

SELECT BOARD

Minutes of Meeting of July 13, 2022. The hybrid meeting took place in person at the Public Safety Facility Community Room at 4 Fairgrounds Road; and, via remote participation using Zoom Webinar. Members of the Board present were Jason Bridges, Brooke Mohr, and Melissa Murphy. Dawn Holdgate and Matt Fee joined the meeting remotely.

I. CALL TO ORDER

Chair Bridges read a prepared statement as to how the meeting will be conducted and the ground rules for discussion and called roll for those present. Chair Bridges called the Select Board meeting to order at 5:30 PM.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted, with the exception of item X-1 being moved to follow Pending Contracts (VII-4).

III. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson expressed sincere thanks and gratitude to Deputy Fire Chief Sean Mitchell, the Nantucket Fire Department and the numerous other agencies and individuals who fought a significant fire last weekend which resulted in a loss of the Veranda House hotel and at least two other nearby structures. She noted the fire damage could have been much worse and did not result in the loss of life or serious injury. She added that numerous agencies and individuals also assisted with a variety of issues during and after the fire, reading from a list (attached). Chair Bridges echoed the thank you sentiments and commented on the community action that was immediately available to assist.

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

2. 2022 Committee Vacancies. Town Manager C. Elizabeth Gibson reviewed current committee vacancies. She noted that there are also vacancies on the Advisory Committee of Non-Voting Taxpayers.

3. Nantucket Community Association/Nantucket Civic League Annual Forum -Monday, July 18, 2022, 9:30 AM at PSF Community Room, 4 Fairgrounds Road.

4. Select Board Announcements/Comments.

IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS

There was no follow-up on comments.

V. PUBLIC COMMENT

Steve Bender spoke on nitrogen pollution and Town water quality planning. He asked for answers to questions about septic systems and building construction in certain areas.

Robert Bates spoke on the July 9, 2022 Veranda House fire.

Butch Ramos asked about the deployment of the street sweeper, commenting on issues with traffic backups.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Ms. Murphy moved approval of items VII 1 – 3; seconded by Ms. Mohr; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – Yes.

1. Approval of Minutes of July 6, 2022 at 5:30 PM; July 7, 2022 at 9:00 AM.

2. Approval of Payroll Warrants for July 10, 2022.

3. Approval of Treasury Warrants for July 13, 2022.

4. Approval of Pending Contracts. Ms. Gibson reviewed the contract, which is a lease with the Airport for Town playing fields and recreational activities on property under the Airport's jurisdiction. Ms. Gibson explained that currently, there is an amount of back rent due, which is proposed to be paid back through a credit to a larger amount that the Airport owes the Town from several years ago. She reviewed those numbers. Mr. Fee said he does not necessarily agree with rent being paid to the Airport for land the Town provided to the Airport, initially but does support the lease. He questioned oversight of the lease. Assistant Airport Manager Noah Karberg reviewed how the land was initially acquired.

Chevonne Pratt commented on a street sweeper near her house and then spoke on a "ground water issue" near her property. She said something needs to be done "immediately".

Ms. Murphy moved approval of the pending contract as presented; seconded by Ms. Mohr; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – Yes.

X. TOWN MANAGER'S REPORT

1. Update on Town-wide PFAS Assessment. Ms. Gibson referred this item to Assistant Town Manager Gregg Tivnan. Mr. Tivnan introduced Andy Miller and Eric Spargimino of CDM Smith to provide a presentation to the Board. He also noted that Chuck Larson, the Town's special projects manager is also present. Mr. Miller and Mr. Spargimino reviewed the presentation as contained in the Board's agenda packet. Ms. Mohr asked about well sampling around the island. Mr. Miller said there was a program through University of Massachusetts about a year ago or so, which has now concluded. Chair Bridges noted people can test their own wells, but it is somewhat complicated and can be expensive. Mr. Fee asked if the Town is ready to implement the timeline, as laid out for the water main extension project. Mr. Tivnan responded affirmatively. Mr. Tivnan added that all of the PFAS investigative activities are voluntary. Ms. Gibson added that as far as is known, the Town of Nantucket is doing more with respect to PFAS investigation than any other town, it has taken a significant amount of staff time and a position dedicated to environmental contamination including PFAS is funded in the FY 2023 budget.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS

1. Resignation Acceptance: Finance Committee. Ms. Holdgate moved to accept the resignation of George Harrington from the Finance Committee with regret and thanks for his service; seconded by Ms. Murphy; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – Yes.

