

SELECT BOARD

Minutes of Meeting of April 28, 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, 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 opened the NRTA Advisory Board meeting at 5:05 PM.

IV. JOINT MEETING WITH NRTA ADVISORY BOARD

1. Update on 2 Fairgrounds Road Commuter Park and Ride Lot Bus Service. Nantucket Regional Transit Authority Administrator Paula Leary reviewed the specifics of the service to begin for the 2021 summer season, including route modifications, timing and cost. She noted this service was intended start last year but was derailed by the COVID pandemic and had previously been approved by the Board. Mr. Bridges asked about parking to be provided at the Park and Ride at the 2 Fairgrounds lot. Ms. Leary reviewed the specifics and noted there will be limited space available at the Middle School parking lot as well after school has released for the summer and when it resumes in the fall.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted with no changes, other than the Town Manager noted the Our Island Home quarterly budget report will be postponed to next week's meeting.

III. ANNOUNCEMENTS

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

2. DPW: April 30, 2021 Arbor Day Proclamation. DPW Director Rob McNeil explained the Proclamation, which was displayed on the screen.

3. Surfside Road Sewer Improvements Project on Surfside Road between Miacomet Avenue and Vesper Lane Ongoing through Friday, June 25, 2021 – Road Blockings and Detours:

- 4:00 PM to 2:00 AM, Sundays through Thursdays

- 9:00 AM to 2:00 PM, Fridays

First Phase is Surfside Road between Miacomet Avenue and Windy Way.

<https://www.nantucket-ma.gov/2106/Surfside-Road-Sewer>

Sewer Director David Gray reviewed the announcement and provided an update as to the status of the project, noting that it is going generally well, with few complaints.

V. COVID-19 WEEKLY UPDATE

1. Public Comment. There was no public comment.

2. Report from Public Health Director. Public Health Director Roberto Santamaria reviewed COVID PCR tests to date, the total number of positive cases to date and the current positivity rate, noting that rate is

down from two weeks ago; he reviewed the weekly wastewater testing results, noting detectable levels are down as well. He reviewed the number of first and second dose vaccinations. He reviewed recent state reopening measures that were issued by Governor Baker yesterday. Mr. Santamaria said that there will be a Board of Health meeting this Friday, April 30 to discuss whether to retain a local face covering order, or to rescind it to align with the state requirements/guidance. Some discussion followed as to in-person public meetings. Ms. Murphy asked about the demographics of vaccine distribution. Ms. Amy Eldridge asked if the Town is intending to follow current state guidance, specifically regarding face coverings. Mr. Santamaria said that his recommendation to the Board of Health for its April 30th meeting will be to align with state guidance. Some discussion followed as to workplace guidance, indoors and outdoors, with respect to face coverings; and, the timing of when the recent state guidance becomes effective. Licensing Administrator Amy Baxter said that she will be holding informational sessions with specific event and licensing groups as the information becomes more specific. Mr. Santamaria responding to Ms. Murphy's question about the vaccination demographics, reviewed a chart showing the numbers of various ethnicities and how many have been vaccinated in each, along with some other statistical information. He noted that while vaccinations of diverse ethnic populations could be "better", overall it is "going pretty well". Ms. Murphy thanked a local COVID vaccine volunteer group for their recent efforts to sign people up at the Stop & Shop. Some discussion followed about additional outreach and ways to reach more populations. Ms. Ferrantella thanked Mr. Santamaria for the update. Some discussion followed as to Nantucket's vaccine allocation, and volume of appointments over the last couple of weeks and the associated outreach and messaging. Mr. Fee commented that the times of when the vaccinations are occurring should be changed so that more working people can get them more easily and spoke on ways to incentivize people, such as requiring those who go to bars to be fully vaccinated. Mr. Santamaria noted that incentives are being examined but must be legal. Mr. Fee said it could be requested regardless of legality. Ms. Ferrantella asked about vaccinations being available at a local pharmacy; and further information about demographics. Discussion followed on both. Ms. Murphy noted there are resources easily found on the Town's websites as to where and when people can get vaccinated and tested.

