

## SELECT BOARD

Minutes of Meeting of August 3, 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 Dawn Holdgate, Matt Fee, Brooke Mohr and Melissa Murphy. Jason Bridges was absent.

### I. CALL TO ORDER

Vice Chair Holdgate called the Select Board meeting to order at 6:30 PM, following the Pledge of Allegiance.

### II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted.

### III. ANNOUNCEMENTS

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

#### 2. Review of Applications for Appointments to Agricultural Commission, Contract Review Subcommittee (Human Services), Council for Human Services, Finance Committee, Historic District Commission Associate and Zoning Board of Appeals Alternate;

- Applicant Introduction Scheduled for Wednesday, August 17, 2022, Pursuant to Select Board Committee Appointment Policy. Operations Administrator Erika Mooney reviewed the names of applicants for the pending committee appointments, as follows:

Agricultural Commission: Charity Benz, Pamela Perun  
Human Services Contract Review Committee: Dorothy Hertz  
Council for Human Services: Joseline Ramirez; Suzanne Keating  
Finance Committee: Stephen Maury, Jeremy Bloomer, Joseph Wright  
Historic District Commission Associate: Constance Patten  
Zoning Board of Appeals Alternate: James Mondani

#### 3. 2022 Committee Vacancies – Round 3. Ms. Mooney reviewed additional vacancies pending on the Agricultural Commission, Finance Committee and Tree Advisory Committee.

4. Short-Term Rental Work Group: Review of Available Seats and Appointment Timeline. Ms. Mohr and Ms. Mooney reviewed the seats that will be available for this new work group as well as the membership of the work group, and appointment timeline, including advertising.

#### 5. No Select Board Meeting on Wednesday, August 10, 2022 at 5:30 PM (Summer Schedule).

Town Manager C. Elizabeth Gibson noted two other announcements: a newly designed Town website is now available, and she thanked Public Outreach Coordinator Florencia Rullo for her work on this. She introduced Sewer Director David Gray who reviewed some sewer manhole cover work that needs to be done in the next week or so and suggested that work be done at night to avoid traffic issues. The Board was generally in favor of this limited night work. Mr. Gray added that the Sewer Department has been receiving complaints about odors in the Easton Street/Hulbert Avenue area which he said is due to seaweed and hot weather conditions and not anything to do with the sewer system.

6. Select Board Announcements/Comments. None.

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

No follow-up.

V. PUBLIC COMMENT

Ms. Holdgate reviewed the parameters of Public Comment. She noted that responses to comments will be provided at the Board's next meeting, as needed.

Penny Dey spoke on the lack of representation of the real estate industry on the Short-Term Rental Work Group. Ms. Mohr noted state ethics restrictions as to certain members.

Joanna Townsend asked about the Town Personnel Board and commented on duties and responsibilities of the Board as outlined in the Town Code.

Burton Balkind asked about the Town's shark policy and said he feels people are being scared unnecessarily by lifeguard warnings. He added that he has concerns about various devices being used on the bike paths.

Steve Tornovich commented on the selection of the Fire Chief. He said he felt an internal candidate should be selected.

Joe Townsend spoke in favor of selecting an internal candidate for the position of Fire Chief; and, to start the hiring process over. He said the fire union should have a say in the selection.

Neil Paterson spoke as a member of the Town Manager's hiring committee on the hiring process and commented it is important to hire the most qualified candidate.

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. Murphy; so voted 4-0.

1. Approval of Minutes of July 20, 2022 at 5:30 PM; July 27, 2022 at 8:30 AM.

2. Approval of Payroll Warrants for July 24, 2022.

3. Approval of Treasury Warrants for July 27, 2022; August 3, 2022.

4. Approval of Pending Contracts for August 3, 2022 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS

1. Request for Acceptance of Gift of Milestone Bike Park Repair Station. Ms. Murphy moved to accept the gift, as presented; seconded by Ms. Mohr; so voted 4-0. Quinn Keating, the sponsor of the project, spoke

on it and photos were displayed on the screen. The Board and audience thanked Mr. Keating for his work on this project.

2. Finance Department: Request for Approval of Sale of General Obligation Bonds in the Amount of \$38,110,000, Consisting of Series A in the Amount of \$33,740,000 in Tax Exempt Bonds and Series B in the Amount of \$4,370,000 in Taxable Bonds. Finance Director Brian Turbitt reviewed the details of the bond sale. Ms. Murphy moved approval of the vote as contained in the Board's agenda packet dated August 3, 2022 (attached); seconded by Ms. Mohr; so voted 4-0.