2. Finance Department: Request for Approval of FY 2022 Year End Budget Transfers. Finance Director Brian Turbitt reviewed the end of year transfers, noting that the necessary Finance Committee approval was secured earlier today. Ms. Murphy moved approval; seconded by Ms. Mohr; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – Yes. Mr. Turbitt commented that for FY 2024 he is likely to recommend an operating override for increasing costs in the Solid Waste Enterprise Fund.

3. Airport: Request for Select Board Approval of Language Adjustments to Home Rule Petition Approved at 2020 Annual Town Meeting/House Bill #3792. Assistant Airport Manager Noah Karberg introduced the item and reviewed the language adjustments. Ms. Murphy moved approval of the language adjustments as presented; seconded by Ms. Mohr; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – Yes.

4. Richmond Great Point Development: Request for Confirmation of Waiver of Sewer Connection Permit Fees for Three (3) Units of 80% AMI (Area Median Income) Restricted Units within Sandpiper Place II off Old South Road:

- Lot 74, 9 Honeysuckle Drive, Map 68, Parcel 877
- Lot 77, 10 Indigo Drive, Map 68, Parcel 874
- Lot 86, 15 Honeysuckle Drive, Map 68, Parcel 864.

Housing Director Tucker Holland introduced the item and clarified ownership of the properties, noting that it is consistent with the Board's sewer waiver policy and the 2015 and 2019 Memorandum of Agreements between the Town and Richmond for affordable housing units. Linda Williams representing the applicant, noted additional requests will be forthcoming. Ms. Mohr asked about the timing of a lottery for the units. Ms. Williams responded. Ms. Murphy moved approval as presented; seconded by Ms. Mohr; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – Yes. Mr. Holland clarified that the request is for both Sewer Connection Permit Fees and Sewer Capacity Fees.

5. Request for Approval of Change of Manager Application for Seasonal All-Alcoholic Beverages Hotel License for Andre Associates, LLC dba The Summer House, from Peter G. Karlson, Manager, to Juan Manuel Ponce, Manager, for Premises Located at 1 Magnolia Avenue. Mr. Fee recused from the item. Ms. Murphy moved approval; seconded by Ms. Mohr; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes.

6. Request for Approval of Change of Manager Application for Seasonal All-Alcoholic Beverages Restaurant License for Beachside Associates, LLC dba Summer House Beachside Bistro, from Peter G. Karlson, Manager, to Juan Manuel Ponce, Manager, for Premises Located at 16 Ocean Avenue. Mr. Fee recused from the item. Ms. Murphy moved approval; seconded by Ms. Mohr; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider the Transfer of Private Shellfish Aquaculture Licenses 12 and 12B, each 4 Acres in Size and Located in the Head of the Harbor held by Theodore Lambrecht of 10 Trotter's Lane to Sean Fitzgibbon of 10 Trotter's Lane, Pursuant to MGL Chapter 130, Sections 57, 60 and 65 and with Town of Nantucket Shellfish Regulations Section 5.1. Chair Bridges opened the hearing. Natural Resources Director Jeff Carlson reviewed the purpose of the public hearing and provided a brief overview

of the item being requested. Ms. Murphy thanked Mr. Carlson and the Harbor and Shellfish Advisory Board for their work on this issue.

There being no further comment, Ms. Murphy moved to close the hearing; seconded by Ms. Mohr; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – Yes.

Ms. Murphy so moved to transfer private shellfish aquaculture licenses 12 and 12B, each 4 acres in size and located in the Head of the Harbor, from Theodore Lambrecht to Sean Fitzgibbon, pursuant to MGL chapter 130, sections 57, 60 and 65 and with Town of Nantucket Shellfish Regulations Section 5.1; seconded by Ms. Mohr; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – Yes.

