

## SELECT BOARD

Minutes of Meeting of June 2, 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.

### II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as is.

### III. ANNOUNCEMENTS

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

2. Announce Applications Received for Historic District Commission Associate, Nantucket Affordable Housing Trust, Nantucket Historical Commission, Nantucket Historical Commission Alternate, Planning Board Alternate, Real Estate Assessment Committee, Roads and Right-of-Way Committee, Scholarship Committee, Steamship Authority Port Council Member, Tree Advisory Committee, Zoning Board of Appeals, Zoning Board of Appeals Alternate. Chair Holdgate read the names of the applicants received for each board/committee/commission in accordance with the Board's revised committee appointment policy.

3. Resilient Nantucket Toolkit to Provide Information on Flood Risk, Flood Preparedness, Flood Insurance, Flood Recovery and Flood Adaptation Alternatives Useful For Historic Properties, Cultural Sites, and the Island's Larger Cultural Landscape Available Online at <https://nantucket-ma.gov/DocumentCenter/View/39406/Nantucket-Resilience-Toolkit-PDF>.

Preservation Planner Holly Backus reviewed the significance and benefits of the "toolkit" and explained how it is meant to be used and how it was developed.

4. 2021 Annual Town Meeting is Saturday, June 5, 2021 at 9:00 AM Outdoors at Nantucket Public Schools Backus Playing Field, Backus Lane (RAIN DATE: Sunday, June 6, 2021 at 9:00 AM). Ms. Gibson noted the announcement.

5. 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, Mondays through Thursdays

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

Phase 2: Surfside Road between Bartlett Road and First Way. <https://www.nantucket-ma.gov/2106/Surfside-Road-Sewer>

Sewer Director David Gray provided an update of the project, noting the current location of the project and what type of work is occurring. He said the work is proceeding as quickly as possible.

### IV. COVID-19 WEEKLY UPDATE

1. Public Comment. There were no public comments.

2. Report from Human Services Director. Public Health Director Roberto Santamaria, filled in for the Human Services Director, who was staffing a vaccine clinic this evening. Mr. Santamaria provided an update as to the status of testing, positive cases, positivity rate and vaccine distribution noting there are several places on the Island where vaccinations are being administered. He said that full vaccinations on-island are at 50% currently. He noted that the state-wide state of emergency is still scheduled to be lifted by the Governor on June 15. Some discussion followed as to in-person meetings. Mr. Bridges asked about the attendance at the walk-in clinic; and, the sewer testing. Mr. Santamaria responded that the clinics are well-attended and the sewer testing results have not come in yet for this week. Ms. Ferrantella asked if the state of emergency lifting will result in masks no longer being required on public transportation. Mr. Santamaria said it depends on whether the service is federal or state. Ms. Murphy asked that this be clarified for the Board's meeting next week.

3. Other Reports/Comments/Updates. There were no other updates.

#### 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

Mr. Fee moved approval of items VII 1 – 4; 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.

1. Approval of Minutes of December 4, 2019 at 6:00 PM; December 11, 2019 at 6:00 PM; May 26, 2021 at 5:00 PM.

2. Approval of Payroll Warrants for May 30, 2021.

3. Approval of Treasury Warrants for June 2, 2021.

4. Approval of Pending Contracts for June 2, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

#### VIII. CITIZEN/DEPARTMENTAL REQUESTS/REPORTS

1. Post-Memorial Day Weekend Report (Police, Fire, Licensing, Health, DPW). Town Manager C. Elizabeth Gibson introduced the item noting that most likely the weekend was quieter than it might have been without the stormy weather that caused multiple boat cancellations. She noted there will also be a report from the Culture and Tourism Department. The department heads reviewed their reports as follows:

Police Chief William Pittman: Chief Pittman said that calls for service were down from 2019 by about 50%; no arrests were made; there were no significant issues.

Fire Chief Stephen Murphy: Chief Murphy concurred about calls for service, being down from 2019. He noted occupancy checks occurred on Friday, Saturday and Sunday nights with one verbal warning given.

