

## SELECT BOARD

Minutes of Meeting of May 5, 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, and Kristie Ferrantella. Melissa Murphy was absent.

### I. CALL TO ORDER

Chair Holdgate called the meeting to order at 5:01 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 recognized Town Manager C. Elizabeth Gibson. Ms. Gibson made a statement acknowledging the recent passing of a Town employee, Mark Voigt, recognizing his achievements with the Town and his service to the community and expressed sympathy to his family. Chair Holdgate spoke as well, noting her work experience with Mark and community service with the Nantucket Boys and Girls Club and also expressed condolences to Mark's family.

Chair Holdgate recessed the Select Board meeting at 5:10 PM, to call to order the Nantucket Regional Transit Authority (NRTA) Advisory Board.

Following the NRTA Advisory Board meeting, Chair Holdgate reconvened the Select Board meeting at 5:23 PM.

### II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted with the following change: item XI. 2 regarding committee appointments will be put off until additional public comments received can be further reviewed and potentially incorporated or addressed with the revised appointment process; and, a full Board can be present.

### III. ANNOUNCEMENTS

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

2. 2021 Committee/Board/Commission Vacancies. Town Manager C. Elizabeth Gibson noted upcoming vacancies and timeline for annual appointments.

3. June 5, 2021 Annual Town Meeting General Information (Set-up, Procedures) Public Session to be Held via Zoom on Tuesday, May 18, 2021 at 5:00 PM. Join Zoom Meeting at <https://us06web.zoom.us/j/81873338343?pwd=TDZtUHpkAVE2a1pXZTZrc3FmTlZkdz09> Meeting ID: 818 7333 8343; Passcode: 352927. Ms. Gibson noted the announcement.

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

Sewer Director David Gray gave a brief update on the project, noting a minor change to the project, which is dropping the Sunday night work on a regular basis, using that time frame only occasionally.

Ms. Gibson noted one additional announcement: construction for Waitt Drive is scheduled to begin on May 10, 2021. She reviewed the timeline and noted where information may be found on the Town website.

5. 2021 Annual Town Meeting: Recognition of Finance Committee. Chair Holdgate recognized and thanked the Finance Committee for handling a challenging motion development process this year and commented that a lot of work was put into information gathering, meetings and motion development.

#### IV. COVID-19 WEEKLY UPDATE

1. Public Comment. There was no public comment.

2. Report from Human Services Director. Human Services Director Jerico Mele reviewed current positive COVID cases, testing results to date, vaccinations to date. He reviewed public outreach efforts regarding availability of, and access to vaccines and noted some upcoming additional ways in which vaccinations will become available, such as “pop up” clinics, as well as education and outreach as to vaccine safety. He said additional vaccine supply has recently opened. Mr. Fee commented on other venues where vaccines could be made available. Mr. Fee suggested that people who have arrived to the island who need a second vaccine, should be able to get it easily. Mr. Mele responded and noted several venues where vaccinations will become, or are, currently available; as well as additional testing capacity through private businesses. Ms. Ferrantella asked if the second vaccine is able to be obtained on the island if people received the first one elsewhere. Mr. Mele noted the complications of that scenario.

3. Report from Economic Task Force. Chair Holdgate said that the Task Force has started meeting every other week and there is no report for tonight.

4. Other Reports/Comments/Updates. Chair Holdgate asked if the Board would be willing to move the COVID update to every other week. Mr. Bridges said he'd be more comfortable moving to every other week in June; or, keeping the item on the agenda and moving on if there is nothing to report. Mr. Fee agreed and added that restaurant owners are complaining to him about the recent Board of Health lifting of the local outdoor mask where social distancing is possible, saying that patrons are routinely removing their masks once inside the restaurants and the staffs are struggling to deal with this. Ms. Ferrantella said she supports keeping the item on the agenda through June. Mr. Mele reviewed the Island's current positivity rate (less than 5%), and reviewed the most recent sewage viral load testing, noting the Island is “well below the median”, currently.

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

There was no public comment.

#### VI. NEW BUSINESS

There was no new business.

## VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Chair Holdgate suggested that unless any Board members have issues, the items under this section will be taken up with one vote.

1. Approval of Minutes of April 13, 2021 at 4:00 PM; April 28, 2021 at 5:00 PM.

2. Approval of Payroll Warrants for May 2, 2021.

3. Approval of Treasury Warrants for May 5, 2021.

4. Approval of Pending Contracts for May 5, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Bridges asked that the Dreamland item be moved to another week to allow for some separate discussion. Ms. Ferrantella agreed. Mr. Fee asked about the contract for road salt. Finance Director Brian Turbitt answered.

Mr. Fee moved approval of Section VII, excepting the Dreamland item under item #4 Pending Contracts; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella - Yes.

## VIII. CONSENT ITEMS

1. Gift Acceptances: Natural Resources Department; Human Services (Saltmarsh Senior Center). Ms. Ferrantella moved to accept the gifts for their stated purposes, with thanks to go to the donors; seconded by Mr. Fee. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella - Yes.

## IX. CITIZEN/DEPARTMENTAL REQUESTS

1. Police Department: Recommended Amendments to Town of Nantucket Parking/Enforcement Plan. Chief Pittman reviewed the recommended amendments noting that some updates were needed as there has been some change since the most recent update in 2017; in addition, he noted that an issue is whether or not the timed parking should match the NRTA commuter shuttle schedule. Ms. Ferrantella provided some input from the Economic Task Force, including keeping the timed parking as is. Some discussion followed. Mr. Fee spoke about parking and the need for data and a Parking Commission. Chief Pittman noted plans that had been in place for data collection, parking enforcement and parking demand management that was ready to be implemented prior to COVID becoming a global pandemic. He reviewed some particulars of those plans and said going forward when conditions allow the plan can be revisited. He noted the need for professional data interpretation. Some discussion followed.

Mr. Fee moved approval of the recommendations as noted in the agenda packet, with timed parking enforcement in the Core District to end at 7:00 PM; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella - Yes.

2. Finance Department:

a) Request for Approval to Increase FY 2021 Airport Aviation Fuel Revolving Fund Spending Limit. Finance Director Brian Turbitt noted that the increase of revolving fund spending limits during the year requires a vote of both the Select Board and the Finance Committee; and, that the Finance Committee has approved both of these. He reviewed the purpose of the Aviation Fuel Revolving Fund.

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.

b) Request for Approval to Increase FY 2021 Municipal Aggregation Operational Adder Revolving Fund Spending Limit. Mr. Turbitt reviewed the purpose of the increase.

Mr. Bridges moved approval; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella - Yes.

3. Historic District Commission: Update on the Resilient Nantucket Design Guidelines through a Municipal Vulnerability Preparedness Action Grant. Preservation Planner Holly Backus introduced the item and reviewed the grant the Town secured for updating the design guidelines and associated conferences, workshops, discussions, and other information and resources used to develop the updates, including Federal Emergency Management Agency guidance for managing historic structures in floodplains. She noted the assistance of the Preservation Institute: Nantucket and the development of a “Resilient Nantucket” program. Ms. Backus noted the Sea Street Pump Station, a local historic structure recently renovated adaptively for sea level rise, has been recognized as a best management practice for historic preservation in a floodplain. Ms. Backus reviewed the HDC’s process to update the guidelines, which allowed for ample public comment. She acknowledged and thanked several individuals and organizations for their assistance with this project. Some discussion followed as to the importance of adapting historic structures to sea level rise. Mr. Fee urged the public to review the guidelines and noted that the projections are eye-opening. He added that design guidelines are an interim step and ultimately structures should be prepared for relocation inland. Vallorie Oliver of the HDC was present and expressed support for this effort. The Board thanked Ms. Backus for her work and efforts.