2. Public Hearing to Consider Adopting Surface Water and Ground Water Protection Regulations. Chair Bridges opened the hearing. Ms. Gibson introduced the item. She noted that several comments have been received about the proposed regulations; however, Town Administration has not been able to review or evaluate them due to other recent priorities. She requested that the Board continue the hearing to September 14, 2022. She suggested that in the meantime, the Board take in any comment that people might have, tonight. James Durette spoke on several items with respect to rainfall and stormwater that impacts his property on Silver Street. He said the Town parking lot is contributing to the problem and that catch basins in the area are clogged. Ms. Pratt commented on the need to address storm water that collects on her property on Silver Street. She expressed concern as to what contaminants might be in the water. She added that “something has to be done”. Ms. Mohr moved to continue the hearing to September 14, 2022; seconded by Ms. Murphy; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – Yes. Chair Bridges asked about any short-term fixes for the storm water issues mentioned by Ms. Pratt and Mr. Durette. Ms. Gibson explained that a sewer force main project, which is scheduled to begin later in 2022, will go through the Silver Street parking lot and the design has included improvements to the drainage system in the lot which is expected to alleviate flooding in the area. She referenced a report she gave to the Board at its June 22nd meeting relating to an increase in storm water related complaints all around the island and the need for planning which is complicated.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Schedule Special Election to Fill Select Board Vacancy. Ms. Gibson reviewed the date of November 8, 2022 as the proposed date; and, what it is going to take to hold two elections on the same day. Town Clerk Nancy Holmes elaborated on what it is going to take to run two elections at the same time. She reviewed the complications of mail-in voting, which is now allowed for all elections. She reviewed the processing procedure for a high volume of ballots. Some discussion followed. Ms. Mohr asked about the time frame for the special election to be less of a burden. Ms. Holmes suggested about a three-week period between the elections. Ms. Murphy commented that the Board also has the option not to schedule a special election as the term is up in 2023. She added that she is concerned about voter turn-out if the elections are on different days. Ms. Holdgate concurred and added that she does not favor not holding an election. Mr. Fee said he is not concerned about a four-member board until the annual election in 2023. Chair Bridges said he favors having an election. Discussion followed as to the potential confusion with two separate elections within a short time frame. Discussion followed as to the resources and storage space that will be required. Ms. Murphy emphasized the need for outreach as to when nomination papers will be available and due back. Ms. Gibson reviewed the nomination paper dates, if the election is scheduled for November 8th: nomination papers due on August 22nd; and due back with 50 signatures on October 4th. Ms. Mohr moved to schedule

a special election for November 8, 2022 to fill a vacancy on the Select Board due to the resignation of Ms. Murphy; seconded by Ms. Holdgate; by roll call vote, all in favor: Chair Bridges – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes; Ms. Mohr – Yes; Mr. Fee – No.

2. Continued Discussion on Short-term Rental Work Group Framework. Ms. Gibson reviewed the most recent action on the framework between the Select Board and Finance Committee, with input this week from the Planning Board. Planning Board member David Iverson spoke on the Planning Board's input which related to having three Select Board members, one Finance Committee member and one Planning Board member make the appointments. Some discussion followed as to the Committee Interest Form for the work group. Some discussion followed as to at-large members; and, alternates. Chair Bridges suggested that proposed facilitators be forwarded to the "pre group" for a decision as to hiring. Discussion followed as to the selection of a facilitator. It was generally agreed that Ms. Gibson will obtain proposals and forward them to the "pre group" and the Select Board. Mr. Fee said he prefers a facilitator with subject matter knowledge. Discussion followed on this. Mr. Iverson suggested that the facilitator's ability to facilitate and manage personalities should be the main criteria, even more than knowledge of short-term rentals.

3. Committee Reports. Ms. Murphy noted that her last in-person meeting will be August 3rd, not August 17th as previously thought.

Ms. Mohr said that she attended the Sconset Civic Association annual meeting this past Monday with Ms. Gibson who was the guest speaker.

Chair Bridges reviewed items coming up at the Board's July 20th meeting.

