

SELECT BOARD

Minutes of Meeting of October 20, 2021. The meeting took place via remote participation using Zoom Webinar. Members of the Board present were Jason Bridges, Matt Fee, Kristie Ferrantella and Melissa Murphy. Dawn Holdgate joined the meeting later as noted.

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.

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 Clinic: 131 Pleasant Street Trailer, Sundays from 12:00 to 3:00 PM. See <https://www.nantucket-ma.gov/2028/COVID-Vaccine> for Full Schedule.

3. Public Question and Answer Session Regarding PFAS and Drinking Water on Thursday, October 21, 2021 at 5:30 PM via Zoom; Register in Advance at <https://us02web.zoom.us/join/zoom/register/tZUuduCupjMuG9Mtyblaer0hWyEXzRd7IK8G>.

4. Cape Cod and Islands Commission on the Status of Women in Partnership with the Nantucket Community School is Sponsoring an Informal Listening Circle on Saturday, October 23, 2021 from 1:30 PM to 3:00 PM at 56 Centre Street; Register at CCICSWinfo@gmail.com. Ms. Murphy urged public attendance at the event, noting that the more information that can be gathered through the event, the higher the possibility of actionable outcomes.

5. DPW:

- Hazardous Waste Collection Event for Households and Very Small Quantity Commercial Generators to be Held Saturday, October 23, 2021 from 9:00 AM to 1:00 PM at 188 Madaket Road, DPW Office Entrance.

- Textile Reuse and Recycling Collection (Drop-off Only) at Take-It-or-Leave-It Area at Landfill to be Held Sunday, October 24, 2021 from 8:00 AM to Noon.

Ms. Gibson added that at next week's meeting, she expects a brief update on the reopening of the Take-it or Leave-it facility and emphasized that since it has been closed for so long, a high volume of items is expected initially; however, the facility is not set up for that type of volume and urged people to be patient and behave accordingly.

6. May 2, 2022 Annual Town Meeting:

- Warrant Open for Citizen Warrant Article Submittals through 4:00 PM on November 15, 2021. Ms. Gibson suggested that citizen petitioners obtain more than the required ten signatures to ensure they achieve the necessary number, if signers are not actually registered voters.

7. Select Board Announcements/Comments. Mr. Fee said that “black algae” in the harbor is the worst people have ever seen. He asked for updates on fertilizer enforcement and other measures to improve water quality. Chair Bridges spoke on bike and scooter share programs he observed in Providence, RI last weekend during a visit, cautioning about scooters and associated safety issues.

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

No follow-ups.

V. PUBLIC COMMENT

Meghan Perry asked about conflict of interest with regard to Select Board members' receipt of campaign funds in connection with a public-private partnership between the Town and the Sconset Beach Preservation Fund (SBPF), citing contribution percentages for Select Board members from addresses on Baxter Road. Ms. Perry questioned the Select Board's request of the Conservation Commission that it outline its legal strategy in connection with a request for special legal counsel and asked who is representing the ConCom, currently. Chair Bridges said that the Town Manager would respond to these questions via email.

Brooke Mohr said that a survey is being developed with the Nantucket Community School and A Safe Place through the Health Community Collaborate regarding translation services and asked people to please respond. She provided contact information.

VI. COVID-19 UPDATE

1. Public Health Department Update. Chair Bridges said that after this week, the update will go to a bi-weekly schedule. Human Services Director Jerico Mele reviewed positive cases, the positivity rate, testing and vaccinations. He said the positivity rate has slightly increased and attributed that to an increase in indoor activities, which he said is likely to cause a continuing increase. He reviewed the vaccination schedule and said that the Town vaccination program will be phased out by the end of November; however, other providers will still be providing vaccinations. He noted that the wastewater testing results are continuing to indicate a steady state regarding cases per day currently. Mr. Fee asked what percent of teachers and school students have been vaccinated. Mr. Mele estimated approximately 65% of the eligible student population. He noted vaccinations of younger children is still pending Centers for Disease Control (CDC) approval. Mr. Fee asked about the teacher vaccinations, adding that he is trying to encourage people to get vaccinated so that masks can be taken off. Mr. Mele said he believes approximately 80% of teachers are most likely vaccinated.

VII. NEW BUSINESS

No new business.

VIII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of February 12, 2020 at 6:00 PM; October 13, 2021 at 5:30 PM. Ms. Ferrantella moved approval of items VIII-1 through 3; seconded by Mr. Fee. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Approval of Payroll Warrants for October 17, 2021.