#### X. TOWN MANAGER'S REPORT

1. FY 2021 Third Quarter Budget Reports: Our Island Home; General Fund; Wannacomet Water Enterprise Fund; Siasconset Water Enterprise Fund; Airport Enterprise Fund. Ms. Gibson said that each department head would be providing the reports, beginning with Mr. Robert Eisenstein, interim Our Island Home Administrator. Mr. Eisenstein spoke on Our Island Home revenues, expenses and the census of the facility during the year to date, noting that COVID had an impact on the census, as for a time, there were very few new residents admitted. He said that the Certified Public Expenditure (CPE) has now been received. Mr. Eisenstein commended the staff for their efforts to prevent any COVID-spread among the residents. He reviewed numbers from FY 2020 vs FY 2021 and said that the facility did fairly well budgetarily during COVID all things considered. He said that his last day as interim Administrator is tomorrow and noted the new interim Administrator and new Director of Nursing are in place. He reviewed the COVID safety protocols in place and some other statistics of vaccinations of staff and residents. He noted that Our Island Home is currently within the window of the state survey. Mr. Fee thanked Mr. Eisenstein for his work. Chair Holdgate added her thanks as well.

Mr. Turbitt reviewed the FY 2021 third quarter report for the General Fund, noting highlights, including somewhat of a decrease in motor vehicle excise over the prior year, but within projections. He said most expenditures are within projections and as year-end gets closer, monitoring increases. Mr. Turbitt reviewed several of the more significant capital project expenditures this quarter. He said there has been no change to the Town’s credit rating, which is very favorable at AAA with Moody’s and AA with Standard & Poor’s. Mr. Turbitt reviewed some personnel changes, noting the Financial Analyst position is now filled. Mr. Bridges asked about a salary item. Mr. Turbitt explained, saying it related to the Barnstable County

Retirement Association assessment. Mr. Fee asked how the assessment is paid. Mr. Turbitt explained. Some discussion followed.

Water Department Director Mark Willett thanked Mr. Turbitt for the Finance Department's assistance. Mr. Willett reviewed the reports for Wannacomet and Siasconset Water noting that water connections and deduct meters are significantly higher than prior years. He said revenues are "doing well", some expense line items are up due to the cost of so many new service installations. He said the Wannacomet budget is currently strong. He said the Sconset Water budget is strong as well with flows up throughout the year which is unusual, most likely the sign of more residents in Sconset year-round.

Airport Manager Tom Rafter reviewed the report for the Airport. He said operations, expenses and revenue have been down due to the pandemic, and that federal COVID reimbursement funds have been received and/or are in process in excess of \$2,000,000. He said that retained earnings should be strong for FY 2021, thanks to the federal assistance. He predicted a very busy summer for the Airport. Some discussion followed on this.

Chair Holdgate thanked Mr. Turbitt and the department heads for their reports, noting the formats used are very helpful.

#### XI. SELECT BOARD'S REPORTS/COMMENT

1. Review/Approval of Comment Letter to Department of Housing and Community Development (DHCD) Regarding Habitat for Humanity Nantucket's Local Initiative Program Application for Benjamin Drive Three-Unit Housing Development within the Nantucket Housing Authority's Miacomet Village 40B Development. Housing Director Tucker Holland introduced the item, reviewed the project and explained the process that requires this necessary letter. Mr. Fee moved approval of the letter; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella - Yes.

Mr. Holland noted a very successful visit with officials from the state Department of Housing and Community Development (DHCD), yesterday, which involved site visits to several housing projects and a chance to meet with numerous town officials and others involved with community housing efforts and organizations. He added that the officials were extremely pleased with Nantucket's progress and efforts. He thanked everyone involved in the visit, including the Board and Town Manager. Chair Holdgate thanked Mr. Holland for his efforts to arrange and coordinate the meeting. Ms. Brooke Mohr commented on being proud to report and explain to the state officials how much collaboration there is on the Island for housing efforts, she noted it is unusual. Ms. Ferrantella commented on this as well and noted how much progress has been made in the last several years with affordable housing on the Island.

2. Review/Adoption of Modified Committee Appointment Process (Continued from April 14, 2021).  
Continued to a date to be announced.