3. Update from COVID Resources Response Team: Community Vaccination Outreach. Ms. Brooke Mohr noted several community and staff members have been meeting on a regular basis as to the accessibility of resources for those in quarantine and vaccination access outreach. She reviewed where people could sign up to volunteer. Ms. Murphy thanked the Team for its work and commented on how the efforts are showing success and encouraged employers to allow employees to be released from work to get vaccinated and/or sign up.

4. Report from Economic Task Force. Ms. Ferrantella spoke on recent activities of the Task Force and said most recent discussion has related to ways in which local businesses can be supported. She noted recent grants awarded to various local businesses through state and local programs. She said future discussion will be occurring about the future of current allowable activities such as outdoor dining.

5. Other Reports/Comments/Updates. There were no further updates.

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

Ms. Sarah Ellis asked when the Board will revisit the street closure of Cambridge Street and whether decking will be installed on a section of Main Street for outdoor dining. Ms. Baxter reviewed the decision of the Board which was to close Cambridge Street entirely; with other options to be considered as the season progresses, as needed. She said that at the current time decking on Main Street is not planned; however, there will be some outdoor dining permitted on Main Street sidewalks. Ms. Ellis commented further on the hours of restaurant closures previously approved by the Board and expressed concern about total street closures.

VII. NEW BUSINESS

There was no new business.

VIII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of April 14, 2021 at 5:00 PM. 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.

2. Approval of Payroll Warrants for April 18, 2021. 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. Approval of Treasury Warrants for April 28, 2021. 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.

4. Approval of Pending Contracts for April 28, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. 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. Mr. Fee asked a question about the Island Carpet contract, which Ms. Gibson answered.

IX. CITIZEN/DEPARTMENTAL REQUESTS

1. Nantucket Education Trust, Inc.: Request for Approval and Execution of Estoppel Certificate and Agreements requested for Leasehold Mortgages with Hingham Institution for Savings on Property Located at 2, 4, 6 and 8 Cow Pond Lane. Real Estate Specialist Ken Beaugrand introduced the item and explained the purpose of the request, noting the presence of Mr. John Riccio of the Nantucket Education Trust. 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. Mr. Riccio thanked the Board for their action.

2. Toscana Corp.: Request for Waiver of Town Noise Bylaw on May 5, 2021 from 8:00 PM to Midnight for Water Connection at 34 Fairgrounds Road Resulting in Total Road Closure. Operations Administrator Erika Mooney explained the request. Mr. Fee moved approval; 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.

3. Licensing Administration: Request for Approval and Execution of 2021 Seasonal Population Increase Estimation Form. Licensing Administrator Amy Baxter explained the need for the process, noting that this is

an annual state requirement for towns with seasonal package store licenses. She reviewed the Town's current quotas for seasonal and annual package store licenses. 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. Ms. Murphy asked about updating numbers. Some discussion followed.

4. Request for Acceptance of Conditional Surrender of Annual Wine and Malt Beverages with Cordials Restaurant License by Pizza Gemelle, LLC dba Pizzeria Gemelle for Premises Located at 2 East Chestnut Street. Discussion occurred as to whether this item should be held until after the establishment's request later on the agenda for a package store license. Some discussion followed. Mr. Fee stated he is abstaining from this license and "the next couple". Chair Holdgate said this request will be held until after the package store application has been acted upon by the Board.

X. PUBLIC HEARING

1. Public Hearing to Consider Application for New Entertainment License for Theatre Workshop of Nantucket Inc. Stage Plays to be Held at 39 Bartlett Farm Road (Bartlett Farm), June 15 – August 22, 2021. Chair Holdgate opened the hearing. Ms. Baxter introduced the item and explained the request; and noted the COVID safety requirements and other measures that will be in place. She noted several letters of support for this license have been received. Ms. Bethany Oliver, Executive Director of the Theatre Workshop spoke in favor. Mr. Michael Kopko spoke in support of the application. Mr. John Shea spoke in support of the application, noting 2021 is Theatre Workshop's 65th year of operation. There being no further comment, Chair Holdgate closed the hearing. Mr. Fee moved approval; 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.

