Level Rise. Coastal Resilience Coordinator Vincent Murphy reviewed, displayed and explained the tools.

3. Director of Planning: Upcoming Build-out Analysis. Director of Planning Andrew Vorce explained the scope of the contract for this project, with Weston and Sampson. He noted this is the Town's third build-out analysis since 1997. He reviewed funding of the contract. Ms. Murphy asked how this differs from a "carrying capacity" analysis. Mr. Vorce explained that a build-out analysis is a "math exercise" based on current zoning and determines how much more development could occur. He said "carrying capacity" is more of an analysis of how many animals and humans can be "carried" in a finite space.

4. Affordable Housing Trust: Housing Production Plan Survey and Focus Group Feedback Zoom Webinar on Tuesday, March 30, 2021 at 4:30 PM; Register at https://us02web.zoom.us/webinar/register/WN_RqxOPq6ZSD2yuVBMJaYUeg. Housing Director Tucker Holland reviewed the specifics of the upcoming webinar.

5. No Select Board Meeting Wednesday, March 31, 2021 (5th Wednesday). Town Manager C. Elizabeth Gibson noted there is no Board meeting next week.

Preservation Planner Holly Backus announced that effective March 19, 2021, the Town was accepted by the National Park Service as a Certified Local Government (CLG). She noted there are 26 other communities in Massachusetts that are CLGs. Chair Holdgate thanked Ms. Backus for her hard work on this achievement.

IV. COVID-19 WEEKLY UPDATE

1. Public Comment. No public comment.

2. Report from Human Services Director. Human Services Director Jerico Mele reviewed enforcement actions and noted that mask compliance seems to be getting more and more relaxed unfortunately. He reviewed the wastewater testing results which are showing an incidence of 15 cases per day. He reviewed testing numbers. He noted that there has been a confirmed case of a COVID variant on the Cape. He cautioned people to be very careful on and off the island. He said that some potential signs of community spread have been detected and re-emphasized the importance of safety protocols. Mr. Mele reviewed the status of vaccinations on the Island. He said it is going well but supply remains limited. He reviewed the scheduling protocol. Ms. Ferrantella encouraged the community to stay vigilant. Mr. Bridges asked about wastewater testing for variants. Sewer Director David Gray said that will be starting this week.

3. Report from Economic Task Force. No report.

4. Report from Licensing Administrator: Outdoor Dining for 2021/Update. Licensing Administrator Amy Baxter reviewed the status of current planning for outdoor dining on public and private property. She said that a final recommendation should be ready for the Board meeting of April 7, 2021. She reviewed a list of considerations, relating to state orders and allowances, timing, hours, street and/or sidewalk closures, entertainment, potential premises alterations, ADA requirements, insurance coverage and safety protocol measures – such as occupancy, and line management. She noted that current approved occupancy cannot be increased with outdoor space. Ms. Baxter continued to review the various public spaces that are likely to be requested for closure and/or use. Mr. Fee thanked Ms. Baxter for her report. He asked how occupancy will be enforced and monitored. Ms. Baxter said that typically staff from Building, Health, Fire and Licensing conduct these on a regular basis. Some discussion followed on the occupancy numbers as related to required safety measures and use of tables and spacing. Mr. Fee asked about non-liquor businesses. Ms. Baxter said those businesses will be asked to provide their requests shortly. Ms. Ferrantella asked about street musicians this summer. Ms. Baxter said that at this point, the thinking is to consider where this could be allowed, and that spacing will have to be taken into consideration as well as hours. Ms. Ferrantella commented that 2022 planning needs to be kept in mind. Some discussion followed as to potential “curfew” hours. Ms. Leslie Forbes asked about public comment on these issues and when will the Board vote. Chair Holdgate said the public may comment at any time and that the Board is scheduled to vote on these arrangements on April 7, 2021. Ms. Gibson noted a distinction between a “curfew” and hours of closure and that what is being discussed here, is hours of closure. Mr. Fee said that closure hours need careful consideration to allow for restaurants to do decent business but also not to let drinking get out of control. Mr. Fee said he will want to know what days and hours the police will be available downtown this summer. Ms. Ferrantella agreed with Mr. Fee about ensuring that hours are established ahead of time so that restaurants can properly plan for their business operations. She added that she would be comfortable with closure at 10:00 PM on weekdays and 11:00 PM on weekends. Chair Holdgate said she would like food service to be consistent with when alcohol is being served. Ms. Murphy asked about current seating limitations. Ms. Baxter explained current limitations. Ms. Forbes asked if trash disposal is included under the purview of licensing and expressed concerns about takeout trash. Ms. Baxter said that licensing does have a role and that this is an active discussion, internally.