Licensing Administrator Amy Baxter: Ms. Baxter spoke as to the occupancy checks as well. She added that some concerns are perhaps arising as to outdoor dining continuing, with occupancy levels being lifted. She said those are being monitored.

Health Director Roberto Santamaria: reported no real issues.

Public Works Director Rob McNeil: reported that rain “tested” some newly installed drainage structures, which worked sufficiently. He said some tree damage was noted but nothing serious. He said that household trash is being consistently found in the Town trash barrels, which causes issues with trash overflow. Ms. Murphy asked about ideas to help spread the word that household trash does not belong in the Town trash barrels. Mr. McNeil spoke on efforts that have been on-going regarding this problem. He noted off-season, the problem has diminished but it increases in the summer, most likely with renters.

Ms. Ferrantella commented that outdoor dining should not be rolled back due to parking concerns. She asked if there has been any update as to state extension to allow it past August. Ms. Baxter responded that no updates have yet come in. She noted that restaurants without outdoor dining are also beginning to raise some concerns about impact on business, unrelated to parking, with allowances for some but not others. Mr. Fee commented that a lot of effort has been put into outdoor dining setups, because it was unknown that the state of emergency would be lifted sooner than expected. He said that regarding the weekend, if not for the weather, would have been much busier and could have resulted in noticeable problems.

Culture and Tourism Director Janet Schulte: reported that numbers at Visitor Services were down for the weekend from 2019 but up from 2020.

2. Town Clerk: Request for Appointment of Constable. Town Clerk Nancy Holmes introduced the application of Michael Day for the position of Constable and spoke in favor of his appointment. Ms. Ferrantella moved approval of the appointment; seconded by Mr. Fee. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

3. Department of Culture and Tourism: Request for Resolution for Renewal of Designation of Nantucket Cultural District. Ms. Schulte introduced the agenda item noting that renewal of the designation requires a formal vote of the Board. She noted that this is the fifth year of the designation. She also showed a map of the cultural district on the screen. She reviewed some additions to the district with this renewal. Ms. Murphy moved approval of the renewal of the Nantucket Cultural District designation; 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. Diversity Equity and Inclusion (DEI) Director Report. DEI Director Kimal McCarthy provided the Board with an update as to recent activities he’s been involved with and working on, including: the upcoming celebration of Juneteenth on June 18 as a state-wide holiday and explained its significance. He noted some community events being organized to recognize the holiday. He reviewed the status of a Request for Proposals for the development of a DEI Strategic Plan. He reviewed the scope of the RFP and what the strategic plan is expected to include, including a diversity board that the Select Board referenced in a pledge to the community on June 24, 2020. He discussed ways to “track” DEI efforts, that he is reviewing. He reviewed a presentation that he has been giving to various community groups. He said a “lunch and learn” series for Town employees regarding the book “Micro messaging” by Stephen Young is under development. Ms. Ferrantella commended Mr. McCarthy on his work so far. She asked about DEI training

for volunteers as well as Town employees. He said that is part of the scope of the RFP. Ms. Murphy said that she feels it is important that Mr. McCarthy review policies brought before the Board with a "DEI lens".

5. Sewer Department: Request for Waiver of Town Noise Bylaw. Sewer Director David Gray reviewed the request and the locations, noting that the areas where the sewer work is planned are high traffic and it would be difficult to get the necessary work done during the day without significant traffic issues. 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.

