

## SELECT BOARD

Minutes of Meeting of June 9, 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 Jason Bridges, Matt Fee, Kristie Ferrantella and Melissa Murphy. Dawn Hill Holdgate joined the meeting later as noted herein.

### I. CALL TO ORDER

Vice Chair Bridges called the meeting to order at 5:00 PM. He 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

Town Manager C. Elizabeth Gibson reviewed the Announcements as follows:

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

2. Annual Town Election Scheduled for Tuesday, June 15, 2021 from 7:00 AM to 8:00 PM at Nantucket High School, 10 Surfside Road.

3. Select Board Swearing-in Ceremony Scheduled for Wednesday, June 16, 2021 at 10:00 AM in the Court Room, 16 Broad Street.

4. No Select Board Meeting Wednesday, June 16 at 5:00 PM (Summer Schedule).

5. Juneteenth Recognized as a Town Holiday; Town Offices will be Closed Friday, June 18, 2021 in Observation. Ms. Gibson noted the actual holiday is June 19, 2021 and the Landfill will be closed to the public on that day.

6. 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 on the project, noting that the project is moving along as scheduled.

Coastal Resilience Coordinator Vincent Murphy gave an additional announcement regarding an upcoming "virtual open house" of the Coastal Resilience Advisory Committee on Thursday, June 24, noting that information is on the Town website.

Chair Hill Holdgate joined the meeting at 5:08 pm.

#### IV. FOLLOW-UP ON SELECT BOARD/PUBLIC COMMENT

1. May 26, 2021 Select Board Meeting - Public Comment: Essex Road Detour Concerns. Ms. Gibson introduced Mr. Gray to review what has been done to address the concerns, going forward, as Essex Road is no longer a current detour for the sewer project. She added that this agenda item is a new effort to update the Board on items that come up either during Public Comment or Board reports if the item cannot or is not addressed at the time. Mr. Gray reviewed the use of Essex Road for the current sewer project and noted it will be used most likely for future sewer projects in this area. He said that efforts will be made to communicate directly with residents of detour roads as to the road's use for a detour and to the public to be mindful and respectful of the use of these neighborhood roads. Ms. Sarah Ellis commented on the use of Essex Road. Mr. Fee suggested that slowing the traffic down could be done by use of concrete barriers to narrow the roadway.

Mr. Bridges stated that he appreciates this sort of agenda item follow-up. Ms. Murphy concurred; and added that personal responsibility needs to be taken.

2. June 2, 2021 Select Board Meeting – Board Request: Face Covering Requirements for Public Transportation, Including Nantucket Regional Transit Authority (NRTA) and Ferry Service Post June 15, 2021. Ms. Gibson noted the Centers for Disease Control guidance is to continue requiring face coverings in certain situations, including public transportation and ferry service, until further notice. She noted she has been in contact with the Steamship Authority which confirmed that face coverings will continue to be required on the ferries. NRTA Administrator Paula Leary reviewed the specifics of the face covering requirements on public transit, such as the NRTA shuttles and waiting areas.

#### V. COVID-19 WEEKLY UPDATE

1. Public Comment. There was no Public Comment.

2. Report from Health Director. Mr. Santamaria provided an update on testing, the number of positive tests, the current positivity rate and vaccinations. He added that the wastewater testing has been a “non-detect” reading in the most recent test results. He said over 9,000 individuals on island have been fully vaccinated as of this week. He said there have been on positive tests in the last seven days. He spoke on the Town's vaccination program and noted other locations where vaccines are being given. He reviewed where people can find this information. Ms. Ferrantella asked about vaccines for children, including scheduling. Mr. Santamaria responded. Mr. Bridges commented on the vaccination rate being very positive. He asked about the role of a new position in the Health Department. Mr. Santamaria explained the Community Health Clinical Administrator position is responsible for the Town's vaccination efforts and reviewed the other responsibilities. The position is held by Ms. Heather Francis, RN. Mr. Bridges commended Mr. Santamaria for following through with establishing the position.

3. Other Reports/Comments/Updates. Ms. Ferrantella reviewed an Economic Task Force meeting from this afternoon, noting various grant opportunities that are being explored. She said there was a discussion about the future of the Task Force, and that there has been discussion as to the Task Force transforming into a business advisory committee.

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

Mr. Thomas Barada spoke on road issues, including catch basins on Milestone Road, New Lane, Meadow Lane. He spoke about allocating additional funds to repair catch basins.