5. Other Reports/Comments/Updates. No other updates or comments.

V. PUBLIC COMMENT FOR ITEMS NOT RELATED TO COVID-19 OR OTHER AGENDA ITEMS

Mr. Robert DeCosta commented on a shellfish closure in Madaket Harbor, due to fecal contamination. He asked what the Town's plans are to address this. Mr. DeCosta further asked about the Town's plans to dredge the Madaket Ditch. Chair Holdgate said that Natural Resources Director Jeff Carlson will get back to Mr. DeCosta. Mr. Fee noted an email already received from Mr. Carlson and said that these issues are being actively addressed.

VI. NEW BUSINESS

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of March 17, 2021 at 5:00 PM. Mr. Fee moved approval; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Approval of Payroll Warrants for March 21, 2021. Mr. Fee moved approval; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

3. Approval of Treasury Warrants for March 24, 2021. Mr. Fee moved approval; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

4. Approval of Pending Contracts for March 24, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Chair Holdgate noted that the Waitt Drive project is being partially funded by the Town's first ever MassWorks grant from the state to the Town in the amount of \$1,500,000. Mr. Fee moved approval; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Request for Town Manager Authority to Sign Special Permit Amendment Application for Ticcoma Green Housing Project at 2 Fairgrounds Road. Ms. Gibson noted the address is actually "6" Fairgrounds Road. Housing Director Tucker Holland explained the special permit amendment which relates to additional market rate units; and noted that a specific vote is required to authorize the Town Manager to sign the application. Mr. Holland noted that due to delays resulting from a lawsuit filed by abutters, costs have risen and if additional units are income restricted, there may be an opportunity for additional subsidy for the developers to account for the rise in cost. Ms. Ferrantella moved approval; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes. Mr. Fee commented that he would like to see the parking limitations be clearer as to the restriction of vehicles associated with the development. He expressed concern at potential numbers of cars added to the neighborhood. Some discussion followed.

2. Request for Letter of Support to Department of Housing and Community Development (DHCD) for Local Preference for 31 Fairgrounds Road Project. Mr. Holland noted that this is a project the Board has previously approved of and supported and that a specific vote is needed to issue the Letter of Support. Ms. Murphy moved approval; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

3. Sewer Department: Request for Waiver of Town Noise Bylaw for Surfside Road Sewer Improvements Project (Surfside Road Starting at Miacomet Avenue to Vesper Lane) from April 5, 2021 to June 25, 2021, 4:00 PM to 2:00 AM, Sunday through Thursday Nights. Sewer Director David Gray spoke to this request and explained that due to the proximity of the project to the schools, and other traffic congestion issues, this work is being requested to occur at night. Ms. Murphy asked if the neighbors have been notified. Mr. Gray said, not yet because this request was only formulated on Monday but said that a detailed schedule will be put out on social media and affected abutters will be notified. Ms. Murphy expressed concern about the neighbors being able to comment before the project starts. Some discussion followed as to how the work is expected to proceed. Mr. Gray reviewed other safety issues that contributed to this request. Operations Administrator Erika Mooney spoke as to the public outreach plan. Ms. Murphy moved approval; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider 2021 Seasonal Liquor License Renewals. Ms. Murphy recused from this matter. Chair Holdgate opened the hearing. Ms. Baxter reviewed the license renewal process. There being no public comments, Chair Holdgate closed the hearing. Ms. Ferrantella moved approval; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

X. TOWN MANAGER'S REPORT

1. Large-scale Project Updates from Marine/Police; Public Works; Wannacomet Water; Sewer; Natural Resources. Ms. Gibson introduced the agenda item and said that the project managers for each project will be providing the updates. She added that these are active projects and she thought it would be a good idea for the Board to be provided with updates. She introduced Deputy Chief Charles Gibson to review the Marine/Police projects as follows:

- Town Pier Improvements/Floating Dock Replacement. Deputy Chief Gibson reviewed the history of this project as well as the permitting which has undergone a number of “hurdles”. He reviewed the scope of the project as well as various features that will be improved, including a breakwater wave attenuator.
- Harbor Master Building Replacement. Deputy Chief Gibson reviewed the scope of the project and explained the design with respect to flood zone requirements. He noted that the Town received a \$1,000,000 grant from the state for this project. He reviewed the timeline and said that the project is expected to begin this fall. He added that very recently building material costs have increased significantly and the hope is that the appropriation will be sufficient. Ms. Ferrantella asked about parking spaces, from a prior Board discussion about them. Deputy Chief Gibson said the parking spaces will remain in front as they are situated now.
- Harbor Master Layup Yard and Workshop Facility. Deputy Chief Gibson reviewed the scope of the project, as well as the timeline. He said completion is expected within the next month.
- F Street Bulkhead/Pier. Deputy Chief Gibson reviewed the scope of work, as well as the history of it. He said permitting took much longer than expected and as a result costs increased and the existing appropriation was not sufficient. He said COVID budget cuts also delayed the project. He said that provided the June Annual Town Meeting appropriates supplemental funding, the project is

expected to go out to bid shortly thereafter. He addressed an issue regarding the asphalt around the pier brought up at last week's Board meeting and explained the repairs to be made.