## IX. TOWN MANAGER'S REPORT

1. Federal Offshore Wind Farms: Permitting Overview. Ms. Gibson introduced Will Cook and Greg Werkheiser of Cultural Heritage Partners (CHP) to provide a presentation on this item. Mr. Cook reviewed the presentation as contained in the Board's agenda packet. Amy DiSibio asked about Mr. Cook's experience with prior projects and historic protections, specific to discussions with Vineyard Wind. Mr. Cook responded and said there is no law that can prevent the construction of wind farms and typically ways are found to mitigate the impact of projects. He said his goal is always to prevent harm, but the reality is, that since laws do not prevent wind farms, mitigation measures are often employed to offset impacts. Mr. Werkheiser also spoke on this. Ms. DiSibio asked about the Town's Good Neighbor Agreement with Vineyard Wind, with respect to the Town's support for the project in exchange for funding. Mr. Werkheiser explained that it is only if everything laid out in the agreement is accomplished is the Town and other parties obligated to support the project. Ms. DiSibio proceeded to question the Good Neighbor Agreement. Mr. Werkheiser responded. Veronica Bonnet asked if the "Section 106" process was adequate for Nantucket. Mr. Werkheiser explained that process was not adequate which is why his firm was hired by the Town. Mr. Cook added that states have various requirements for offshore wind farms, they are not all the same. Ms. Bonnet asked about the data that supports wind farms as sufficient renewable energy installations that adequately offset the use of fossil fuels. Mr. Werkheiser responded. Discussion followed as to wind farm impacts and how the public is made aware of them. Mr. Cook said the Town is seeking to get the wind farm proponents to come to the island and provide more information. Ms. Bonnet commented that if all of the wind farms are constructed, there will be no place along the south shore where the wind farms will not be seen. Mr. Fee stated that the Town has had very good representation from CHP and that people need to be realistic about the future of wind farms. He spoke favorably on the Vineyard Wind agreement. Carl Borchert asked about mitigation and host agreements with other wind farms and spoke on the need to secure funding from them for a variety of Island programs that could benefit from funding.

At 7:56 PM, Ms. Mohr left the meeting; she returned at 7:58 PM.

Mr. Werkheiser answered. Bruce Mandel asked about non-monetary mitigation measures such as lighting. Mr. Cook responded. Some discussion followed about various mitigation measures available to the Town. Vallorie Oliver commented that it is important to address all aspects of wind farms and everyone in the community should make themselves familiar with these because they can have unexpected impacts. She said that "clean energy" isn't always clean. Ms. Gibson thanked Mr. Werkheiser and Mr. Cook for their presentation.

Energy Coordinator Lauren Sinatra announced that the Massachusetts Department of Energy Resources (DOER) is seeking public comment and feedback on stretch energy code changes and reviewed where information can be found on the Town website.

2. FY 2022 Fourth Quarter/End of Year Budget Reports: General Fund; Our Island Home Enterprise Fund; Solid Waste Enterprise Fund. Ms. Gibson introduced the item, and the following staff reviewed the budget reports as contained in the agenda packet:

At 8:04 PM, vice Chair Holdgate left the meeting; she returned at 8:06 PM.

General Fund – Mr. Turbitt reviewed the highlights of the report. He said Free Cash is expected to be positive again this year. It was noted that the rooms tax revenue is significant. Ms. Murphy asked about integrating the rooms tax revenue into the operating budget. Mr. Turbitt responded. Some discussion followed as to the uses of this funding source. Mr. Turbitt reviewed several capital projects.

Mr. Fee left the meeting at 8:08 PM and did not return.

Our Island Home (OIH) – Administrator Peter Holden and Robert Eisenstein of Eisenstein Flaherty Associates, the firm engaged by the Town to provide administrative services for the facility reviewed the budget report. Mr. Eisenstein reviewed goals for reimbursements. He said because of stronger efforts to address this, revenue is somewhat up in FY 2022. He said expenses are up a bit too because of staffing shortages which necessitated hiring travel nurses which are expensive.

At 8:18 PM. Ms. Murphy left the meeting; she returned at 8:20 PM.

Mr. Eisenstein thanked the staff of OIH, including several of the Certified Nurses Aides for their very hard work lately and through the pandemic, the restrictions for which remain largely in place at OIH. He noted Sophia Liburd and Carol Matson in particular for their leadership. He spoke on other potential government grants that may be available shortly. Mr. Turbitt noted that the Certified Public Expenditure (CPE) an annual payment from the federal government through the state was received yesterday, of over \$5 million.

Solid Waste – DPW Director Stephen Arceneaux reviewed the Solid Waste budget. He noted there is a great deal of construction activity on the island right now and it is resulting in impacts at the solid waste facility. Mr. Arceneaux complimented the DPW work crews for their hard work this summer.

3. Review of 2023 Annual Town Meeting and Annual Town Election Timeline. Ms. Gibson reviewed the timeline. There were no questions and Ms. Murphy moved to endorse the timeline; seconded by Ms. Mohr; so voted 3-0.

## X. SELECT BOARD'S REPORTS/COMMENT

1. Discussion on Short-term Rental Work Group Facilitator Services/Selection of Facilitator. Ms. Mohr reviewed the two facilitators that she and Chair Bridges met with since the Board's last meeting on July 20<sup>th</sup>: Judi Barrett and Stacie Smith. Ms. Murphy moved to engage Stacie Smith of the Consensus Building Institute for the facilitation of the work group; and, to engage Judi Barrett as needed to help with any zoning issues; with contracts to come forward at the Board's next meeting; seconded by Ms. Mohr; so voted 3-0.

## 2. Committee Reports.

Ms. Murphy suggested that the Board replace her seat on the Board of Health, since after tonight she will not be in person due to her enrollment in law school.

Ms. Mohr commented on the Housing Bill not making it through this legislative session but that plans are being made to keep up efforts to move it forward and that despite its lack of adoption, progress was made.

Ms. Holdgate thanked Ms. Murphy for her service. Ms. Murphy said she mostly likely will not be back in person and will attend remotely as she is able.

#### XI. ADJOURNMENT

At 8:36 PM, Ms. Murphy moved adjournment; seconded by Ms. Mohr, so voted 3-0.

Approved the 17<sup>th</sup> day of August 2022.

**SELECT BOARD  
AUGUST 3, 2022 – 6:30 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 Timeline; List of Current Committee Memberships & Applicants; Committee Applications; Notice of Committee Vacancies
- III. 3. 2022 Committee Vacancy Timeline - Round 3
- III. 4. Short-Term Rental Work Group - appointment timeline; Notice of STR WG seats
- VII. 1. Draft minutes of 7/20/2022; 7/27/2022
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. AIS re: Gift of Bike Repair Station; Emails from Quinn Keating (2); Eagle Scout Project information
- VIII. 2. AIS re: Sale of General Obligation Bonds; Vote of the Select Board dated 8/3/2022; Use of Proceeds
- IX. 1. Link to Federal Offshore Wind Farms; Offshore Wind Update PPT; ACK RATs presentation
- IX. 2. FY22 4th Quarter Budget Reports - General Fund; Our Island Home; Solid Waste
- IX. 3. Draft 2023 ATM/ATE Timeline
- X. 1. Short-Term Rental (STR) Final Draft Framework; Barrett Facilitation Services & Support for STR Working Group; CBI Proposal for STR Working Group

## VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Nantucket, Massachusetts (the “Town”), certify that at a meeting of the board held August 3, 2022, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the maximum useful life of the fire truck to be financed with the proceeds of the \$705,000 borrowing authorized by the vote of the Town passed June 5, 2021 (Article 10) is hereby determined pursuant to G.L. c.44, §7(1) to be at least 10 years.

Further Voted: that the sale of the \$33,740,000 General Obligation Municipal Purpose Loan of 2022 Bonds, Series A, of the Town dated August 17, 2022 (the “Series A Bonds”), to Fidelity Capital Markets, a division of National Financial Services, Inc. at the price of \$37,820,448.04 and accrued interest, if any, is hereby approved and confirmed. The Series A Bonds shall be payable on August 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2023	\$2,475,000	5.00%	2033	\$1,430,000	5.00%
2024	2,445,000	5.00	2034	1,425,000	5.00
2025	2,415,000	5.00	2035	1,420,000	5.00
2026	2,340,000	5.00	2036	1,405,000	5.00
2027	1,995,000	5.00	2037	1,295,000	5.00
2028	1,800,000	5.00	2038	1,290,000	4.00
2029	1,780,000	5.00	2039	1,290,000	4.00
2030	1,770,000	5.00	2040	1,290,000	4.00
2031	1,770,000	5.00	2041	1,285,000	4.00
2032	1,575,000	5.00	2042	1,285,000	4.00

Further Voted: that the sale of the \$4,370,000 General Obligation Affordable Housing Bonds, Series B (Subject to Federal and Massachusetts Income Taxation), of the Town dated August 17, 2022 (the “Series B Bonds,” and together with the Series A Bonds, the “Bonds”), to Piper Sandler & Co. at the price of \$4,432,736.36 and accrued interest, if any, is hereby approved and confirmed. The Series B Bonds shall be payable on August 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2023	\$300,000	4.00%	2029	\$300,000	4.50%
2024	300,000	4.00	2030	300,000	4.50
2025	300,000	4.00	2031	300,000	4.50
2026	300,000	4.00	2034	900,000	4.00
2027	300,000	4.25	2037	770,000	4.20
2028	300,000	4.50			

Further Voted: that the Series B Bonds maturing on August 1, 2034 and August 1, 2037 (each, a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

<u>Term Bond due August 15, 2034</u>	
<u>Year</u>	<u>Amount</u>
2032	\$300,000
2033	300,000
2034*	300,000

---

\*Final Maturity

<u>Term Bond due August 15, 2037</u>	
<u>Year</u>	<u>Amount</u>
2035	\$300,000
2036	300,000
2037*	170,000

---

\*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement for each series dated July 8, 2022, and a final Official Statement for each series dated July 14, 2022, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement for such series of Bonds.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking with respect to each series of bonds in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Series A Bonds and to comply with relevant securities laws with respect to both series of Bonds.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by

electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

*[Remainder of page intentionally left blank; signature page follows.]*

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: August 3, 2022

---

Clerk of the Select Board