6. Applicant Introduction/Review of Applications for Agricultural Commission, Airport Commission, Board of Health, Capital Program Committee, Cemetery Commission, Coastal Resiliency Advisory Committee, Conservation Commission, Contract Review Committee (Human Services), Council for Human Services, Council on Aging, Cultural Council, Finance Committee. The following applicants spoke on their applications:

Agricultural Commission - Posie Constable

Airport Commission - Phillip Marks III; Ray Kairawicz

Board of Health - Ann Smith

Cemetery Commission - Frances Karttunen

Coastal Resiliency Advisory Committee - Joanna Roche

Conservation Commission - Joseph Plandowski; Neil Foley; Ian Golding; David Golden; Linda F. Williams; Marcia Brown; William Cohan

Human Services Contract Review Committee - John Belash

Council for Human Services - Sue Mynttinen

Council on Aging - Linda Williams; Vanessa Larrabee; Nancy Swain

Cultural Council - Tony Wagner

Finance Committee - Peter Schaffer; George Harrington

Ms. Murphy thanked the applicants for their comments and for being at the meeting. Ms. Mary Wawro asked if the public who have questions of specific applicants could send their questions to the Board and how would those questions be asked; and, commented that she found it surprising that none of the Board members asked any questions of the applicants. Mr. Fee said that he finds asking multiple questions of applicants in this format is difficult. He added that he does not want applicants to be "targeted" especially with potentially contentious appointments. Ms. Wawro said her "major concern" is to assess if applicants understand the responsibilities of the various committees, particularly the Conservation Commission. Ms. Ferrantella said that the applications are all in the public packet and many of her questions are answered with the information on each application. Ms. Roche commented that applicants to these committees are adults and should apply knowing what the requirements are. Ms. Williams stated that she feels the Board should not get "bogged down" with questions to some applicants and not others. Chair Holdgate said that members of the public can always convey questions or concerns to the Board members. Operations Administrator Erika Mooney commented on the length of time the applications have been in the packet (two weeks) and noted no public comments have been received.

7. Town Government Study Committee Report. John Brescher, Chair of the Committee spoke on the Committee's report, noting the Committee is expecting to finalize its report tomorrow and that a copy of it will be available at Town Meeting. He reviewed the Committee's work over the past nearly four years. He gave a summary of the findings of the report. Ms. Murphy suggested a subsequent conversation on the

recommendations once the Board has had a chance to read the report. She asked about a recommendation relating to the appointment of a government study committee by the Moderator. Mr. Brescher answered. Ms. Murphy asked why the Committee didn't submit any warrant articles for the 2021 Town Meeting. Mr. Brescher said it related to timing. Ms. Murphy said she was somewhat disappointed that more concrete recommendations were not brought forward after close to four years. Mr. Brescher discussed challenges with respect to the Committee's scope of work, including the COVID pandemic. Ms. Murphy spoke about community concerns with Nantucket's form of government. Ms. Williams spoke about the Committee's discussions with respect to the form of government. Ms. Murphy expressed appreciation for the Committee's work. Ms. Ferrantella concurred and noted some of the challenges to which Mr. Brescher alluded. Some discussion followed as to how and when the report will be further reviewed by the Board.

## IX. TOWN MANAGER'S REPORT

1. Update on Town Project Bids: Nobadeer Field House; Harbor Master Building; F Street Pier (Tabled from May 26, 2021). Ms. Gibson introduced the agenda item, using a screen presentation. She explained the recent bid results for each project and noted that other than for the F Street Pier project, current appropriations are not sufficient to proceed with the other two projects. She reviewed current market pricing of construction materials, pointing out an astronomical rise in costs over the last few months. She also reviewed options of how to proceed, which likely require additional funds to be sought at the 2021 and/or future town meeting(s).

