SELECT BOARD

Minutes of Meeting of September 29, 2021. The meeting took place via remote participation using Zoom Webinar. Members of the Board present were Jason Bridges, Matt Fee, Kristie Ferrantella, Dawn Hill Holdgate and Melissa Murphy.

I. CALL TO ORDER

Chair Bridges called the meeting to order at 5:30 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 posted, plus the addition of two agenda items: an additional announcement about the upcoming Island Fair; and, a request from Hillary Rayport, Chair of the Nantucket Historical Commission with respect to a Conflict of Interest disclosure that is time sensitive and unknown at the time the agenda was prepared. Chair Bridges indicated that item would be taken up under New Business.

III. ANNOUNCEMENTS

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

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

2. COVID Vaccine Clinics: 1st Way School Administration Site, Thursdays from 4:30 to 6:30 PM and Sundays from 12:00 to 2:00 PM. See https://www.nantucket-ma.gov/2028/COVID-Vaccine for Full Schedule.

3. F Street Pier Repairs Start on Monday, October 4; Pier will be Closed – Jackson Point Boat Ramp is Alternate.

4. Select Board Announcements/Comments. There were no comments.

Mary Longacre of the Island Fair Committee provided an announcement as to events occurring this year in lieu of an Island Fair, on Saturday, October 2, 2021. She displayed a map of the events and indicated where additional information may be found.

Ms. Longacre made an additional announcement as to the availability of the draft Coastal Resiliency Plan and an upcoming informational meeting.

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

There were no comments.

V. PUBLIC COMMENT

There was no public comment.

VI. COVID-19 UPDATE

1. Public Health Department Update. Public Health Director Roberto Santamaria provided information as to the number of positive cases, testing and vaccine distribution, wastewater testing results which show

approximately one case per day. He reviewed upcoming changes to the vaccine clinic, including hours, days and location. He reviewed the eligibility for third vaccine doses. Robert Liddle asked about differing vaccines with the third dose. Mr. Santamaria explained that the public health advice is to stick with the original vaccine manufacturer but if not available another may be used.

VII. NEW BUSINESS

Ms. Gibson summarized the request and introduced Ms. Rayport. Ms. Rayport explained that as a member of the Nantucket Historical Commission, which has applied for a Community Preservation Act grant to create specific plans for the rehabilitation and restoration of a portion of sidewalks on Main Street, along which, she is a property owner, she is seeking a determination regarding financial interest from her appointing authority, the Select Board. She requested that the Board find that her financial interest is not substantial enough to likely affect the integrity of her services to the Town. She noted that the grant application is coming up for discussion before the Community Preservation Commission on October 6, 2021. Mr. Fee moved to determine, pursuant to Massachusetts General Law chapter 268A, section 19, that Ms. Rayport's interest in the grant application as a property owner in the area to be covered by the grant is not substantial enough to likely affect the integrity of her services to the Town; seconded by Ms. Murphy. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes.

VIII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of September 8, 2021 at 5:30 PM; September 22, 2021 at 5:30 PM. Mr. Fee moved approval of the minutes and the next item #2; seconded by Ms. Holdgate. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes.

2. Approval of Treasury Warrants for September 29, 2021.

3. Approval of Pending Contracts for September 29, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Gibson reviewed the contract with Ms. Johnson and noted there will be a "Not To Exceed" limit of $50,000. Ms. Murphy spoke in favor of the contract. Ms. Gibson briefly reviewed the contract with Environmental Partners Group. Ms. Murphy moved approval of the pending contracts; seconded by Ms. Ferrantella. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes.

IX. CITIZEN/DEPARTMENTAL REQUESTS

1. Nantucket Pond Coalition Update. Robert Williams of the Nantucket Pond Coalition provided a presentation as contained in the materials included in the Board's posted agenda packet. He reviewed current and proposed projects at Consue Springs (marsh restoration); a shoreline restoration project at Hummock Pond, with treatment of phragmites covering about 30 acres of the pond, resulting in open vistas and increased access to the pond. Mr. Williams noted numerous organizations and neighborhood groups which have contributed and collaborated on these and many other initiatives. He explained an additional proposed project involving the dredging of Miacomet Pond, including the benefits of such a project. Mr. Williams thanked Ms. Gibson, Natural Resources Director Jeff Carlson and other Town officials and groups for their support. Mr. Fee asked about the phragmite treatment. Mr. Williams explained the specifics. Some discussion followed. Mr. Williams noted that initial views following treatment are "not pretty" but once the invasive species have been destroyed, natural vegetation grows and becomes much more slightly and environmentally beneficial. Ms. Ferrantella commended Mr. Williams for his work and said she appreciates this model as a very functional public-private partnership.

2. Sustainable Nantucket: Request for Extension of Street Blocking Permit for Farmers and Artists Market for Friday and Saturday, November 26 and 27, 2021 from 9:00 AM to 3:00 PM at Cambridge and North Union Streets, and Friday and Saturday, December 3 and 4, 2021 from 9:00 AM to 3:00 PM at E. Chestnut Street. Licensing Administrator Amy Baxter explained the application and noted that the locations for December 4th are both problematic because of the Christmas Stroll event and the St. Mary's Church Fair. Ms. Ferrantella asked about other locations. Ms. Baxter indicated nothing downtown. Ms. Allie Penta representing Sustainable Nantucket indicated agreement with the dates and locations as reviewed by Ms. Baxter. Mr. Fee moved approval of application for November 26 and 27 at Cambridge and North Union Streets, and December 3 at Cambridge and North Union Streets; seconded by Ms. Murphy. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes.

X. PUBLIC HEARINGS
1. Public Hearing to Consider the Taking of Portions of North Road, Siasconset as Shown as Lots A, B and C on Plan of Land Entitled "Roadway Acquisition Plan in Nantucket, Mass. of a Portion of Unconstructed 'North Sias Road'," Dated March 25, 2021, Prepared by Bracken Engineering, Inc. for Public Ways and/or General Municipal Purposes and for the Purpose of Conveyance of the Fee Title or Lesser Interests, Together with any Public or Private Rights of Passage, as Authorized by MGL Chapter 79 and Vote on Article 107 of 2020 Annual Town Meeting (Continued from May 26, 2021; June 23, 2021; July 21, 2021; August 18, 2021; MATTER WITHDRAWN). Chair Bridges noted withdrawal of the item. No further action taken by the Board.

XI. TOWN MANAGER'S REPORT
1. Monthly Town Management Activity Report. Ms. Gibson provided an overview of the report, as attached herein. No questions from the Board.

XII. SELECT BOARD'S REPORTS/COMMENT
1. Discussion Regarding Town Government Study Committee Report (tabled from September 22, 2021). Chair Bridges noted that the Government Study Committee reviewed its report with the Board earlier this year and at that time the Board agreed to discuss it further this fall and potentially determine whether to advance any of the recommendations to the 2022 Annual Town Meeting. Government Study Committee Chair John Brescher gave a brief overview of each of the recommendations contained within the report one by one, as contained in the materials included in the Board's posted agenda packet, as follows:

1 - Basic Form of Government in Nantucket. Recommendation to establish a special commission to investigate the form of Nantucket's government and Town Meeting. Ms. Ferrantella noted she was on the Committee prior to joining the Select Board and expressed support for the recommendation. Ms. Murphy agreed and added she would not like to see the process start from scratch since review and discussion has already occurred with the Committee. Mr. Fee agreed and said a representative town meeting should be examined. Ms. Holdgate concurred. Chair Bridges agreed as well. Some discussion followed. Ms. Murphy said if a special commission is established, some of the other recommendations should be prioritized and/or put before the special commission. Some discussion followed. Ms. Murphy suggested that the recommendations be reviewed tonight with comments but that a future facilitated conversation occur as to those the Board wants to pursue. She said she is mindful of the Town Administration workload, currently. Ms. Ferrantella agreed. Discussion continued on how the Board can prioritize and/or agree on what to move forward. Gary Beller, speaking as Chair of the Advisory Committee of Non-Voting Taxpayers, stated

that the Committee was very interested in this report, and that the Committee supports the special commission recommendation. He added that there is a need for “considerable public education” as to what an alternative form of government would look like, with a lot of detail. Sarah Ellis commented that access to voting is more important than a different form of government. Mr. Brescher described an online presentation he, the Town Clerk and the Town Moderator attended as to the possibility of a remote town meeting or a remote aspect to town meeting.

2 – Organization of Local Government. Mr. Brescher explained the recommendation. Ms. Gibson said that the recommendation to amend the Charter to include a requirement for an annual presentation of an organizational chart seems unnecessary and that upon request Town Administration can provide or present such a chart and that it is published annually in the Town Report. She said the suggested “guide” could be developed but that, again, a Charter change is not needed. Mr. Brescher noted that the recommendation perhaps is for more of a “flow chart”. Ms. Ferrantella said she does not feel a charter change is necessary. Ms. Holdgate said this seems more like a recommendation to Town Administration. Ms. Murphy agreed with Ms. Holdgate and suggested that “Frequently Asked Questions” be updated and added to routinely.

3 – Semi-Annual Town Meeting. Mr. Brescher reviewed the recommendation. Town Counsel John Giorgio spoke on the town meeting charter requirements of other towns and noted that “annual” town meetings have various statutory associations that would need to be addressed. Mr. Fee indicated he thinks this is unnecessary and noted that town meetings do take a lot of time to put on. Ms. Murphy concurred with Mr. Fee and suggested a special commission could review this and agreed with the cost of a town meeting including staff time. Ms. Ferrantella agreed with Mr. Fee. Ms. Holdgate agreed as well and said she doesn’t see a problem that needs to be solved here. She also commented on the expense of a town meeting.

4 – Code Enforcement. Mr. Brescher said there is no recommendation made for a Charter change but a suggestion to Town Administration as to a regular report.

5 – Audit Committee. This recommendation has been advanced already and voted on by Town Meeting.

6 – Historic District Commission Charter. No recommendation made. Chair Bridges asked how a review of the HDC special act could occur. Mr. Giorgio said the Board could initiate such a review.

7 – Establishment of a Licensing Commission or Board. Mr. Brescher reviewed recommendations 7 and 8 together, noting that neither necessarily requires a charter change. Ms. Gibson commented that this recommendation as well as the next two call for commissions independent of the Select Board to take on statutory duties of the Board and would require additional administrative infrastructure in order to be effective. She added that if all of these were advanced and approved, the original concept of the Charter which was to centralize government would be decreased. Mr. Fee said he feels a Licensing Board would be easier to establish and staff. Discussion followed about both recommendations. Ms. Ferrantella spoke in favor of a Licensing Board. Chair Bridges spoke in support of a Licensing Commission.

8 – Parking Commission. Ms. Gibson noted that at the Board’s November 20, 2019 meeting the idea of a parking commission was raised and it had been generally agreed to review once a position of Parking Coordinator was established, funded and filled. That position is not currently funded.

9 – Establishment of a Sewer Commission. Mr. Brescher reviewed this recommendation. Ms. Gibson noted that it seems questionable whether or not a charter amendment is necessary for this purpose since it is

already contained as a possibility in the 2008 Nantucket Sewer Act. Ms. Holdgate suggested a review that would combine Sewer and Water into one commission.

10 – Airport Capital Projects. Chair Bridges said this recommendation has already been advanced and voted on by Town Meeting.

11 – Revisions to the Parks and Recreation Commission. Mr. Brescher commented that this issue may be "moot" due to recent developments. Ms. Gibson said she has comments on both:
A – with respect to re-instituting the Parks and Recreation Department as a separate entity, she is not sure what "entity" means; and, reviewed history of when Parks and Recreation was a separate entity, prior to the adoption of the Town Charter.

B – with respect to the recommendation that the Select Board appoint the Parks and Recreation Commissioners rather than the Town Manager, if that is what the Board so desires, so be it; however, she believes the recommendation was generated from individuals who were not appointed and/or reappointed to the Commission and that those types of complaints certainly occur when the Select Board is handling appointments.

Mr. Fee commented that he believes this recommendation came about because "we have not done a good job" with Parks and Recreation and hopefully it is improving.

12 – Town Ombudsman. No recommendation. Mr. Brescher reviewed the Committee's discussion.

13 – Government Study Committee. Recommendation to have the Town Moderator appoint this group, rather than the Select Board.

14 – Review to the Charter. Several recommendations are contained in this category. Mr. Brescher commended Attorney Lauren Goldberg from Town Counsel's office for assisting with these recommendations and that most are "clean up". Mr. Giorgio suggested that the Board could authorize the preparation of one article incorporating all of these changes. There was general Board consensus for this.

15 – Number of signatures for a Citizen Warrant article. Recommended that the charter be amended to require 25 signatures instead of 10. Town Counsel John Giorgio explained that this would need to be a home rule petition. He noted in another town (Weston) the signatures were increased to 50. Ms. Holdgate suggested aligning it with election nomination papers, which is a similar number to 50. There was general Board consensus to authorize Town Counsel to include this change in the "clean up" article. Ms. Gibson commented that in her opinion with 33 years of experience working on town meeting warrants, increasing the number of signatures to 50 is unlikely to reduce the number of "frivolous" citizen petitions as indicated in the Committee's narrative to this recommendation. Ms. Longacre commented on the number of signatures and connecting it to the population. Brooke Mohr recommended a fixed number not a number that varies with the population. The Board was in general consensus to set the number at 50.

16 – Extending Moderator's Term to Three Years. Already contained in prior recommendations of item 14. The Board was in consensus to include this in the "clean up".

17 – Non-Voting Taxpayer representation at Town Meeting. Mr. Brescher reviewed the Committee's discussion about this which centered around trying to give non-voters additional access to speaking at

Town Meeting. The recommendation related to allowing non-voting taxpayers to have increased opportunity to speak at town meeting. Ms. Holdgate spoke in favor of making this at the discretion of the Moderator. Mr. Beller spoke against part of the recommendation relating to the removal of a provision of the Town Code allowing a Non-Voting Taxpayer to speak at a town meeting. Some discussion followed. Ms. Murphy suggested allowing the Moderator the discretion to permit additional non-voters to speak at town meeting. The Board was in general agreement with Ms. Murphy's suggestion, to be put in the "clean up" article.

18 – Collaboration between elected and appointed Boards and Commissions. Mr. Brescher reviewed two recommendations:
A – that a joint annual meeting be held between all elected boards and commissions to discuss "collective community priorities"

B – that a bi-annual review of the charge to each committee be conducted.

Ms. Ferrantella said a meeting with all boards could be cumbersome, but they could be sent the Board's Strategic Plan and other plans, routinely. Some discussion followed on the joint annual meeting idea. Chair Bridges thanked Mr. Brescher for his time and efforts of the Committee.

2. Committee Reports. No reports.

XIII. ADJOURNMENT
Ms. Ferrantella moved to adjourn at 7:37 PM; seconded by Ms. Holdgate. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Holdgate – Yes; Ms. Murphy – Yes.

Approved the 6th day of October 2021.

SELECT BOARD
SEPTEMBER 29, 2021 – 5:30 PM
REMOTE PARTICIPATION VIA ZOOM
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- III. 5. Island Fair Family Fun Day map & schedule
- VII. New Business - Request from Hillary Rayport re: Conflict of Interest determination
- VIII. 1. Draft minutes of 9/8/2021; 9/22/2021
- VIII. 3. Pending Contracts spreadsheet
- IX. 1. Nantucket Pond Coalition Synopsis of 2021 Projects; Pond Coalition Narrative; Nantucket Pond Coalition Update presentation
- IX. 2. AIS re: Sustainable Nantucket request for Holiday Farmers Market dates; Portion of 11/4/2020 SB minutes; Emails and letter from Sustainable Nantucket and permit applications for Holiday Farmers Market; Letter of support from Farmers Market vendors
- XI. 1. Monthly Town Management Activities Report
- XII. 1. Town Government Study Committee establishment, responsibilities; Town Government Study Committee 2021 Final Report

Monthly Town Management Activities Report
September 29, 2021
As of 09/23/21

Highlights (major projects):
*Plans/Reports/Studies**

- Coastal Resiliency Plan – actively underway
- Strategic Plan (implementation on-going)**;** updated Strategic Plan for 2020-21 adopted at 1/13/21 Select Board meeting; staff working on implementation planning **& check-in with SB Oct 13**
- Madaket Water Quality Improvement Plan –contract on 3/17 agenda for update of conceptual design and estimated cost; **consultants working on updates to route and costs;** then, will schedule review with SB and with Madaket group**;** meeting with Madaket group scheduled; met with Madaket group, working on follow-up; **reviewing report from Weston & Sampson, will schedule review with SB in Octo**
- Facilities Master Plan – Select Board workshops in November and January; follow-up workshop with Town Admin recs scheduled for ~~June 28~~ ~~**July 8**~~ **August 19**; concession planning led by Facilities working with Park & Recreation Commission and other stakeholders for input (Coastal Res; Historic Pres, etc); contract with Weston & Sampson for professional assistance will be on upcoming SB agenda – *this will need to be put on hold for now until Facilities Director position is filled*
- Baxter Road long-term planning – contract executed with Arcadis at 2/10/21 SB meeting; update expected in early April; update given at 4/14 SB meeting; update provided to SB on 7/14; **stakeholder final input meeting 9/14; final report to be presented 10/6**
- PFAS Town-wide Risk Assessment – report presented at 2/10/21 SB meeting; staff working with consultant on next steps; inquiries rec'd and responses provided to Airport area (and beyond) residents; update on PFAS efforts provided to SB on 7/7**;** working with CDM Smith on Phase II assessment; facilitated public information session 8/17/21; numerous PFAS issues being worked on; **update provided to SB 9/22; next public info session in October**

Meetings

- Department Heads 1:1
- Cabinet
- Admin Staff – meeting monthly
- Agenda Prep – weekly meetings
- Select Board – individual meetings, weekly
- 2021 Annual Town Meeting and Election follow-up
- **2022 ATM prep**
- Cape Cod Managers – monthly
- Summer Issues Team
- PFAS – communications, planning
- Solid waste long-term planning/weekly
- FY 23 Capital project request review meetings
- **FY 23 Budget pre-prep**
- **DPW Operations (weekly if not more frequent)**
- **Behavioral Health Steering Committee**
- **OIH**
- **Capital Program Committee**
- **Cabinet Retreat planning**

Events

- Workshop speaker for annual ICMA Conference in October

*Projects/Other**

- COVID-Related: working on restoring "normalcy" with meetings, projects; addressing/dealing with COVID-related delays and impacts
- Nobadeer Field House – construction/review of plans underway; **procurement of construction oversight engineer**
- Town Pier
- Harbor Place (scope of work for intermodal transportation underway, per 2020 ATM)
- Third Sewer Force Main **–** planning underway; **bids due end of October**
- Waitt Dr
- **SBPF/Baxter Rd**
- **DEI Strategic Plan RFP**
- **Classification & Compensation Study**
- **Committee Handbook update**
- **Development/update of fall/winter projects map/timeline**
- **Sustainability function within Town government – internal development**
- **Seasonal employee housing site design**
- **Procurements for: town employee rental housing; playing field maintenance;**
- **Prioritization of DPW projects**
- **OIH**
- **Downtown sidewalk repairs**

MANY ITEMS HAVE HAD TO BE PUT ON HOLD DUE TO COVID-19 PANDEMIC RESPONSE – some of these include:

- *Revisions/Updates to the Real Estate Yard Sale Program* – working on review of proposed revisions with Board
- *Pool Discharge* ***(and/or Stormwater****) Regulations* ***– in queue***
- *Marijuana License Regulations*
- *Sheep Pond Road –* ***working on alternative access options; other "issues" with residents***
- *Government 101 – in queue –* ***assigning to a WPI group***
- *Comparison of WIIF to CIWPF to short-term rental tax community impact fee –* ***in queue***
- *Regulations Codification project – have rec'd codified regs; need to schedule public hearings with 8 Boards/Commissions –* ***in queue***

Personnel

- Collective Bargaining Negotiations (all units)
- ~~Transportation Planner~~
- ~~Deputy DPW Director/Facilities~~
- ~~DPW Director~~
- ~~Asst Treasurer~~
- ~~Land Use Specialist/PLUS (position handling HDC):~~ **Filled**
- **PENDING: Park & Rec Director**