## VII. NEW BUSINESS

There was no new business.

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

Mr. Fee moved approval of items VIII-1 and VIII-2; 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.

1. Approval of Minutes of January 8, 2020 at 6:00 PM; June 2, 2021 at 5:00 PM.

2. Approval of Treasury Warrants for June 9, 2021.

3. Approval of Pending Contracts for June 9, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Bruce Mandel questioned a contract with CDM Smith in connection with PFAS and suggested the contract be delayed to address his concerns. He spoke at length on his suggestions. Ms. Ayesha Khan also spoke on the contract. She indicated support for the project and asked about the funding. Ms. Gibson introduced Mr. Chuck Larson, the Town's Project Manager for PFAS issues. Mr. Larson reviewed the Scope of Work specified in the contract on the agenda; noted that he spoke with Mr. Mandel earlier today, understands the concerns and spoke to them. Mr. Fee stated that the concerns should be taken into consideration but understands the Scope does address some of those and spoke on moving forward with the contract. Ms. Murphy moved approval of the pending contracts; 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.

## IX. CITIZEN/DEPARTMENTAL REQUESTS/REPORTS

1. Request for Approval of MGL Chapter 268A, §20(d) Exemption for Disclosure by Special Municipal Employee of a Financial Interest. Ms. Gibson introduced the item noting that when committee members become Town employees or vice versa, an ethics exemption is required, noting this disclosure has been reviewed by Town Counsel. She added that this is because of being paid as a Town employee. Mr. Fee asked what groups have been designated as Special Municipal Employees. Operations Administrator Erika Mooney read the list of boards, committees and commissions which have been so designated; and, noted the location of the list on the Town website. Mr. Fee stated that this list should be reviewed at some point as to whether it is still valid. Ms. Murphy asked Mr. Stephen Welch if he felt his duties as local building inspector would be in conflict with any of his duties on the Planning Board or HDC. Mr. Welch responded and indicated he did not think so. Mr. Bridges moved approval of the disclosure for Mr. Welch; seconded by Ms. Ferrantella. So voted by roll call vote: Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Abstained; Ms. Ferrantella – Yes; Ms. Murphy – Yes. Mr. Fee commented that the question is what the Board thinks if situations “crop up” that might be a conflict. Some discussion followed.

2. Applicant Introduction/Review of Applications 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 reviewed the names of all applicants for all seats. The following applicants spoke on their applications:

Affordable Housing Trust - Brooke Mohr  
Nantucket Historical Commission - Tom Montgomery; Mickey Rowland; Angus MacLeod; Linda Williams  
Real Estate Assessment Committee - Thomas Barada  
Scholarship Committee - Lee Saperstein, who also spoke on his application for the Cemetery Commission;  
Leslie Forbes; Rebecca Woodley-Oliver  
Steamship Authority Port Council - Nathaniel Lowell

#### X. TOWN MANAGER'S REPORT

Ms. Gibson reviewed the June 5, 2021 Annual Town Meeting and thanked all of the Town staff and volunteers who helped make the event a success, including: Town Clerk Nancy Holmes, Assistant Town Clerk Laura Raimo, School Facilities Director Diane O'Neil, all of the election workers and wardens as noted on the attached list – especially Frank Psaradelis and his crew who often go unnoticed; Information Technology Officer Karen McGonigle and her staff; Police Lt. Angus MacVicar and the officers who helped with traffic and parking; the Steamship Authority who helped get the sound production crew over to the island; the sound production crew – Emergency Productions, Inc.; Mark Fite and his staff from Options Technology, for the e-voting program; NCTV for the live video; Maggie Stewart of Stewart and Company events; all of the vendors who provided chairs, tents, water, porta-potties; Linda Peterson from the School who provided lunch for town staff; Erika Mooney and Florencia Rullo from Town Administration; and, Town Moderator Sarah Alger. She apologized to anyone whose name may have been inadvertently omitted Ms. Gibson noted that a more complete follow-up report of the Town Meeting and the June 15 Election will be provided to the Board at its June 23<sup>rd</sup> meeting.