3. Discussion Regarding Return to In-Person Select Board Meetings. Chair Holdgate said she wanted to get some preliminary input from the Board as to their thoughts on a return to in-person meetings. She asked Town Counsel Giorgio for any input as to what other towns are doing and the impact of the state of emergency order being lifted, when it is lifted, on remote meetings. He said his observations are that very few towns have returned to in-person meetings. He said it is unknown what will happen with the state of emergency and remote meetings. Mr. Fee commented that he thinks Massachusetts may be opened more fully than the current date of August 1. He said he is comfortable with in-person meetings. Ms. Ferrantella

asked about how other towns are handling in-person meetings. Mr. Giorgio explained how he knew it was working in Harwich. Mr. Fee asked if the public could be limited coming to public meetings based on vaccination status. Mr. Giorgio said no. Mr. Bridges said he is comfortable returning to in-person meetings but feels what should be considered is the best option for the most amount of people. He said that many people are able to participate now than previously. He said from that position, he would support staying remote as long as possible; and, would want to get more input from staff and the public. Ms. Brooke Mohr said remote access has increased public participation for many people and suggested that it continue. Mr. Fee asked if there could be a "hybrid" model. Ms. Ferrantella agreed with Ms. Mohr. She supported the concept of exploring a hybrid model and suggested the Board consider requesting that Nantucket's state legislators consider making remote participation permanent. Mr. Giorgio noted that the Attorney General has ruled that the public can either be in-person at a public hearing, or remote but not a mix of both, currently. Some discussion followed about remote meetings vs in-person for elected boards vs appointed. Chair Holdgate said this was meant to be an initial discussion. Ms. D. Anne Atherton commented on involving the public in public meetings and said that removing the committee item from the agenda at the beginning of the meeting was not transparent. She then commented on a Superior Court case and the need for transparency. Some discussion followed.

4. Committee Reports. Chair Holdgate reported on a Behavioral Health Steering Committee that has been established through the Nantucket Community Foundation, which met yesterday with a number of town officials and community member and organization representatives and spoke on this being a positive step toward coordination of behavioral and mental health services on the Island.

## XII. ADJOURNMENT

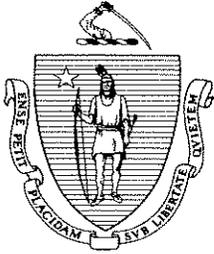
Mr. Bridges moved to adjourn at 7:26 PM; seconded by Mr. Fee. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella - Yes.

Approved the 12<sup>th</sup> day of May 2021.

**SELECT BOARD  
MAY 5, 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. Updated 2021 Committee Appointments Timeline; Updated 2021 Committee Openings Information
- III. 4. Surfside Road Sewer Improvements Project ad; Construction Schedule; Updated detour map as of 4/29/2021
- VII. 1. Draft minutes of 4/13/2021; 4/28/2021
- VII. 4. Pending contracts spreadsheet
- VIII. 1. Gift acceptance summary & recommended motion; NRD gift; Saltmarsh gift
- IX. 1. Memo from Police Chief re: Parking/ Enforcement Plan; Town of Nantucket Parking/ Enforcement Plan with proposed edits
- IX. 2a. AIS re: Increase of FY 2021 Airport Aviation Fuel Revolving Fund Spending Limit
- IX. 2b. AIS re: Increase of FY 2021 Municipal Aggregation Operational Adder Revolving Fund Spending Limit
- IX. 3. AIS re: HDC update on Resilient Nantucket Design Guidelines; Resilient Nantucket presentation
- X. 1. FY 2021 3rd Quarter Budget Reports: Our Island Home, General Fund, Wannacommet Water, Siasconset Water, Airport
- XI. 1. AIS re: Habitat for Humanity Benjamin Drive housing development; 3/18/2021 Habitat LIP application support letter; Draft Project Eligibility Letter comment letter
- XI. 2. AIS re: modified committee appointment process; Draft Policy Statement and Procedures for Appointments to Committees, Commission, Boards as of 4/27/2021; Email from Hillary Hedges Rayport; Letter from Judith Wegner re: committee appointment process
- XI. 3. PSF Community Room seating



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.

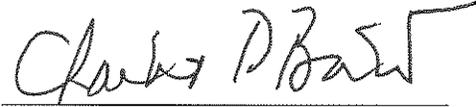
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts