

SELECT BOARD

Minutes of Meeting of August 17, 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, Dawn Holdgate, Matt Fee, and Brooke Mohr. Melissa Murphy was absent.

I. CALL TO ORDER

Chair Bridges called the Select Board meeting to order at 5:30 PM, following the Pledge of Allegiance.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted. It was noted that with regard to Item IX-2, the date should be August 24, not August 23.

III. ANNOUNCEMENTS

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

2. 2022 Committee Vacancies – Round 3: Agricultural Commission, Finance Committee, Tree Advisory Committee. Town Manager C. Elizabeth Gibson reviewed the appointment process and timeline.

3. Short-Term Rental Work Group: Review of Available Seats and Appointment Timeline. Ms. Gibson reviewed the work group appointment information.

4. Coastal Resilience Advisory Committee and ACKlimate Nantucket: Request to Proclaim September 2022 “Climate Change Awareness Month”. Mary Longacre, Chair of the Coastal Resilience Advisory Committee read a proclamation.

5. No Select Board Meetings on Wednesday, August 24, 2022 at 5:30 PM and Wednesday, August 31, 2022 (Summer Schedule).

Housing Director Tucker Holland announced that the Select Board has a scheduled housing workshop for Tuesday, August 23rd at noon in the 4 Fairgrounds Road Community Room.

6. Select Board Announcements/Comments. Ms. Mohr commented on public discourse in the community. She spoke about personal attacks, the need for respect, focus on engagement and constructive dialogue. She said personal attacks on town officials are distressing and unnecessary.

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

1. Status of Chapter 33 (Personnel Board) of Code of the Town of Nantucket (Public Comment from August 3, 2022). Ms. Gibson reviewed information in response to questions raised at the August 3rd Board meeting as to “what happened” to the Personnel Board – as attached to these minutes.

Ms. Gibson made an additional statement about the Fire Chief hiring process, as attached to these minutes.

2. Fire Department Staffing, Compensation, Equipment (Public Comment from August 3, 2022). Ms. Gibson reviewed information in response to a statement raised at the August 3rd Board meeting as to Fire

Department staffing, compensation and equipment, as attached to these minutes; and shared a link as to investments in the Fire Department since Fiscal Year 2018.

3. Shark Policy (Public Comment from August 3, 2022). Harbormaster Sheila Lucey reviewed the Town's shark sighting policy as it was in the Board's agenda packet and related this summer's experience with shark sightings.

4. Regulation of Devices on Bike Paths (Public Comment from August 3, 2022). Town Counsel John Giorgio reviewed state law with regard to certain devices on bicycle paths. He noted that the Town could adopt a general bylaw to regulate certain devices.

V. PUBLIC COMMENT

Chair Bridges explained how Public Comment is structured and noted that people have 3 minutes each to speak. He urged people to be respectful and civil with their remarks and to refrain from personal attacks.

Clifford Williams asked if some documents could be obtained from the FAA regarding windmills.

Megan Perry said that a Board member at a recent Surfside Association meeting stated that a final decision from the state Housing Appeals Court has been made regarding Surfside Crossing but in fact it has not. Only a draft decision has been issued. Ms. Perry read testimony from Chief Murphy from documents relating to the special permit for the project. She requested that the Board re-open this testimony and put it forward to the state as a serious issue regarding the project.

Ann Dewez spoke on a letter she sent regarding short-term rentals with respect to various local groups' involvements with short-term rentals. She stated she supports Select Board members being part of the membership of the short-term rental work group. She said she objects to certain provisions of draft short-term rental regulations. She said that she is appalled at the "firing" of certain advisory groups to the Historic District Commission. Mr. Fee said he plans to ask Town Counsel about this under Select Board comments.

Burton Balkind thanked the Harbormaster and lifeguards for the department's hard work. He suggested that the shark sighting policy should be clearer as to which sharks are dangerous.

Bobby Planzer said he appreciated what Ms. Mohr commented on earlier with regard to personal attacks on Town officials, stating that he agrees with her.

Joe Townsend commented on Fire Department issues, including the Fire Chief search, and fire department equipment. He said he feels there is a lack of transparency.

Mac Davis spoke on his recent experience as a firefighter, noting that he also recently resigned due to poor morale in the department. He spoke on bringing in a new chief "from away".

Steve Tornovich spoke on a text message he received from Deputy Police Chief Gibson, which he said related to the Fire Chief position, that he didn't understand. He spoke on the Fire Chief appointment.

Hillary Rayport spoke on her recent position as a member of the Nantucket Historical Commission and a recent Code of Conduct complaint she filed with Town Administration. She thanked Ms. Gibson for reviewing the complaint and said she was disappointed that the complaint is not being pursued.

Ayesha Barber commented on “what lessons have been learned” with respect to the Veranda House fire. She commented on the need for additional staffing and funding for the fire department.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of July 21, 2022 at 8:30 AM; August 3, 2022 at 6:30 PM; August 4, 2022 at 9:00 AM. Ms. Holdgate moved approval; seconded by Ms. Mohr; so voted.

2. Approval of Payroll Warrants for August 7, 2022. Ms. Mohr moved approval; seconded by Ms. Holdgate, so voted.

3. Approval of Treasury Warrants for August 10, 2022; August 17, 2022. Ms. Mohr moved approval; seconded by Ms. Holdgate; so voted.

4. Approval of Pending Contracts for August 17, 2022 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Fee moved approval of all pending contracts, except the Fire Chief contract; Ms. Mohr seconded, so voted. Mr. Fee said he will vote to approve the Fire Chief contract, saying that the Town Manager cannot “manage by Facebook likes”; he agreed that there are issues on which the department and Town need to come together. Ms. Mohr said that since she has been on the Board, it is apparent that the community’s needs outstrip the Town’s available resources. She said the community needs to have a “hard discussion” about this and where the funding comes from for the necessary resources. Ms. Holdgate said that she feels “more input needs to come from within” with regard to Town resources. Joanna Townsend said that a “huge mistake” is being made by the hire of Michael Cranson as the Fire Chief. Ms. Holdgate said that Town Administration has done an appropriate job with the hire. Joe Townsend requested that the contract be delayed. David Pole spoke in favor of appointing Sean Mitchell as the Fire Chief. Mr. Fee moved approval of the contract; seconded by Ms. Mohr, so voted, with Ms. Holdgate opposed. Rosemarie Samuels urged the firefighters to “walk off the job”.

VIII. JOINT MEETING WITH BOARD OF HEALTH

1. Joint Meeting with Board of Health to Review Draft Short-term Rental Regulations. Board of Health Chair Stephen Visco called the Board of Health meeting to order. Ms. Gibson reviewed how the regulations came to be before the Board and Board of Health. She noted that after Board and Board of Health input, a joint public hearing will be scheduled for adoption. She noted that in addition to the draft regulations that are before the Board, some additional input has been provided by the vendor engaged by the Town to design and implement the short-term rental registration program for the Boards’ consideration. Town Counsel John Giorgio reviewed the draft regulations. He said an important part of the regulations is to gather data relating to short-term regulations, including where they are located and who owns them. Board of Health member James Cooper commented on some aspects of the regulations which don’t seem to relate to the Board of Health, such as parking regulations. Mr. Giorgio spoke on this. Some discussion followed. Mr. Giorgio said that based on a recent legal decision relating to the authority of municipalities to ban marijuana

establishments, which occurred in the Town of Bourne though a general bylaw, he believes that the Town would be well within its rights to enact a general bylaw regulating the operation of short-term rentals. Meredith Lepore commented that she thinks the proposed fee of \$150 is much too low. Ms. Gibson noted that these are simply draft regulations and that the Boards will have the opportunity to enact the fee they want; however, she pointed out that fees need to be commensurate with the Town's expenses in connection with the program. Mr. Giorgio concurred and expanded upon the limitations of municipalities regarding the setting of fees. Discussion continued as to the amount of the fee. Ms. Mohr asked about inspections. Public Health Director Roberto Santamaria said that at this time, specific inspections are not required. It was noted that the property owner will have to sign off that the property is in compliance with all local building and health codes. David Iverson asked about a requirement that a Certificate Occupancy (CO) be required. Director of Planning Andrew Vorce responded and explained that for older dwellings that may not even have a CO might have to be exempted from that requirement. Some discussion followed on the CO issue, ensuring safety and avoiding liability. Some discussion followed as to the penalty of a property owner does not register their property. Some discussion followed as to how timeshare properties are registered. Mr. Giorgio explained.

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS

1. Applicant Introduction/Review of Applications and 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, Pursuant to Select Board Committee Appointment Policy. The following applicants spoke on their applications, and the Board voted as follows:

Agricultural Commission: unanimously appointed Charity Benz and Pamela Perun.

Contract Review Subcommittee: unanimously appointed appoint Dorothy Hertz.

Council for Human Services: unanimously appointed Suzanne Keating. Applicant Joseline Ramirez withdrew her application.

Finance Committee: Jeremy Bloomer, Joe Wright and Stephen Maury spoke on their applications. By paper ballot, Mr. Bloomer received a vote from Mr. Fee, Mr. Wright received a vote from Ms. Mohr and Mr. Maury received votes from Chair Bridges and Ms. Holdgate.

So voted to appoint Stephen Maury.

Historic District Commission Associate: unanimously appointed Constance Patten.

Zoning Board of Appeals Alternate: unanimously appointed James Mondani.

2. Cisco Brewers and Bartletts Farm: Request for Extension of Hours for Music and Alcoholic Beverage Service on August 23, 2022. Mr. Fee recused from this item and left the table. Ms. Mohr moved approval of the request as presented; seconded by Ms. Holdgate; so voted.

3. Nantucket Land Council: Request for Temporary Shellfishing Exclusion Zone (Closure) Near Fifth Bend on Coatue for Eelgrass Restoration Project. Ms. Mohr moved to approve the request; seconded by Ms. Holdgate; so voted.

4. Town Clerk: a) Request for Approval of Warrant for September 6, 2022 State Primary; b) Request for Assignment of Police Officers at Polling Place Pursuant to MGL Chapter 54, Section 72 of New VOTES Act of 2022; c) Request for Annual Appointment of Election Workers Pursuant to Section 3.4 (a) (2) of the Town Charter. Town Clerk Nancy Holmes spoke on the requests. Mr. Fee moved approval of all three requests, as presented; seconded by Ms. Mohr; so voted.

5. Coastal Resilience Advisory Committee: Quarterly Report. Coastal Resilience Coordinator Vincent Murphy reviewed the report, as contained in the Board's agenda packet. Ms. Longacre reviewed some of the recommendations contained in the report. The Board members thanked the committee and Mr. Murphy for their hard work. Kate Shea asked about funding for a sediment transfer study as contained in the report. Mr. Murphy said funding is available, currently and will progress as staff resources allow.

X. REAL ESTATE ITEMS

1. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcel Known as Parcel S, Vernon Street as Shown on Plan of Land Entitled "Plan of Land Being a Subdivision of Lot 2 Shown on Land Court Plan 43345-A, 51 Weweeder Avenue, Nantucket, Massachusetts," Dated June 23, 2021, Prepared by Site Design Engineering, LLC and Recorded with Nantucket Registry District of the Land Court as Land Court Plan No. 43353-B, Pursuant to Vote on Article 77 of 2010 Annual Town Meeting. Real Estate Specialist Ken Beaugrand introduced and explained the item and reviewed a map showing the transaction. Ms. Holdgate moved approval as presented; seconded by Mr. Fee; so voted.

2. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcel Known as Parcel V, Waverly Street as Shown on Plan of Land Entitled "Plan of Land Being a Subdivision of Lot 2 Shown on Land Court Plan 43345-A, 51 Weweeder Avenue, Nantucket, Massachusetts," Dated June 23, 2021, Prepared by Site Design Engineering, LLC and Recorded with Nantucket Registry District of the Land Court as Land Court Plan No. 43353-B, Pursuant to Vote on Article 77 of 2010 Annual Town Meeting. Real Estate Specialist Ken Beaugrand introduced the item. Mr. Fee moved approval as presented; seconded by Ms. Holdgate; so voted.

XI. PUBLIC HEARINGS

1. Public Hearing to Consider Application for New Annual All-Alcoholic Beverages Club License for Great Harbor Yacht Club, Inc. dba Great Harbor Yacht Club, Stephen Creese, Manager, for Premises Located at 56 Union Street. Chair Bridges opened the hearing. Events Coordinator Marina Dzvonic reviewed the application. Mr. Fee asked if there was any discussion about privatization of a formerly public restaurant. Some discussion followed. Mr. Fee expressed some concern about this situation turning into a trend. He asked about the legal basis to deny the application based on his concern. Mr. Giorgio said that the general standard for liquor license approvals is "public need".

Ms. Holdgate moved to close the hearing; seconded by Ms. Mohr; so voted.

Ms. Mohr shared Mr. Fee's concern and said the Board should have a more focused discussion on this. Ms. Holdgate moved to approve the application; seconded by Ms. Mohr; so voted.

XII. TOWN MANAGER'S REPORT

1. FY 2022 Fourth Quarter/End of Year Budget Reports: Airport Enterprise Fund; Water Enterprise Fund; Sewer Enterprise Fund. The department heads of the various departments provided their reports: Airport Manager Tom Rafter; Water Director Mark Willett; and Sewer Director David Gray. Some discussion followed on each report.

Airport: Mr. Rafter commended the Airport Finance Director Jamie Sandsbury and the Director of Municipal Finance Brian Turbitt for their hard work in managing budgets and putting the financial reporting together. Mr. Rafter summarized the information contained in the Airport's budget report contained in the Board's agenda packet. He said that fuel price changes between FY 2021 and FY 2022 was dramatic.

Water: Mr. Willett also thanked the Finance Department for its work to put the report together. Mr. Willett summarized the information contained in the Water Department budget report contained in the Board's agenda packet. He highlighted revenue and water pumping numbers year-over-year. He said the Department is "in a very good place".

Sewer: Mr. Gray also thanked the Finance Department for its assistance with the report. He summarized the information contained in the Sewer Department budget report contained in the Board's agenda packet. He commented on several types of supplies and equipment that have been increasingly difficult to obtain with prices and costs significantly increasing.

2. Sewer Director: Update on Sea Street Pump Station Sewer Force Main No. 3 Construction Schedule and Associated Project Details. Mr. Gray introduced Ziad Kary, of Environmental Partners Group, engineer for the project and Frank Ayotte of Hazen Sawyer, the Owner's Project Manager. Mr. Gray emphasized that this will be a very challenging project. Mr. Kary reviewed a presentation about the project, which will recommence in September. He reviewed project work that was done in the spring closer to the Surfside Wastewater Treatment Facility. He reviewed some of the associated work that will be done as part of the project, including upgrading catch basins along the project route. He explained the process and equipment that will be used to document and monitor existing conditions of buildings very close to the project route. He reviewed how issues will be addressed if documented damage occurs. He reviewed a list of the geotechnical monitoring point locations and the permissions that will be needed to install the equipment. Mr. Fee said the monitoring process is impressive. Mr. Kary re-emphasized the disruptive nature of this project and that there will be a lot of public outreach. Mr. Ayotte spoke further on the outreach that will be in place and communications throughout the project.

XIII. SELECT BOARD'S REPORTS/COMMENT

1. 2022-2023 Re-appointments of Select Board Representatives to Audit Committee, Board of Health, Bureau of Ocean Management (BOEM) Energy Task Force, Cannabis Advisory Committee. It was noted that due to the impending departure of Melissa Murphy from the Board, these assignments which were filled by her, need to be filled by others. So voted by acclamation to appoint Board members as follows:

Audit Committee: Mr. Fee

Board of Health: Ms. Mohr

Bureau of Ocean Management Energy Task Force: Chair Bridges

Cannabis Advisory Committee: Chair Bridges

2. Committee Reports. Mr. Fee commented on the pressures of so many people on the island, and the lack of staff and resources to deal with the many impacts of the people here, such as sidewalks being in poor condition. Mr. Fee commented on the HDC's advisory committees recently being told that they are no longer allowed and must be disbanded, effectively immediately. He asked that a way be found to bring these committees back. Ms. Gibson explained what happened and noted that a way to bring them back would be to have the Select Board appoint the committees. Mr. Giorgio elaborated on the legal opinion he provided on this matter and concurred with Ms. Gibson as to the Board having the authority to appoint these groups. The Board was in general agreement to "reappoint" these groups as soon as possible. Chair Bridges reiterated Mr. Fee's initial comment as to the lack of resources and funding to get significant projects completed, as well as how much these projects, such as sidewalks, cost. Chair Bridges reviewed an initial FY 2024 capital projects meeting this week, noting the numbers are "big". Ms. Mohr spoke on an Affordable Housing Trust meeting this week and said it is remarkable the amount of funding that has recently been dedicated to housing. She said housing issues on the island are extremely complex and urged the public to attend

XIV. ADJOURNMENT

At 8:44 PM, Mr. Fee moved adjournment; seconded by Ms. Mohr, so voted.

Approved the 7th day of September 2022.

SELECT BOARD
AUGUST 17, 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 Timeline - Round 3
- III. 3. Short-Term Rental Work Group - appointment timeline; Notice of STR WG seats
- II. 4. AIS re: Climate Change Awareness Month; Climate Change Awareness proclamation
- IV. 3. Shark Sightings Policy
- VII. 1. Draft minutes of 7/21/2022; 8/3/2022; 8/4/2022
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. AIS re: draft Short-Term Rental Regulations; Draft STR regulations; Granicus comments; Vote of A. 39/2022 ATM
- IX. 1. List of Current Committee Memberships & Applicants; Committee applications; 2022 Committee Vacancy Timeline - Round 2
- IX. 2. AIS re: Cisco/Bartlett's; Request from John Bartlett; Cisco Brewers 2022 entertainment license
- IX. 3. Memo from Natural Resources Director, re: Land Council Request for Shellfishing Exclusion Zone; CH. 260 - Shellfishing s. 260-4.11 Habitat Sensitive Areas; Letter from Nantucket Land Council; Letter of support from SHAB
- IX. 4a. AIS re: Sept. State Primary Warrant; Warrant for 2022 State Primary
- IX. 4b. AIS re: Police Officers at polling places; Memo from Town Clerk
- IX. 4c. AIS re: appt of election workers; Slate of 2022 election workers
- IX. 5. AIS re: CRAC quarterly report; CRAC Quarterly Report
- X. 1. AIS re: Parcel S, Vernon St; Parcel S, Vernon St P&S; Parcel S, Vernon St DEED; LC Plan No. 43353-B; Parcel S, Vernon St Settlement Statement
- X. 2. AIS re: Parcel V, Waverly St; Parcel V, Waverly St P&S; Parcel V, Waverly St DEED; LC Plan No. 43353-B; Parcel V, Waverly St Settlement Statement
- XI. 1. AIS re: Great Harbor Yacht Club new liquor license; ABCC Summary Form; GHYC 2022 liquor license - 96 Washington St; 56 Union 2021 liquor license; GHYC 2022 entertainment license - 96 Washington St; 56 Union 2021 entertainment license; Letter to ABCC re: GHYC withdrawal of alteration of premises application; Public hearing ad
- XII. 1. FY22 4th Quarter Budget Reports – Airport, Water, Sewer
- XII. 2. Presentation on Sewer Force Main No. 3 project
- XIII. 1. Select Board list of committee rep appts

Public Comment Response to Questions Regarding Personnel Board at August 3, 2022 Select Board Meeting

August 17, 2022 Select Board Meeting – Response:

1. *“I’m wondering if anyone can enlighten me as to where the Town Personnel Board went”*

The Personnel Board was established under the authority granted to the town by Massachusetts General Law Chapter 41 section 108C. The duties of the Personnel Board were set out in Chapter 33 of the Town Code and became effective in 1995 as a result of a Town Meeting vote. As the citizen stated, the duties of the Personnel Board included: Review the personnel policies of the Town; review the compensation policies of the Town; review and monitor the classification plan; investigate and make recommendations concerning the proper classification of any employee; investigate complaints, problems and the adequacy of personnel policies, practices and procedures; make recommendations as deemed necessary.

In 1996 town government in Nantucket was substantially changed by the passage of the Town Charter by voters at Town Meeting. The Charter, which is state law, is codified as Chapter 289 of the Acts of 1996. The Town Charter created the position of Town Manager* and transferred the functions previously performed by the Personnel Board to the Town Manager. The Charter sets out the duties of the Manager in Section 4.2. Please see Town Charter for specific language (available on the Town website).

**position title changed from Town Administrator to Town Manager in 2007*

During the course of 2011 and 2012 the Town undertook a comprehensive review of the personnel function given to the Town Manager by the Charter. That review led to the preparation and presentation to the Select Board of a comprehensive Personnel Policy. That policy was developed through the cooperation of many different town sources. The final document contains this language:

“The purpose of these personnel policies is to establish a system of human resource administration based on principles that ensure a uniform, fair and efficient application of personnel rules and regulations. The intent of these policies is to provide a method of recruitment, selection, classification and compensation and the development of a work force that is skilled and effective in accomplishing assigned responsibilities. Personnel actions shall be made in accordance with state and federal law and without regard to race, color, religion, sex, national origin, political affiliation, sexual orientation, gender identification, age as defined by law, disability, genetic information, or other non-job related factors and shall be based on merit and ability to perform the job properly.”

The proposed policy was placed on the Select Board public agenda for February 20, 2013 and was the subject of an open and public discussion. No issue was raised at that time regarding the

existence of the Personnel Board and the policies were adopted by the Board. The personnel policies are available to be viewed on the Town website.

The policy was followed in every respect during the fire chief search process.

2. *“In fact, it was updated as recently as 2020 which makes it seem it was still a valid section of the Town By Laws in 2020, so where is it?”*

The entire Town Code was updated in 2020 to change the title of the Select Board, from Board of Selectmen, as authorized by Town Meeting.

3. *“With all the happenings of the past few weeks regarding our Fire Chief search, one would think that this would be the perfect avenue for a Personnel Board to step in and assert their oversight into such a process. “*

Although not a question, there is a response: The Personnel Board as it existed in 1995 would have no direct oversight responsibility regarding the hiring of a fire chief and in 1995 would have no lawful ability to “step in” and affect a process which was conducted according to procedures set out at the beginning of the process. The process followed in 2022 was in conformance with generally accepted management principles and resulted in the presentation of 3 highly qualified external candidates. A Personnel Board, even if it had existed, would have no authority to intervene in the selection process.

4. *“So If this board still exists, when was the last time a vacancy post was published?”*

The Personnel Board no longer exists as its duties were designated to be performed by the Town Manager by the Charter. There are no vacancies.

5. *“If it was dissolved who made that decision and when? Were the responsibilities absorbed into Town departments without the community or public getting to have a say about it? If it is in fact defunct, who has taken on those responsibilities?”*

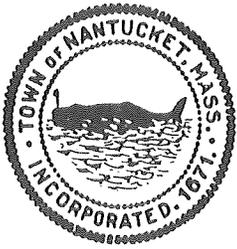
The decision to place the duty regarding town personnel with the Town Manager was made by the voters at Town Meeting by adopting the Charter. That Charter was later passed by the State Legislature and signed by the Governor. Personnel duties are designated to be performed by the Town Manager by the Charter adopted by the voters.

6. *“Who played that role in the fire chief search and application review? Who made that decision?”*

The Town Manager put in place a fire chief search committee. That committee has acted in accordance with the Charter/state law, town policy, and generally accepted best practices.

7. *“How does a by-law change? And if this by-law was changed, why does it remain active in our Town By-Laws?”*

A bylaw may be changed by Town Meeting. There are several bylaws contained within the Town Code which most likely need to be updated and/or removed, due to the existence of the Charter, which has superseded these bylaws.



TOWN AND COUNTY OF NANTUCKET

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Statement from Libby Gibson, Nantucket Town Manager: Fire Chief Appointment

August 17, 2022 Select Board Meeting

The appointment process for department heads within Town Administration is outlined in the Town Charter. A solid hiring process was followed for the Fire Chief position earlier this year. The town engaged a highly regarded professional search firm to lead the search effort, which yielded several impressive candidates. To be considered finalists for the position, candidates had to meet or exceed many stringent prerequisites such as a minimum of 15 years of professional experience in an organized fire department with at least five years of experience in a command capacity, along with extensive fire service administration and leadership experience.

A fundamental responsibility of municipal government leaders is to make informed, thorough decisions to ensure public safety for the community and its citizens. We do not take this responsibility lightly on Nantucket. Again, as town leaders we have an obligation to provide efficient and effective public safety. The hiring process was impartial and rigorous and designed to attract the best and most qualified fire service professionals.

I'm pleased that Michael Cranson, former Chief of the Portsmouth, R.I. Fire Department, was offered and has accepted the position and has signed a contract to lead the Nantucket Fire Department. Chief Cranson will be joining a team of fire service professionals, who so courageously fought last month's Veranda House blaze --the largest fire on the island in decades. We are grateful to each member of the department for their service to the community. I am also confident that under the leadership and guidance of Chief Cranson, a comprehensive succession plan will be developed, positioning our firefighters to assume future leadership roles within the department.

Unfortunately, the divisive and mean-spirited tone that has dominated national political conversation in recent years has finally made it to the shores of Nantucket. It has overshadowed the value and importance of the hiring process and promoted a non-productive and misleading narrative.

I'd like to believe Nantucket is better than this. It is imperative that we all work together amicably and cooperatively for the common good of our community. I am confident that we can move beyond the misinformation and once again engage in productive dialogue. We are grateful that the Local Fire Union 2509 embraces language in its contract that states as its purpose "to promote harmonious relations between the Town and the Union."

I know many islanders will join us in moving our community forward, and welcome Chief Cranson to Nantucket this fall.

August 17, 2022 Select Board Meeting - Follow up to August 3, 2022 Public Comment
Regarding Fire Department

Public Comment:

“We are understaffed, underpaid and underequipped. We go years without offers or offers of zero during Town negotiations”

Response:

Staffing: In 2018, Town Administration undertook a Town-wide (excluding School, Airport, Water) staffing study. There were several recommendations pertaining to the Fire Department.

See Update

Staffing will undergo a review with the new Chief.

Recruiting and retaining staff is challenging, Town-wide. Town Administration has launched initiatives to address this, including: engagement of a consultant to assist with Succession Planning; and, a town employee housing assistance pilot program, funded with \$1m from the 2022 annual town meeting.

Compensation: See attached for the most recent collective bargaining contract terms agreed to between the Town and the Fire Union; additionally, a Town-wide (excluding School) Classification and Compensation Study is underway.

Equipment: See link for what has been approved for the Fire Department for capital items & budget items for the past 4 years.

[Recent Investments in the Nantucket Fire Department | Nantucket, MA - Official Website \(nantucket-ma.gov\)](#)

Town and County of Nantucket

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IAFF Compensatory Contractual Changes: 7/1/2020 – 6/30/2023

Article 25 Wages:

7/1/2020 1.5%

7/1/2021 1.5%

7/1/2022 1.5%

- Base wage increases of 3% effective 7/1/2020 with the elimination of the base step in the wage table;
- New 15 years of service step that is 5% above the 10 years of service step;

Article 14.2 Education Increments:

- Increase in the weekly certification pay from \$10.00 to \$15.00 per certification, with a max of 10 certifications per member;

Article 16 Recall to Duty:

- Special Third-Party Detail Work rate increased from \$48.00 to \$60.00 per hour, with a minimum of 4 hours;

American Rescue Plan Act:

- Members hired prior to January 1, 2022 received a one-time payment of \$2,500;
- All Members receive \$5.00 per hour for each hour worked that involve regular in-person interaction from January 1, 2022 to December 31, 2024, with a maximum payment of \$10,000 per member.

15 - year Firefighter/EMT with 5 Certifications

	1/1/2020	7/1/2020	7/1/2022
Base Wage	\$ 76,603.00	\$ 86,611.35	\$ 89,229.18

Longevity (4%)	\$ 3,064.12	\$ 3,464.45	\$ 3,569.17
ARPA	\$ -	\$ -	\$ 12,500.00
Certification Pay (5)	\$ 2,600.00	\$ 3,900.00	\$ 3,900.00

Total \$ 82,267.12 \$ 93,975.80 \$ 109,198.35
Percentage Increase 14% 16%

New Hire Firefighter/EMT with 5 Certifications

	1/1/2020	7/1/2020	7/1/2022
Base Wage	\$ 57,903.00	\$ 60,534.69	\$ 62,364.35
Longevity (0%)	\$ -	\$ -	\$ -
ARPA	\$ -	\$ -	\$ 10,000.00
Certification Pay (5)	\$ 2,600.00	\$ 3,900.00	\$ 3,900.00

Total \$ 60,503.00 \$ 64,434.69 \$ 76,264.35
Percentage Increase 6% 18%

DRAFT STAFFING STUDY RECOMMENDATIONS IMPLEMENTATION PLAN (UPDATE 10/16/19)

REC #	RECOMMENDATION	STATUS	COMMENTS	PRIORITY	PERSON(S) RESPONSIBLE
FIRE		10/16/2019	10/16/2019		
82	Increase shift staffing targets to six firefighters and one captain per shift.		In progress but requires union negotiations and increased budget. Develop a plan to increase shift staffing targets, either by increasing staffing per shift or the creation of an additional power shift	1	Fire Chief
83	Create a Deputy Chief of Training and Administration position and reclassify the current Deputy Chief position into a Deputy Chief of Operations position.		Completed	2	Fire Chief
84	Assign each Captain an area of operations or administrative specialization.		Not begun yet. Requires union negotiations	2	Fire Chief
85	Develop an annual training plan and standardize training across shifts.		In progress. ATP exists but to be updated to reflect ALS.	2	Fire Chief
86	Develop special teams for high angle, confined space, and trench rescue on each operations shift.		In progress. New facility will have proper training area; required negotiations and long-term operational planning.	2	Fire Chief
87	Adopt scheduling requirements and a training policy for on-call firefighters.		Not begun yet. Chief to identify the training needs for on-call firefighters	2	Fire Chief

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REC #	RECOMMENDATION	STATUS	COMMENTS	PRIORITY	PERSON(S) RESPONSIBLE
88	Establish a quality control program for Emergency Medical Services (EMS).		Department follows state requirement. Department to identify goals for EMS process improvement at local level, if necessary.	2	Fire Chief
89	Develop pre-plans, starting with the major events and the highest-risk properties.		In progress internally and with Town's Hazard Mitigation Plan.	1	Fire Chief
90	Develop a company-based fire prevention program.		Robust plan exists. Recommendation is to develop a plan for shifting some fire prevention responsibilities to firefighters	1	Fire Chief
91	Install mobile data units on fire and EMS apparatus.		Not begun yet. Requires union negotiations	2	Fire Chief
92	Implement a centrally-managed, utilization-based preventative maintenance scheduling process.		Not begun yet. Requires union negotiations; increased funding for positions and equipment and Select Board support.	2	Deputy Chief of Training and Administration; Maintenance Captain; Deputy Chief of Operations