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

1. Discussion Regarding Return to In-Person Meetings. Ms. Gibson reviewed current legislation filed by the Governor to continue remote meetings until September 1, 2021, noting that it is not approved yet, and while there are indications that it will be, plans are underway to get set up for in-person as may be required after June 15, 2021. Ms. Mooney reviewed the preparations that are being undertaken to return to in-person meetings, including securing locations, the scarcity of appropriate locations, the prioritization of regulatory boards and temporary accommodations as needed; and, issues with videotaping meetings. Mr. Fee commented on improving sound capabilities and asked about other meeting space. Ms. Mooney responded, and reviewed technology being examined. Some discussion followed among Board members as to the return to in-person meetings. Mr. Gary Beller, Chair of the Advisory Committee of Non-Voting Taxpayers, commented that for this committee the remote allowance has been very beneficial and hopes it will continue. He suggested a modification to state law to allow remote participation to count toward a quorum. Ms. Murphy thanked Ms. Mooney for her work on this effort. She spoke in support of continuing to allow remote public participation. She added that it was very good to see people in person at town meeting. Ms. Ferrantella stated that a return to in-person meetings as late as possible would provide time to work on allowing more public participation. She asked that the Board consider returning the start time of its meetings to 6:00 PM. Chair Holdgate suggested a 5:30 PM start time. Some discussion followed. Mr. Bridges said he supports returning to in-person meetings as late as possible; and, supported a 5:30 PM start time. He added that the placement of important items on the Select Board agendas becomes critical when meetings start later. Mr. Fee spoke in support of the creation of separate boards for Licensing, Parking, Sewer and NRTA to allow the Board more time for quality discussion. Consensus was to continue remote meetings, as allowed, for the time being.

Ms. Carrie Thornewill joined the meeting to speak on her application for HDC Alternate.

2. Committee Reports. Mr. Fee reiterated an upcoming Coastal Resilience Advisory Committee on June 24, 2021; and spoke on continuing discussion on certain town meeting warrant articles at upcoming Board meetings. He asked that there be a discussion scheduled about outdoor dining, noting that he is starting to receive some complaints about it. Mr. Bridges asked about the Board's appointment process for its June 23, 2021 meeting. Chair Holdgate spoke on the status of discussions relating to the Harbor Place proposed development.

Mr. Beller gave an additional comment as to the continuance of remote meetings and suggested that the state legislature support this concept.

## XII. ADJOURNMENT

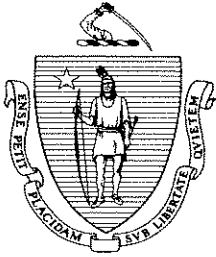
Mr. Fee moved to adjourn at 6:57 pm; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

Approved the 23<sup>rd</sup> day of June 2021.

**SELECT BOARD  
JUNE 9, 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. 5. Juneteenth information
- III. 6. Surfside Road Sewer Improvements Project construction schedule; Phase 2 Detour Map as of 6/4/2021
- IV. 2. NRTA requirements re: face coverings; State Covid-19 Mask Requirements alert
- VIII. 1. Draft minutes of 1/8/2020; 6/2/2021
- VIII. 3. Pending Contracts spreadsheet
- IX. 1. AIS re: Stephen Welch disclosure; Cover letter from S. Welch; MGL c. 268, s. 20(d) disclosure form; Instructions for disclosure
- IX. 2. Group 2 committee membership/applicant list; Group 2 applications



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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.

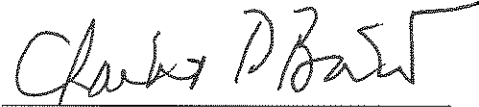
(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely 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

Thank you to the 2021 ATM Workers:

JIM PERELMAN - Constable  
JERRY ADAMS - Constable  
FRANK PSARADELIS - Warden  
MICHAEL DAY - Constable  
BOBBY PLANZER - Bell Ringer

ANN STOCK  
WILLIAM GRIEDER  
KATHLEEN GRIEDER  
LIZ FLANAGAN  
SARAH ANN MILLER  
DAVID BOSSI  
MICHAEL DAY  
MARY ADAMS  
JO SULLIVAN  
GAIL HOLDGATE  
KRYSTEN WALLACE  
RUTH TONICO  
NANCY MOYLAN  
COLLEEN MCLAUGHLIN  
SUZETTE BROWN  
CAROL CORKISH  
HANNEKE CAMPBELL  
MARGARET-ANN FLEMING  
JEAN GRIMMER  
JEN CAREY

Many thanks to Diane O'Neil, Karen McGonigle, Maggie Stewart, Nantucket Police Department, Nantucket Fire Department, DPW, Mark Willet, David Gray, Linda Peterson