Mr. Fee said he will abstain from the following three items.

2. Public Hearing to Consider Application for Mobile Food Unit for Lemon Press Market LLC dba Lemon Press, Rachel Afshari, Manager. Chair Holdgate opened the hearing. Ms. Baxter introduced the item and explained the request. Ms. Ferrantella asked if there are other locations besides the Brewery. Ms. Baxter said at this point, the Brewery is the only location. There being no further comment, Chair Holdgate closed the hearing. Ms. Murphy moved approval; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Ms. Ferrantella - Yes; Ms. Murphy – Yes. Mr. Fee abstained.

3. Public Hearing to Consider Application for Alteration of Premises of Seasonal All-Alcoholic Beverages Restaurant License for Lemon Press Market, LLC dba Lemon Press, Rachel Afshari, Manager for Premises Located at 41 Main Street; Request for Determination that the Premises Licensed to Sell Alcoholic Beverages is Not Detrimental to the Spiritual Activities of a Church Pursuant to Section 16C of MGL Chapter 138. Chair Holdgate opened the hearing. Ms. Baxter introduced the item and explained the request and reviewed additional seating. Ms. Ferrantella asked about Fire Department review of the application. Ms. Baxter explained. Ms. Jennie Benzie spoke on concerns with respect to additional liquor licenses downtown. There being no further comment, Chair Holdgate closed the hearing. Mr. Bridges moved approval, including a determination that the alteration of premises is not detrimental to the spiritual activities of a church pursuant to Massachusetts General Law Chapter 138, section 16C; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Ms. Ferrantella - Yes; Ms. Murphy – Yes. Mr. Fee abstained.

4. Public Hearing to Consider Application for New Annual Wine and Malt Beverages Package Store License for Pizza Gemelle, LLC dba Pizzeria Gemelle, Andrea Solimeo, Manager, for Premises Located at 2 East Chestnut Street; Request for Determination that the Premises Licensed to Sell Alcoholic Beverages is Not Detrimental to the Spiritual Activities of a Church Pursuant to Section 16C of MGL Chapter 138.

Chair Holdgate opened the hearing. Ms. Baxter introduced the item and explained the request; she noted the connection between this application and the one previously continued to take place after action on this request. Ms. Baxter reviewed how the business model is planned to change with respect to a package store license vs a restaurant license. Ms. Baxter re-reviewed the Town's package store license quotas for seasonal and annual licenses. Ms. Murphy asked about the "new model" of business and whether it is permanent or just during the pandemic. Mr. Taylor Oliver of Pizzeria Gemelle responded and said it is intended to be permanent. Ms. Baxter reviewed the various determinations and findings that Select Boards must address when considering new liquor license applications, per state law. She noted the type and location of other package store licenses in the area. Ms. Ferrantella asked about one establishment having a pouring license as well as a package store license. Ms. Baxter explained that is permitted; however, is subject to very specific requirements with respect to separation of the operations. Ms. Suzanne Mynttinen commented that downtown is already "saturated" with retail liquor establishments and an additional license is unnecessary. Ms. Benzie asked about how a package store license "works" in association with a takeout establishment. Ms. Baxter explained, noting there are other such businesses. Ms. Benzie said she hopes the Board will consider if downtown is the best location for this type of license, seeing as how it is the last one available in this quota category. There being no further public comment, Chair Holdgate closed the hearing. Ms. Murphy stated that while she appreciates the business model change, she is not in support of the application. Ms. Ferrantella concurred. Mr. Bridges agreed and discussed prior Board action in 2015 on a similar application and circumstances. Chair Holdgate said she appreciates this business but is concerned about issuing a license in this area. Ms. Murphy moved to deny the application based on location and similar findings as in the 2015 circumstance as noted by Mr. Bridges and contained within the minutes of the meeting where that denial occurred which are in the Board's agenda packet, and due to there being a sufficient number of package stores already in the immediate vicinity; Ms. Ferrantella seconded. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Ms. Ferrantella - Yes; Ms. Murphy – Yes. Mr. Fee abstained.