XII. ADJOURNMENT

At 7:27 PM, Ms. Murphy moved adjournment; seconded by Ms. Mohr, all in favor, so voted by roll call: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Ms. Mohr – Yes; Ms. Murphy – Yes.

Approved the 20th day of July 2022.

SELECT BOARD
JULY 13, 2022 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- III. 2. 2022 Committee Vacancy Appointments Timeline
- VII. 1. Draft minutes of 7/6/2022; 7/7/2022
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. George Harrington resignation letter from FinCom; FinCom membership
- VIII. 2. FY 2022 Year End Budget Transfers
- VIII. 3. AIS re: Airport request re: H.3792; A. 94/2020 ATM
- VIII. 4. AIS re: Request for Sewer Fee Waivers; Email from Linda Williams; Policy for Sewer Fee Waiver Requests
- VIII. 5. AIS re: Change of Manager for The Summer House; ABCC application - The Summer House; Current liquor license
- VIII. 6. AIS re: Change of Manager for Summer House Beachside Bistro; ABCC application for Summer House Beachside Bistro; Current liquor license
- IX. 1. AIS re: Aquaculture license transfer request; 12/1/2021 Memo from Natural Resources Director re: Ted Lambrecht revocation recommendation; 11/10/2021 memo from Shellfish Warden - Ted Lambrecht improper handling of shellfish; 8/24/2021 Letter from NRD to Ted Lambrecht re: formal notice of license non-compliance; Guidelines for Lease of Bottom Land for Aquaculture; 7/16/2021 memo from Shellfish Enforcement Officer; 5/6/2021 letter from SHAB to Select Board; Email from Sean Fitzgibbon
- IX. 2. AIS re: proposed Surface Water & Ground Water Protection Regulations; Draft Surface Water & Ground Water Protection Regulations; Surface Water & Ground Water Protection Regulations Implementation Plan
- X. 1. AIS re: PFAS Assessment update; CDM Smith PFAS Projects Update presentation
- XI. 1. Memo from Planning Board re: Short-Term Rental Working Group draft framework document; Short-Term Rental Working Group draft framework document

Veranda House Fire Thank You List (for 7/13/22 SB meeting)
As of 07/12/22

Deputy Chief Sean Mitchell and all of the NFD firefighters (on duty, off duty and retired) who fought this fire and prevented it from spreading even more than it did*

Off duty firefighters from other towns who happened to be on-island

The individual who called in the fire in the first place, as well as the immediate responders, both an off duty Nantucket firefighter and nearby members of the public who entered a burning building to save lives

Cape firefighters who responded to a mutual aid request came from: Harwich, Dennis, Sandwich, Yarmouth, COMM (Centerville Osterville Marstons Mills fire district), Hyannis

NPD, NPD Dispatchers & Sheriff's Dept response with traffic control, inquiries

Liz Holland/Nantucket Operations Supervisor at the Hy-line (above and beyond with helping passengers, assisting with getting mutual aid firefighters to and from the Island)

Steamship Authority for conveying mutual aid firefighters over as well (first wave)

Cape Air & JetBlue – travel assistance

Culture and Tourism Director Shantaw Bloise-Murphy and Visitor Services Coordinator David Sharpe – opened the Visitor Center early and assisted with relocating displaced visitors and general assistance with communications between the Lodging Assoc & numerous guest house/inn/hotel operators, Chamber, Hy-line and others

Community members who offered their own housing

Chamber of Commerce offering temp space for Veranda House

Nantucket Cottage Hospital and ER staff – set up a full triage/rehab center at the site

Health Department – provided nursing staff to be available

Water Department – provided water and automatically increased pressure and availability early on in anticipation of need

Hospital Thrift Shop & Vineyard Vines donated clothes for displaced visitors and the off-island firefighters

Clubs offering services to firefighters to alleviate effects of smoke impacts

Former Airport employee assisted with some needed repairs to firefighting equipment

Everyone (individual community members and restaurants/food providers) who provided food, drinks, supplies support – including Daniel Bartlett who provided a porta-potty; Fairwinds who offered services for any trauma issues