

SELECT BOARD

Minutes of Meeting of December 15, 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 read a prepared statement as to how the meeting will be conducted via remote participation and the ground rules for any discussion and called roll for those present. He called the meeting to order at 5:37 PM following a County Commissioners meeting.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted as posted.

III. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson reviewed the following announcements:

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

2. COVID Vaccine Clinic: Sunday, December 19 is Final 1st and 2nd Dose Clinic of the Year from 12:00 to 3:00 PM at 131 Pleasant Street Trailer. See <https://www.nantucket-ma.gov/2028/COVID-Vaccine> for Full Schedule. Ms. Gibson reviewed the announcement and introduced Human Services Director Jerico Mele for an update as to recent COVID surges, state/nationwide. Mr. Mele reviewed the wastewater viral load results that were received today showing approximately 25 cases per day which is the largest increase to date on-island. He noted that positive cases are a “steady build” at this point – most likely community spread, although symptoms are mostly mild among the vaccinated; he provided background on the most recent variant “Omicron” noting again, that while symptoms are mild among the vaccinated, it is highly transmittable. He said that testing capacity is somewhat strained right now among the island providers due to labor issues. Mr. Mele reviewed current vaccine operations among island providers, he said extra days have been added among some and that Town staff is helping with some of these provider clinics. He said that a mobile clinic for the schools will be available next week and that most likely there will be extra doses for the community. He again reviewed demand for vaccinations with respect to scarcity of labor resources. He said that the state is distributing free rapid tests to certain communities, although Nantucket is not in the distribution areas. Ms. Ferrantella asked if Town could request that Nantucket receive some of the distributed tests. Mr. Mele said it could, he is not sure it would be successful; however, the Town has requested to purchase additional tests through the state Department of Public Health and that once received those can be made available. He added that it will be necessary to develop a distribution protocol to prevent stockpiling. Mr. Mele emphasized that positive rapid tests need to be confirmed with a PCR test as soon as possible. Ms. Ferrantella asked if there are any restrictions coming forward. Mr. Mele said that the Board of Health meets tomorrow and recommended that people wear masks in indoor public spaces. Ms. Ferrantella commented that Martha’s Vineyard is experiencing a similar surge and seems to have access to a mobile vaccine unit. Mr. Mele said it is most likely the same type of unit that he referenced earlier that will be used for the school. He noted logistical complications with getting the unit here on a regular basis. Mr. Fee commented on vaccine appointment availability and mask wearing and that people are taking it seriously in his observations. Chair Bridges thanked Mr. Mele for the updates.

3. Select Board/Planning Board: Joint Meeting for Applicant Introduction/Review of Applications for Appointment to Planning Board to Fill a Vacancy Scheduled for Wednesday, January 5, 2022, Pursuant to

Select Board Committee Appointment Policy. It was noted that no applications have been received yet for the Planning Board vacancy.

4. Applicant Introduction/Review of Applications for Appointment to Cannabis Advisory Committee and Nantucket Affordable Housing Trust to Fill Vacancies Scheduled for Wednesday, January 12, 2022, Pursuant to Select Board Committee Appointment Policy. It was noted that Ruth Tonico and Joseph Plandowski have submitted applications for the Cannabis Advisory Committee; and Meg Browers, Julianne Kever, Tari Cummings, Darcy Volpe, Tara Restieri, Shantaw Bloise, RJ Turcotte and Ruth Tonico have all submitted applications for the Affordable Housing Trust.

Ms. Gibson said that after tonight, the next Board meeting is scheduled for January 5, 2022.

5. Select Board Announcements/Comments. No comments.

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

There were no follow-up comments.

V. PUBLIC COMMENT

Campbell Sutton commented on an Affordable Housing Trust proposal to purchase property on Bartlett Road, with respect to the funds being used for the purchase and concerns that the location of “workforce housing” is too concentrated in a particular area. She referenced property in the Orange Street/Dave’s Street area and said that area should be developed for workforce housing.