IX. 4. (continued from above).

Request for Acceptance of Conditional Surrender of Annual Wine and Malt Beverages with Cordials Restaurant License by Pizza Gemelle, LLC dba Pizzeria Gemelle for Premises Located at 2 East Chestnut Street. Mr. Oliver asked to withdraw this request and no further action was taken.

5. Public Hearing to Consider Application for New Seasonal Wine and Malt Beverages Package Store License for K & K Anderson, LLC dba Born & Bread Nantucket, Kimberlee Anderson, Manager, for Premises Located at 35 Centre Street; Request for Determination that the Premises Licensed to Sell Alcoholic Beverages is Not Detrimental to the Spiritual Activities of a Church Pursuant to Section 16C of MGL Chapter 138.

Chair Holdgate opened the hearing. Ms. Baxter introduced the item and explained the request. Ms. Baxter again reviewed the quotas and locations of existing package store licenses in close proximity. Mr. Kevin Anderson, proprietor of the establishment, spoke on other businesses in the area, including current construction on a new commercial/retail development on Centre Street. Ms. Sarah Ellis spoke against the application.

There being no further public comment, Chair Holdgate closed the hearing. Ms. Murphy moved to deny the application based on location and similar findings as in the 2015 circumstance as previously noted by Mr.

Bridges, and contained within the minutes of the meeting where that denial occurred which are in the Board's agenda packet, and due to there being a sufficient number of package stores already in the immediate vicinity; Ms. Ferrantella seconded. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Ms. Ferrantella - Yes; Ms. Murphy – Yes. Mr. Fee abstained.

6. Public Hearing to Consider Applications for LH Manager Northeast, LLC dba Faraway Hotel for Premises Located at 11 India Street: a) New Common Victualler with Annual All-Alcoholic Beverages Innholder License, Evan Bailey, Manager; Request for Determination that the Premises Licensed to Sell Alcoholic Beverages is Not Detrimental to the Spiritual Activities of a Church Pursuant to Section 16C of MGL Chapter 138; b) New Entertainment License, Evan Bailey, Manager. Chair Holdgate opened the hearing. Ms. Baxter introduced the item and explained the liquor license request. She also noted the Planning Board's special permit conditions for this establishment which would need to be incorporated in any approval by the Board. She reviewed recent liquor license history at this location and noted the type and location of liquor licenses in close proximity and elsewhere on the Island. Mr. Dennis Quilty, attorney for the applicant introduced the manager, Evan Bailey. He commented on the differences between this application and the ones just denied by the Board and reviewed the public need for the services to be provided to the public. Ms. Murphy asked if room service would be provided. Mr. Quilty responded affirmatively. Mr. Bridges asked about the number and location of seats. Mr. Quilty reviewed what is allowed by the special permit. Some discussion followed.

There being no further public comment, Chair Holdgate closed the hearing. Chair Holdgate said the liquor license would be consistent with other liquor licenses in the immediate area. Mr. Bridges agreed. Ms. Ferrantella said she feels there are enough licenses of this type in the immediate area and that this is a very large establishment especially post-COVID. Some discussion followed as to the special permit conditions indoors and outdoors for the dining service with respect to hours. Mr. Quilty noted that people will be living in the building and that would be a concern for them too.

With respect to the entertainment license application, Ms. Baxter reviewed the requested entertainment and Planning Board special permit conditions. Some discussion followed.

Ms. Murphy moved approval of the liquor license, common victualler license and entertainment license applications subject to the Planning Board special permit conditions; and to determine that the premises licensed to sell alcoholic beverages is not detrimental to the spiritual activities of a church pursuant to section 16C of Massachusetts General Law Chapter 138; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Ms. Ferrantella - No; Ms. Murphy – Yes. Mr. Fee abstained.

7. Public Hearing to Consider Utility Petition from Verizon New England, Inc. for Plan #MA2020-45 to Push 2" Steel Conduit from Pedestal, PED #11, Approximately 35' Northerly Across Low Beach Rd to Connect to Customer-Placed Conduit at a Point 140' Westerly from Pond Street. Chair Holdgate opened the hearing. Mr. Ross Bilodeau of Verizon was present and reviewed the petition. There being no further public comment, Chair Holdgate closed the hearing.

Mr. Fee moved approval with conditions set forth through the departmental comments as noted in the Board's packet; 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.

XI. TOWN MANAGER'S REPORT

1. 2021 Annual Town Meeting Update. Ms. Gibson introduced the item and asked that Town Clerk Nancy Holmes and Town Moderator Sarah Alger review the set-up and procedural aspects of this year's Town Meeting, scheduled for Saturday, June 5 weather-permitting, noting that it will be a different event this year as it will be outdoors. Ms. Gibson noted that a public information session is scheduled for May 18th at which an overview of how Town Meeting will be run this year and the chance for the public to ask questions; and, the Finance Committee will be holding a public information session to answer any questions about its motions on the warrant articles. Ms. Holmes reviewed the particulars of the anticipated set-up including tents, seating, restroom facilities, location, parking, where non-voters will be seated; safety protocols and measures, what the voters should plan to bring. Ms. Gibson thanked Ms. Holmes for the work she and her staff have done so far. Ms. Alger noted that this is likely to be a challenging Town Meeting, being outdoors, given Nantucket weather and the fact that there will not be a projection screen. She reviewed anticipated hours of Town Meeting. She explained how amendments will be handled, noting that small amendments should be fairly straightforward. More complicated amendments will be more difficult to manage and she suggested that anyone who wants to make a main motion on an article without a positive motion, should ensure proper preparation, including providing them to her and to the voters if possible, ahead of time, and bringing copies to Town Meeting. Ms. Alger urged patience. Mr. Bridges asked about the timing of the submittal of amendments. Ms. Alger explained. Some discussion followed. Mr. Fee said that it is up to the article sponsors to ensure that their amendments are distributed ahead of time and that voters are properly informed. Town Counsel John Giorgio agreed with Mr. Fee and emphasized the need for preparedness. Ms. Alger said that it is possible that articles could be taken out of order so as to group them appropriately and address any crowd issues. Discussion followed as to weather provisions, and continuation provisions.

2. FY 2021 Third Quarter Budget Reports: Our Island Home Enterprise Fund; Solid Waste Enterprise Fund; Sewer Enterprise Fund. Ms. Gibson introduced the item and noted the department heads present to review the budget reports. Ms. Gibson noted that the Our Island Home budget will be postponed to next week. DPW Director Rob McNeil reviewed the Solid Waste budget, noting a downturn in some categories of revenue this quarter most likely COVID-related. Mr. Fee commented on the high level of construction activity and its connection to the revenue from construction and demolition debris. Mr. McNeil responded as to the nature of the activity and timing and said that revenue source may increase in the fourth quarter. He noted that the volume of mixed excavation waste, which costs more to process than is charged per ton, has been high. Mr. McNeil thanked the public and staff for their participation and coordination of last weekend's "Litter Derby". He reviewed the types of volumes of trash collected. He reminded the public to secure their loads, noting an increase in roadside litter recently. He reviewed a recent project to expand the entrance to the landfill facility; a successful textile drop-off day last weekend; and, the success of a recent household hazardous waste collection day. Ms. Murphy asked about extending the hours of the landfill. Mr. McNeil said although internal discussions have occurred about this, it is very unusual for a landfill operation like this to be open seven days a week, as this one is. He noted that summer hours will start soon, when the facility opens earlier.

Sewer Director David Gray provided an overview of the Sewer Department budget, noting a substantial increase in sewer connection permits in FY 2021. He spoke on the volume of activity currently underway with the Sewer Department and various projects underway. Mr. Fee complimented Mr. Gray on his report. Mr. Gray thanked the Finance Director and his staff for their assistance.

3. Monthly Town Management Activity Report. Ms. Gibson reviewed issues and projects most active in Town Administration over the month, as noted in the report in the Board's agenda packet. Mr. Bridges

commended Town Administration on the monthly Town Manager e-newsletter, saying that it is very informative. Ms. Gibson commended Public Outreach Coordinator Florencia Rullo for her role in preparing and issuing it. Ms. Ferrantella asked about the status of hiring seasonal community service officers, noted that in a prior report, a low number of applications were coming in. Ms. Gibson said she would check and get back to her, noting that she believed more applications had come in since then but not at levels of prior years.