Mr. Fee said he feels the projects should be delayed in the hope that prices come down. He added that he cannot support moving forward at these costs. Mr. Bridges agreed the prices might come down at some point but is the community willing to wait since these projects are important and needed. Director of Finance Brian Turbitt explained the timeline of the bids and said that if an additional appropriation failed at the 2021 Town Meeting and/or subsequent election, the project would have to be rebid. Ms. Ferrantella agreed with Mr. Fee about the cost and said there is community desire for the Nobadeer field house and if voters think the price is too high they won't vote for it. She expressed support for putting forward an increased supplemental appropriation at the 2021 Annual Town Meeting for the Nobadeer field house. Mr. Fee suggested scaling back the project even more, to be more of a "gazebo"-like structure that the community could get together and build. Chair Holdgate agreed that costs are high but said she tends to agree with Ms. Ferrantella. She said perhaps the Harbor Master building could be redesigned. Ms. Linda Williams, speaking as a member of the Community Preservation Committee, spoke in favor of the field house project and spoke on the history of the project. Ms. Gibson stated that Town Administration needs to understand if a Technical Amendment for Town Meeting needs to be prepared and said if people want the project they'll vote for it, if not, they won't, and it will have to be put on hold. Ms. Joanna Roche agreed. Mr. Rick Atherton commented that this is an opportunity for the Harbor Master building to be re-designed. Ms. Murphy moved to put forward a Technical Amendment to increase the supplemental appropriation contained in Article 14 of the 2021 Annual Town Meeting to cover the bid number for the Nobadeer Field House; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – No; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Pre-Season Beach Update (Tabled from May 19, 2021; May 26, 2021). Ms. Gibson provided an overview of beach preparations for the coming summer season and introduced the department representatives to review their departmental preparation plans, using a presentation contained in the Board's agenda packet.

Natural Resources Director Jeff Carlson reviewed the department's summer programs including endangered species monitoring, water quality monitoring, shellfish enforcement, and resiliency monitoring. Mr. Fee asked about recent shellfish closures in the harbor and what measures could be taken to address these. Mr. Carlson explained a particular closure in Nantucket Harbor which relates to newly increased regulation by the federal government. He said a new rule was applied nationally and many areas are affected in Massachusetts and other states. He said NRD is working with the Harbor Master office to address the additional information that could be used to petition a reopening. Mr. Fee asked about "better enforcement". Discussion followed as to what actions have been and are being taken by the Town to address harbor water quality. Harbor Master Sheila Lucey spoke on the Town's boat sewage pump-out program which includes patrols and pump-outs. She spoke further on the shellfish closure and the new specific requirements, some of which are not going to be met by Nantucket because of unmeetable standards. Mr. Rick Atherton commented that he does not feel confident that a condition has been met that "regenerates" harbor water quality. He said he feels Town Administration should be recommending a significant reduction in the number of moorings in the harbor which would improve water quality. Ms. Gibson said that type of review and/or recommendation is typically undertaken by the Harbor and Shellfish Advisory Board.

Police Chief William Pittman reviewed the police summer beach program including All Terrain Vehicle (ATV) patrols, and beach sticker sales. He said there will be increased focus this year on loose dog enforcement. Mr. Fee said he's glad to hear of this increased attention to loose dogs.

Ms. Lucey reviewed the Marine Division programs, including lifeguards and timing of beach openings, shark sighting protocol; as well as beach clean-ups, signage and ramp installations as needed.

Licensing Administrator Amy Baxter reviewed the types of events permitted at various beaches and the associated permit conditions.

Public Works Director Robert McNeil reviewed the various DPW activities relating to beaches, including trash pick-up, porta-potty management, concession facility issues and grading of roads and parking areas as needed.

Ms. Schulte reviewed the activities and programs being offered this summer at Children's Beach.

Fire Chief Stephen Murphy spoke as to the Fire Department's beach patrols for illegal beach fires. He spoke on what is and is not allowed with respect to fires on the beach.

3. Review Proposed Amendments to Harbors and Waterways/Town Pier Regulations; Possible Scheduling of Public Hearing. Ms. Gibson introduced the agenda item, explaining that the proposed amendments were developed in response to concerns of waterfront property owners in certain areas where mooring fields are located as to the number, condition and organization of dinghies and other floatable vessels. She added that additional proposed amendments arose as a result of further review of the regulations, referring to a summary in the Board's packet. Ms. Lucey reviewed the other proposed amendments, including changes as to how Town Pier slips are secured using a methodology other than the traditional lottery; increased restriction as to liveaboards not being able to rent vessels as "Air BnB" rentals. Chair Holdgate said she supports moving ahead with a public hearing but asked a question about mooring permit and associated registration of vessels. Ms. Lucey responded. Some discussion followed as to how the lottery change would be implemented. Ms. Lucey responded. Mr. Fee asked about "transfer" of slips. Ms. Lucey said transfers

would require approval of the Harbor Master. Mr. Fee asked about prohibiting the rental of vessels as Air BnB's entirely. Ms. Lucey said that an outright prohibition as she understands it, is illegal. Ms. Ferrantella asked about whether this is an issue in other places. Ms. Lucey responded and said it is becoming a known problem in waterfront communities. The Board agreed to proceed to schedule a public hearing for these proposed amendments.