3. Approval of Treasury Warrants for October 20, 2021.

4. Approval of Pending Contracts for October 20, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Mr. Fee moved approval of the pending contracts; seconded by Ms. Murphy. So voted by roll call vote: Chair Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

IX. REPORTS

1. Nantucket Historical Commission: Update. Nantucket Historical Commission (NHC) Chair Hillary Rayport reviewed the report of the Commission, as contained in the Board's agenda packet. Mr. Fee thanked Ms. Rayport for the presentation, saying he is pleased with the Commission's achievements. He asked about a denial of an application for funding for a sidewalk rehabilitation study by the Community Preservation Committee. Ms. Rayport responded and said she may be asking the Town for the funds, noting that the denial was "puzzling". Mr. Fee spoke in support of the proposed project. Chair Bridges commented on an event sponsored by the NHC in honor of African American Arthur Cooper over the summer, complimenting the effort and the event. Some discussion followed on other projects of the NHC. Bruce Mandel thanked Ms. Rayport for the presentation and asked if there are any resources available to determine if any structures in Madaket are historic. Preservation Planner Holly Backus responded. Ms. Rayport reviewed when the NHC meets and encouraged public participation.

X. TOWN MANAGER'S REPORT

1. Assessor: Review of Tax Rate Shift Options in Advance of November 17, 2021 Public Hearing. Ms. Gibson introduced the item, noting that often there are Board member questions during the annual tax rate hearing, and through consultation with the Chair and Vice Chair it has been suggested that an advance discussion could be helpful so that if the Board wants to make any substantive tax rate shift changes, those can be prepared ahead of the hearing. She noted there is a timing issue with setting the tax rate with the Department of Revenue and the printing and issuance of the tax bills in a timely manner and if there were to be a substantive change to the tax rates, it becomes problematic. She introduced Assessor Robert Ranney and Finance Director Brian Turbitt to provide a presentation. Mr. Ranney reviewed the presentation in the Board's agenda packet and reviewed how the tax rates are set, the municipal limitations set by the state and the specifics of Nantucket's tax levy, with a 10-year history of the tax rates for each tax classification. He explained and reviewed the residential exemption, noting it is currently set at 25%. He reviewed various shift scenarios. Mr. Fee suggested a slight decrease in the commercial rate. He said a lot of "residential" properties are being used commercially. Some discussion followed as to when the residential exemption increased from 20% to 25%. Ms. Ferrantella said it was helpful to see this information before the hearing and thanked Mr. Ranney for the presentation. Mr. Fee reviewed some numbers pertaining to the residential exemption with respect to valuations. He said the residential exemption is a "great benefit".

Ms. Holdgate arrived at 6:31 PM.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Review/Discussion/Adoption of Select Board Position Statement Regarding Sconset Bluff Erosion Control Project.

Ms. Gibson introduced the item, explaining that at recent executive sessions involving litigation with the Town and the Sconset Beach Preservation Fund (SBPF), the Board agreed to compile a list of "talking points" regarding various issues with the project; and that subsequently, staff proposed that the Board consider putting out a statement regarding the project so as to have a consistent message and serve to explain that the Select Board has to take into consideration many more issues than the Conservation Commission's (ConCom) regulatory role. She said that the statement was developed through Town Administration with some input from individual Board members. Ms. Murphy added that the Board members receive a lot of feedback from proponents and opponents of the project and it is important to give the community context as to how the Board may be making its decisions about the project. She said it is important to her to hear from the wider Nantucket community about the project, not just stakeholders so as to "contextualize" the Board's concerns and issues. Chair Bridges concurred. Mr. Fee spoke on the Board's goals and read from the draft statement. He spoke on the goals and the need for a partnership to move forward and resolve this issue, he added that a model for sand sources and funding could be derived from this situation. Ms. Holdgate agreed it is important to get the Board's concerns consolidated into a concise list. She said that there are too many factors that have become involved, including personalities, strong positions, and it has caused the Board not to know how to proceed. She said she hopes this position will become something of a "restart" to the project, if the "picture can become clearer". Ms. Ferrantella agreed with the Board members' comments, saying she views the position as dynamic and can change but provides a framework from which to proceed. Mr. Fee noted this is a draft and is open to public input. Ms. Murphy said the Board should determine a time frame for certain things, such as toe protection for the bluff and how long that would be retained. Mr. Fee agreed and said a goal needs to be a hold harmless agreement from neighbors with respect to the use of private property. He said criteria should be established, for potential trigger points, such as width of the beach. Ms. Murphy suggested adding "caveat language" to the strategy contained in the statement regarding the toe protection. Mr. Fee agreed and said he felt some language could be developed. Ms. Holdgate suggested some language to the effect that the toe protection will not be permanent and will need to be re-evaluated. Some discussion followed about potential criteria and triggers for certain actions to occur. Mr. Fee spoke about protection of the historic structures and areas in Sconset. Ms. Murphy spoke about various considerations that could involve other areas, including funding. Chair Bridges commented on the need to evaluate and determine willingness to allow potential impacts to the environment in order to protect historic resources. Ms. Murphy suggested that public comment be taken by the Board and perhaps let the Board consider these and take up the position statement at a later time. Some discussion followed on this. Ms. Holdgate commented on adoption once the Board feels comfortable that the statement is complete. Mr. Fee concurred and cautioned that some time for this review and thinking by the Board is appropriate but not for long because there are a lot of other steps to be taken. Chair Bridges opened up discussion to the public. Emily Molden of the Nantucket Land Council said she appreciates the Board's considerations and for offering the opportunity for public input. She said that it is important to clarify some of the strategies contained in the draft statement, including how triggers will be determined. She asked the Board to consider specific failure criteria, noting that current failure criteria are specific. She said the final recommendations of the report prepared by Arcadis on long-term options for Baxter Road do not include expansion of the project and that the Board should be prepared to explain why that is a preferred strategy. She reiterated her appreciation for the Board to allow public comment on this issue. Mary Longacre spoke on the word "harm" being mentioned in the document and said it should be very specific otherwise it is too open to interpretation. She said she is "incredulous" that the Board would put forward a statement like this before completion of the Coastal Resilience Plan. Mr.

Fee commented that this area has been an on-going concern in many different ways for many years. Ms. Holdgate agreed with Mr. Fee, noting that this is an existing issue that has been happening, there is active litigation and this matter needs to be resolved. Chair Bridges said there is no intent to undermine the Coastal Resilience Plan, in any way. Mr. Fee commented on a letter previously submitted by the Land Council containing a cost-benefit analysis as to moving the road vs continuing the project, noting that the analysis was based on taxpayer funding and that may not be how this ends up. Burton Balkind spoke on community input into the Coastal Resilience Plan, with respect to key priorities. He said he thinks focusing on one part of the island without understanding sand sources is premature. Mr. Fee pointed out one of the strategies is to undertake a study for sediment transfer, source and delivery. He said a lot of sand is going to be needed. Bruce Mandel said he appreciates the Board's comments tonight, said the draft is "nice and good" and made several comments on the "broader context" of erosion projects and noted previous prioritization lists of the Town for erosion control measures, noting that Madaket used to be a higher priority. He said a current priority list should be developed in which Madaket is made a priority. Ms. Holdgate said that coming to a clearer path with respect to Baxter Road will help prioritize other areas and that if this project can move forward and provide a "blueprint" for other neighborhoods more projects could move forward concurrently. Ms. Longacre said she appreciated Ms. Gibson's initial comment that the document be used as a guide for the Board for consistent messaging and that it should remain a guide not a statement. She said the Coastal Resilience Plan should be the Board's guide. Helmut Weymar expressed support for what Ms. Holdgate said with respect to why Baxter Road is being prioritized. He said there is an active enforcement order and that if the project is removed, there may be a serious breach in Baxter Road which be extremely costly to the Town, to the taxpayers. He said the alternative is to maintain and extend the project, at private expense. Ms. Murphy commented on Ms. Longacre's suggestion that the statement be used internally and said the Board wants to communicate with the community fully and openly and that it isn't so much an adoption of policy as the Board's expression of its position with this project. She said she would like to consider the comments made and determine whether to integrate any of it within a week or two. Mr. Fee concurred. He reiterated that the Board needs to know how it is going to proceed, because there is a lot of work to be done. Ms. Murphy thanked Mr. Fee, Mr. Beaugrand and Ms. Gibson for their work on the draft statement.

2. Committee Reports. No reports.

XII. ADJOURNMENT

At 7:34 PM, Mr. Fee moved adjournment; 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.

Approved the 27th day of October 2021.

**SELECT BOARD
OCTOBER 20, 2021 – 5:30 PM
REMOTE PARTICIPATION VIA ZOOM
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 4. CCICSW Hearing More Voices Listening Circle
- III. 5. Hazardous Waste Day flyer; Textile Reuse & Recycling Collection flyer
- VIII. 1. Draft minutes of 2/12/2020; draft minutes of 10/13/2021
- VIII. 4. Pending contracts spreadsheet
- IX. 1. Nantucket Historical Commission update presentation
- X. 1. FY 2022 Residential Exemption & Tax Rate Shift presentation; classification scenarios
- XI. 1. SB draft position statement re: Sconset Bluff Erosion Control Project