XII. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports. Mr. Fee commented on a recent Our Island Home stakeholder forum that he attended and found it to be interesting and productive. Mr. Fee spoke on a "Resilient Nantucket" coastal resiliency and historic preservation forum that took place last week and commented on the real need for long-term planning and acknowledgement to change our direction in several areas, and to think about what will and will not work with the potentially dramatic effects of projected impacts of sea level rise and climate change on the Island.

XIII. ADJOURNMENT

Mr. Fee moved to adjourn at 8:19 PM; 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.

Approved the 5th day of May 2021.

**SELECT BOARD
APRIL 28, 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. 2. DPW: Arbor Day Proclamation
- III. 3. Surfside Road Sewer Improvements Project ad
- IV. 1. NRTA 2 Fairgrounds Rd Commuter Lot info sheet
- V. 2. COVID-19 presentation
- VII. 1. Draft minutes of 4/14/2021
- VIII. 4. Pending contracts spreadsheet
- IX. 1. AIS re: Nantucket Education Trust leasehold mortgages for Cow Pond Ln; NET Estoppel Certificate and Agreement - \$1.76M; NET Estoppel Certificate and Agreement - \$150K
- IX. 2. AIS re: Toscana Noise Bylaw waiver request; Toscana waiver request; Ch. 101.2 (Noises prohibited; exemptions) of Noise Bylaw; Toscana Street blocking/opening applications; map
- IX. 3. AIS re: Seasonal Population Increase Estimate; ABCC 2021 Seasonal Population Increase Estimation Form; Liquor License Quotas; Nantucket Data Platform Population Report
- IX. 4. AIS re: Pizzeria Gemelle conditional surrender of liquor license; Pizzeria Gemelle surrender letter; 2020 liquor license
- X. 1. AIS re: new Entertainment License for Theatre Workshop of Nantucket; MGL Ch. 120, s. 181; Entertainment license application; Abutter list; TWN Proposal; site plans; TWN Covid Protocols; letters of support
- X. 2. AIS re: Lemon Press Mobile Food Unit; MFU application; Proposed menu; Photos of trailer (3)
- X. 3. AIS re: Lemon Press Alteration of Premises; Select Board Liquor License Public Hearing Process; ABCC Summary Form; Letter from Owners; ABCC Application; Floor plan; 2021 liquor license; Determination letter
- X. 4. AIS re: Pizzeria Gemelle new annual wine and malt beverages package store license; Select Board Liquor License Public Hearing Process; Liquor license quotas; Map of package stores in Core; ABCC Summary Form; ABCC Application; 2020 liquor license; Determination letter; letter of opposition
- X. 5. AIS re: Born and Bread new seasonal wine and malt beverages package store license; Select Board Liquor License Public Hearing Process; Liquor license quotas; Map of package stores in Core; ABCC Summary Form; Letter from Owner; Letter of support; ABCC Application; Floor plan; Determination letter; letters of opposition
- X. 6a & 6b. AIS re: Faraway Hotel new annual all-alcoholic beverages innholder license and entertainment license; Select Board Liquor License Public Hearing Process; ABCC Summary Form; Cover letter; Town Liquor/ Common Victualler/ Entertainment license application; Draft menus; ABCC Application; Floor plans; List of 2021 liquor licenses; Planning Board Special Permit; Determination letter; letter of support
- X. 7. AIS re: Verizon utility petition; Departmental comments; Email from Verizon rep; Verizon Low Beach Rd utility petition; Plan; Abutter list
- XI. 2. FY 2021 3rd Quarter Budget Report for Our Island Home; Solid Waste; Sewer
- XI. 3. Monthly Town Management Activities Report



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

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.

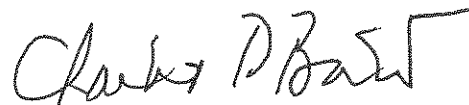
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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