4. Monthly Town Management Activity Report. Ms. Gibson reviewed the report contained within the Board's agenda packet.

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

1. Discussion Regarding Options of Imposing a Community Impact Fee on Short-Term Rentals. Chair Holdgate stated this item was placed on the agenda simply as a discussion and to educate the Board as to what other towns are doing with this fairly newly authorized fee. Mr. Bridges said it will be helpful to learn more about this before Town Meeting. Town Counsel John Giorgio explained how the fee works, how it is adopted and what the limitations are, referring to a memo in the Board's packet. Mr. Turbitt reviewed some projections as to potential revenue that could be generated from an imposition of the fee. Discussion followed as to the fee, other ways to get short-term rentals licensed as businesses, what the potential revenue could be used for and what other cities and towns do. Ms. Murphy spoke in support of housing regulations, unrelated to short-term rentals specifically, but which would cover them. Discussion continued. Mr. Henry Sanford spoke on a survey the Nantucket Association of Real Estate Brokers is conducting with respect to short-term rentals and duration of stays. Ms. Hillary Rayport spoke in support of this additional fee on short-term rentals.

#### 2. Committee Reports.

Ms. Murphy asked if there is a report as to citizen complaints regarding the use of Essex Road as a detour for the Surfside sewer project, as expressed under Public Comment last week. Ms. Gibson said she did not have one but would get one for next week's Board meeting. Ms. Murphy commented that Saturday town meetings are disenfranchising too many people in the community. Some discussion followed.

#### XI. ADJOURNMENT

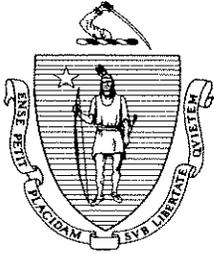
Ms. Murphy moved to adjourn at 8:48 PM; seconded by Mr. Fee. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

Approved the 9<sup>th</sup> day of June 2021.

**SELECT BOARD  
JUNE 2, 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. Group 2 committee membership/applicant list; Group 2 applications
- III. 3. Resilient Nantucket Toolkit (online)
- III. 5. Surfside Road Sewer Improvements Project ad; Construction Schedule; Phase 2 Detour Map
- VII. 1 – Draft minutes of 12/4/2019; 12/11/2019; 5/26/2021
- VII. 4. Pending Contracts spreadsheet
- VIII. 2. AIS re: Town Clerk request for Constable appointment; Michael Day Constable letter; MGL Ch. 41, S. 91A & B
- VIII. 3. Nantucket Cultural District Resolution; Nantucket Cultural District map
- VIII. 5. AIS re: Sewer Dept. request for waiver of Town Noise Bylaw
- VIII. 6. Group 1 committee membership/applicant list; Group 1 applications
- IX. 1. Town Projects: Project Cost Update presentation
- IX. 2. Pre-Season Beach Update presentation
- IX. 3. Summary of changes to Harbors and Waterways/Town Pier Regulations; Redline of Harbors and Waterways/Town Pier Regulations
- IX. 4. Town Management Activities Report
- X. 1. Town Counsel email re: Community Impact Fee; KP LAW - Forms of Town Meeting Votes for Location Option Rooms Excise; KP Law - Short-Term Rental Law - Key Provisions



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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.

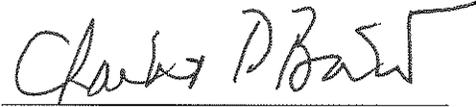
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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