Brooke Mohr asked what people are to do when they are exposed to COVID. Ms. Ferrantella referenced the Centers for Disease Control (CDC) website for advice.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Mr. Fee moved approval of items VII 1-3; seconded by Ms. Ferrantella. So voted by roll call vote: Chair Bridges – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes; Ms. Holdgate – Yes; Mr. Fee – Yes.

1. Approval of Minutes of December 8, 2021 at 5:30 PM.

2. Approval of Payroll Warrants for December 12, 2021.

3. Approval of Treasury Warrants for December 15, 2021.

4. Approval of Pending Contracts for December 15, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Gibson reviewed a contract amendment with Weston and Sampson for the Parks Master Plan; and, a contract with Eisenstein Flaherty Associates for interim nursing home administrator services for Our Island Home. Ms. Holdgate moved approval of the Pending Contracts as presented; seconded by Ms. Ferrantella. So voted by roll call vote: Chair Bridges – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes; Ms. Holdgate – Yes; Mr. Fee – Yes.

VIII. REAL ESTATE MATTERS

1. Request for Approval and Execution of Consent for Subdivision and Conveyance of Portion of 9 Auriga Street Shown as Lots 2 and 3 on Plan Recorded with Nantucket County Registry of Deeds as Plan No. 2021-14. Attorney Vicki Marsh of Town Counsel's office introduced the item as well as item VIII-2 and explained the proposed transactions. She reviewed a plan showing the details of what is proposed. Mr. Fee commented on how this situation "got through the system", while noting he does not have a problem with what is being proposed. He said he would like assurance that the cause of this issue will not happen again. Ms. Marsh reviewed the complexity of tracking properties like this and suggested that perhaps some kind of system could be developed with the Planning Board. Mr. Fee said that the Planning Board should be responsible for identifying this sort of situation, since subdivision applications go through them. Ms. Marsh said that fortunately, this is not an "objectionable" subdivision. Attorney Arthur Reade said that typically, the attorneys representing real estate transactions are responsible for things like this, which is what happened in this instance. He added that moving lot lines, which is what happened in this instance, is a matter of right under the subdivision control law. Some discussion followed. Rick Atherton commented on the matter and encouraged the Board to determine who specifically was responsible for this situation to have occurred. Ms. Holdgate moved approval as recommended; seconded by Mr. Fee. So voted by roll call vote: Chair Bridges – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes; Ms. Holdgate – Yes; Mr. Fee – Yes.

2. Request for Approval and Execution of Consent for Subdivision and Conveyance of Portion of 10 Auriga Street Shown as Lot 1 on Plan Recorded with Nantucket County Registry of Deeds as Plan No. 2021-14. Ms. Holdgate moved approval as recommended; seconded by Mr. Fee. So voted by roll call vote: Chair Bridges – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes; Ms. Holdgate – Yes; Mr. Fee – Yes.

3. Request for Approval and Execution of Consent and Release for Subdivision and Conveyance of Portion of Lot 5, Auriga Street; and, Release the Property at 10 Auriga Street from Restrictions in Deed of Lot 5, Auriga Street to be Recorded with Nantucket County Registry of Deeds. Ms. Marsh noted that this item is actually not ready to proceed. The Board took no action.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider Renewal of Annual Licensing Categories Including Common Victualler, Local Entertainment, Rental Car Agencies, Local Flower/Produce Vendors, Automatic Amusement Devices, Mobile Food Units, Motor Vehicle Class I, II and III and Open-Air Parking. Chair Bridges opened the hearing. Licensing Administrator Amy Baxter reviewed the renewal process and explained each category and the businesses covered by each category. She explained that takeout establishments will no longer be issued a Common Victualler license. She reviewed complaints regarding entertainment licensees as documented through the Police Department, indicating that none of them were "actionable" license-wise. Some discussion followed as to noise complaints and how these are identified and enforced. Ms. Gibson noted that the noise bylaw specifies noise parameters and that the issue is that entertainment license conditions are not consistent which makes enforcement difficult. Ms. Baxter reviewed several initiatives regarding business license regulations and conditions that she is working on.

Ms. Holdgate left the meeting at 6:59 PM and did not return.

With regard to rental car agencies, Ms. Baxter reviewed an issue with respect to the number of medallions issued vs used and also issued but not actually used. She said there is one business that has been issued medallions annually, but they are not active and were not paid for in 2021, per the bylaw for rental car agencies. She said the Board can either re-issue these or retire them. She said there are pending requests

for additional medallions. Discussion followed on this. Mr. Fee asked about “car sharing” and said the Board should get a legal opinion. Attorney Reade, representing Island Buggies, spoke on the medallions issued to it but not used. He reviewed an ownership issue that has arisen as a result of a divorce of the owners of Island Buggies. Wayne Siltanen, Jr., son of the owners, spoke on the situation and the desire for him/his family to continue with the business and the need for the medallions. He said they would like to retain the medallions. Ms. Baxter spoke on the communications with the Siltanens and the lack of response and/or progress on this matter. Chair Bridges asked what the Board would like to do with respect to medallions, overall. Ms. Ferrantella suggested holding a public hearing. Discussion followed, and Ms. Baxter suggested a specific hearing or future agenda item for Island Buggies and its medallions. Discussion continued on what is/is not being recommended and the process for renewal or non-renewal. Ms. Ferrantella moved to approve all license renewal categories as recommended with the caveat that a separate public hearing to review medallions for Hertz and Island Buggies will be scheduled; seconded by Ms. Murphy. So voted by roll call vote: Chair Bridges – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes; Mr. Fee – Yes. It was brought to the Chair’s attention that the public hearing had not been closed prior to the vote. Chair Bridges closed the public hearing. Ms. Murphy moved to ratify the vote previously made; seconded by Ms. Ferrantella. So voted by roll call vote: Chair Bridges – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes; Mr. Fee – Yes.

X. TOWN MANAGER’S REPORT

1. 2022 Fourth of July Activities Update. Ms. Gibson introduced the item noting that a group of Town staff and Chamber of Commerce representatives have been meeting since summer to review how to best coordinate, organize and possibly reconfigure Fourth of July activities for 2022. She noted that since 2019, when Fourth of July events on Main Street were last held, a lot has changed, including COVID pandemic-induced changes as well as an evaluation of the Town’s ability to sponsor and/or manage large scale events. She turned a review of the proposed events over to Culture and Tourism Director Janet Schulte. She added that while the annual Main Street water fight is very popular, it is recommended that this event be somewhat reconfigured beginning this year. She said that Fire Chief Stephen Murphy will review that following Ms. Schulte’s review. Ms. Schulte reviewed the schedule of events as outlined in the Board’s packet, noting some new offerings. She noted that the “water fight” is intended to be more of a “water contest”. She said that some of the activities occurring on Main Street are proposed to be moved to Children’s Beach. Chief Murphy described the location and set-up of the water contest. He spoke on safety issues, with wet, slippery cobblestones, hoses, high-pressure water and small children and that these would be alleviated or eliminated with the modified program. Karen Macumber of the Chamber of Commerce reviewed new proposed offerings with respect to an entrepreneur fair. Chair Bridges thanked the staff for bringing these ideas forward and his assessment that they have been well-thought out. Ms. Murphy asked about public outreach for this. Ms. Schulte spoke to this and said it will start very shortly after the holidays. Ms. Murphy suggested that lodging and real estate association groups be contacted to help get the word out about this. Ms. Ferrantella expressed support for these proposals.

2. Diversity Equity Inclusion (DEI) Director: End of Year Report. Ms. Gibson introduced DEI Director Kimal McCarthy to review an end-of-year report for the DEI Office. Mr. McCarthy reviewed accomplishments, activities and initiatives that have been launched and/or implemented since he became the Town’s first DEI Director in March 2021. Ms. Murphy commended Mr. McCarthy for his work to date.

3. Monthly Town Management Report. Ms. Gibson summarized the report as contained in the Board’s agenda packet.

XI. SELECT BOARD'S REPORTS/COMMENTS

1. Continued Review of FY 2023 General Fund Budget – As Needed. No additional comments by the Board.

2. Continued Review/Potential Votes on Select Board-Sponsored 2022 Annual Town Meeting Warrant Articles. Ms. Gibson re-reviewed two articles mentioned last week: a general bylaw being developed for short-term rentals; and, the need to adopt existing cemetery regulations – both of which are being prepared. She said it is possible that the Airport might have a request for an article to establish a stabilization fund for capital projects.

3. Committee Reports. Ms. Ferrantella commented on a webinar held last week that she and Ms. Gibson attended about how to make town meeting more inclusive, noting that many of the discussion items are already being done by Nantucket. Chair Bridges thanked all Town employees, board, committee and commission members for their hard work over the year, acknowledging that it has been very difficult and there are a lot of projects and other matters to prioritize. He wished everyone happy holidays.

XII. ADJOURNMENT

At 7:46 PM, Ms. Murphy moved adjournment; seconded by Ms. Ferrantella. So voted by roll call vote: Chair Bridges – Yes; Ms. Ferrantella – Yes; Mr. Fee – Yes; Ms. Murphy – Yes.

Approved the 5th day of January 2022.

**SELECT BOARD
DECEMBER 15, 2021 – 5:30 PM
REMOTE PARTICIPATION VIA ZOOM
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 3. Current Planning Board membership; Ad for Planning Board vacancy; Procedure to fill Planning Board vacancy; MGL Ch. 41, s. 81A; Committee Appointment Policy
- III. 4. UPDATED Cannabis Advisory Committee membership & applicant list; CAC applications; Affordable Housing Trust membership & applicant list; AHT applications; Committee Appointment Policy
- VII. 1. Draft minutes of 12/8/2021
- VII. 4. Pending Contracts spreadsheet
- VIII. 1-3. Cover letter from Cohen & Cohen Law with deed and merger documents
- VIII. 1. UPDATED AIS re: Consent for Subdivision & Conveyance of Portion of 9 Auriga St; Consent for 9 Auriga St; DEED - Yard Sale 1406/275; Plan No. 2012-60; DEED - Yard Sale 1406/282; Plan No. 2012-23; Plan No. 2021-14; Perimeter Plan for 9 Auriga St
- VIII. 2. UPDATED AIS re: Consent for Subdivision & Conveyance of Portion of 10 Auriga St; Consent for 10 Auriga St; DEED - Yard Sale 1367/168; Plan No. 2012-60; DEED - Yard Sale 1367/175; Plan No. 2012-23; Plan No. 2021-14; Perimeter Plan for 10 Auriga St
- VIII. 3. AIS re: Consent & Release for Subdivision & Conveyance of Portion of Lot 5, Auriga St; Consent & Release for Lot 5, Auriga St; DEED - Yard Sale - Lot 5, Auriga & Curve streets; Plan No. 2012-60; Subdivision Plan of Lot 5
- IX. 1. AIS re: Annual License Renewals (except liquor): Common Victualler; Entertainment; Rental Car Agencies; Flower, Produce, Shellfish Vendors; Mobile Food Units; Motor Vehicle Sales Class I, II, III
- X. 1. Proposed Fourth of July 2022 Activities
- X. 2. DEI End of Year Report
- X. 3. Monthly Town Management Report
- XI. 1. FY 2023 General Fund Budget recommendations; FY 2023 Budget Message
- XI. 2. Outline #6 for 2022 Annual Town Meeting with attachments; Citizen Warrant Articles list; Local Short-Term Rental Data and Bylaw Amendment Options presentation; Short-term rentals points (map); Proposed Cemetery Regulation Amendments