- LORAN Dormitory. Deputy Chief Gibson explained the project, noted that work is underway currently and needs to be completed by June 1 for occupancy by summer staff.

Ms. Gibson introduced Public Works Director Robert McNeil to review the Public Works projects as follows:

- Children's Beach Storm Water Pump Station. Mr. McNeil reviewed the scope of the project and noted construction will be based on modeling in this watershed area. He noted that sea level rise projections will impact the design. Mr. Fee commented that while the project should proceed, he learned from a recent workshop that it eventually will not address the issue of sea level rise and that people will have to learn to live with the water coming in higher and higher. Some discussion followed on this concept.
- Nobadeer Field House. Mr. McNeil reviewed the project and noted that supplemental funding is being sought at the 2021 Annual Town Meeting. He reviewed the features of the building, the timing and permitting status. Mr. Fee expressed amazement at the expected cost of the project and said for that price a kitchen should be included. Mr. McNeil noted that construction costs on Nantucket are extraordinary and that the numbers came from professional cost estimators and are supported by other municipal projects. He noted some of the items that contribute to the cost. He said there is no kitchen.
- 131 Pleasant Street Renovations. Mr. McNeil reviewed the nature of the renovations and the associated expected costs. He noted these renovations are intended to have a life of no more than approximately 10 years. He noted the timeline and intent to get the project ready by summer for administrative departments to move in. He reviewed the reuse of the buildings that will be vacated as a result of these moves. Mr. Fee asked about costs of the project. Mr. McNeil reviewed the costs and the funding sources. Mr. Fee said he does not support this project. He said these funds could be better spent on something else. Chair Holdgate asked about screening for the meeting trailer at the site. Mr. McNeil said that he will work with the Town's landscaper on screening.
- Sidewalk Improvements: Easy Street/Lower Broad Street. Mr. McNeil explained the scope of the project and that ADA accessibility requirements will be met. Mr. McNeil noted site walks that were conducted with various stakeholders, including business owners, Nantucket Historic Commission members, Commission on Disability and others. He said most of that input was factored into the project. He explained the cost and the funding. He said this project will start at the beginning of April.
- Sidewalk Improvements: Pleasant/Sparks/Williams Lane. Mr. McNeil noted that this project is in the conceptual phase at this point and is nowhere near completion. He noted a number of issues that need to be or will be addressed with this project. He reviewed the cost of the design and noted that construction funds have not yet been appropriated.
- Waitt Drive – Phase I. Mr. McNeil reviewed the project and noted that it is being partially funded through a \$1.5 million MassWorks grant as mentioned during the Pending Contracts portion of this meeting. He showed a site plan of the location of the road and its proximity to the Ticcoma Green

housing development at 6 Fairgrounds Road. He said construction is expected to begin the first week of April.

- Washington Street/Francis Street Intersection. Mr. McNeil reviewed the design for this project, noting that the design has already been approved by the Board. He said the project will be constructed concurrently with a Water Department project this fall. He noted that the Coastal Resilience Advisory Committee's sea level rise recommendation, adopted by the Board last summer, will be followed with this project.

Mr. Rick Atherton commented on the meeting trailer building at the 131 Pleasant Street site, saying he does not believe it is appropriate. He commented that the Harbor Master building project should not be constructed in an area of sea level rise. Ms. Hillary Rayport stated she hopes that Nantucket Historical Commission feedback can be incorporated into downtown sidewalk projects. Mr. Billy Cassidy commented on the unsightliness of the meeting trailer building. Mr. Allen Reinhard spoke in support of the Easy Street sidewalk project, saying it is greatly needed. Mr. Angus McLeod read a letter from the Nantucket Historical Commission regarding concerns about public works projects as related to historic preservation. Mr. Fee expressed support for a policy to incorporate feedback from the Historical Commission.

Ms. Gibson introduced Water Department Director Mark Willett to review the Water Department projects as follows:

- Water Main Replacement/Washington Street. Mr. Willett reviewed the specifics of the project, noting timing and costs. Mr. Willett added that another current Water Department project on North Liberty Street is nearly complete.

Sewer Director David Gray reviewed sewer projects as follows:

- Surfside Road Area Sewer System Improvements. Mr. Gray reviewed the details of this project, noting cost, funding, timing and other elements of the project.
- Third Sewer Force Main. Mr. Gray gave an update on this project, noting that the Board has previously received a complete overview of it and is thus familiar. Mr. Gray emphasized the importance of the project.
- South Shore Road Sewer. Mr. Gray reviewed the specifics of the project including timing, costs and funding.
- Capacity, Management, Operations and Maintenance (CMOM) Program. Mr. Gray explained the program, noting it is in its third year.

Mr. Thomas Barada asked whether a sewer line in Atlantic Avenue is part of the Surfside Road area project. Mr. Gray said it is part of the Third Sewer Force Main project. Mr. Barada asked about repairs to Atlantic Avenue. Mr. McNeil said that Atlantic Avenue is not scheduled to be resurfaced until a future area project. Ms. Rayport commented on the Third Sewer Force Main project and thanked Mr. Gray for mentioning maintaining historic resources. Ms. Georgia Raysman, Nantucket Historical Commission member, spoke on the importance of the Historical Commission.

Ms. Gibson introduced Natural Resources Director Jeff Carlson to review the Natural Resources projects as follows:

- Harbors Plan. Mr. Carlson explained the scope of the Harbors Plan, noting that it was supposed to have been updated by now, but there were delays due to COVID. He said that the Plan update is expected to start next year. Mr. Fee said that Mr. Carlson did a good job at a Nantucket Civic League meeting today regarding Chapter 91 licensing. He added that a Harbor Plan can be helpful with Chapter 91 concessions.

Chair Holdgate thanked all of the departments for thorough and informative presentations.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Ratification of Decision Regarding Appeal of Historic District Commission (HDC) Disapproval of Certificate of Appropriateness (COA) No. HDC2020-09-1638 for Rooftop Solar Panels for Property Located at 83/85 Eel Point Road, Assessor's Map 32, Parcel 12 (Continued from March 17, 2021). Mr. Bridges moved to approve the decision as drafted by Town Counsel; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – No; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Committee Reports. Ms. Ferrantella thanked the departments for their presentations tonight and also for their collaboration with each other. Mr. Bridges concurred and noted there is a limited window for many projects and while it will be inconvenient for a short while with some of them, there is a lot of outreach occurring as well. Mr. Fee spoke about recent Coastal Resilience Advisory Committee discussions about sea level rise. Mr. Fee commented that with regard to the earlier reference to “carrying capacity”, he said it is a topic of sustained development discussions. He said that in some places of the world, visitors are limited. Chair Holdgate noted that the Historical Commission was awarded a grant for a historic resources survey and thanked the Commission Chair and Ms. Backus for their work to secure it.

XII. ADJOURNMENT

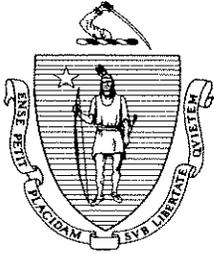
Mr. Fee moved to adjourn at 8:24 PM; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

Approved the 7th day of April 2021.

**SELECT BOARD
MARCH 24, 2021 – 5:00 PM
REMOTE PARTICIPATION VIA ZOOM
PURSUANT TO GOVERNOR BAKER'S MARCH 12, 2020
ORDER REGARDING OPEN MEETING LAW
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 3. Build-out Analysis
- III. 4. AIS re: Housing Production Plan Webinar
- IV. 4. AIS re: 2021 Outdoor Dining; outdoor dining/street and sidewalk closures presentation; Covid Order No. 50; guidelines for extension of premises to patio and outdoor areas; letters; Nantucket Town Assn Survey on Outdoor Dining and Shopping
- VII. 1. Draft minutes 3/17/2021
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. AIS re: Ticcoma Green; Planning Board special permit amendment application; 2017 Planning Board Special Permit
- VIII. 2. AIS re: 31 Fairgrounds Rd; draft letter of support; LAU application; Housing Nantucket support letter
- VIII. 3. Sewer request for Noise Bylaw waiver for Surfside Road Sewer Project
- IX. 1. AIS re: seasonal liquor license renewals; 2021 season liquor licenses list; renewal certification
- X. 1. Large-scale project update presentations: Town Pier Improvements and Floating Dock Replacement; Harbor Master Building Replacement; Harbor Master Layup Yard and Workshop Facility; Madaket F St Bulkhead Repairs; LORAN Dormitory Exterior Renovations; Children's Beach Stormwater Pump Station; Nobadeer Field House; 131 Pleasant St Renovations; Sidewalk Improvements: Easy St/Lower Broad St and Pleasant St/Sparks Ave/Williams Ln; Waitt Dr Phase I; Washington/Francis Intersection Improvements; Washington St Water Main Replacement; Surfside Rd Area Sewer; 3rd Sewer Force Main; South Shore Rd Sewer; CMOM Program; Nantucket and Madaket Harbors Action Plan
- XI. 1. Draft Select Board decision re: HDC appeal of 83/85 Eel Point Rd



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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.

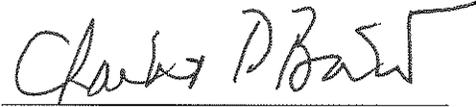
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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