

Town and County of Nantucket Select Board • County Commissioners

Dawn E. Hill Holdgate, Chair
Thomas M. Dixon
Matt Fee
Malcolm W. MacNab
Brooke Mohr



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE SELECT BOARD NOVEMBER 1, 2023 - 5:30 PM PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD AND REMOTE PARTICIPATION VIA ZOOM WEBINAR NANTUCKET, MASSACHUSETTS

YOU TUBE LINK FOR VIEWING ONLY:

<https://youtu.be/hy0qWuUeNcl>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_PVbSqlxlQuGGKVTNVUg3FQ

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.
2. Special Town Meeting is Tuesday, November 7, 2023 at 5:00 PM at Nantucket High School, Mary P. Walker Auditorium, 10 Surfside Road.
3. No Select Board Meeting on Wednesday, November 8, 2023 Due to Special Town Meeting.
4. Town Offices will be Closed Friday, November 10, 2023 in Observance of Veterans' Day.
5. May 7, 2024 Annual Town Meeting Warrant Open for Citizen Warrant Article Submittals through November 13, 2023 at 4:00 PM.
6. Select Board Announcements/Comments.

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

V. PUBLIC COMMENT*

VI. NEW BUSINESS*

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of October 25, 2023 at 5:30 PM.
2. Approval of Payroll Warrants for October 29, 2023.
3. Approval of Treasury Warrants for November 1, 2023.
4. Approval of Pending Contracts for November 1, 2023 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CONSENT ITEMS

1. Gift Acceptances: Natural Resources Department; Human Services (Saltmarsh Senior Center).

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Finance Department: Request for Approval of Interim and Permanent Loan Notes from Clean Water Trust Project No. DW22-25 (Water Main Extension West of Airport) in the Amount of \$5,993,945.
2. Fire Chief: Overview and Request for Approval of Nantucket Community Wildfire Protection Plan.
3. Diversity Equity and Inclusion (DEI) Director: Update on Current DEI Office Initiatives.
4. Natural Resources Director: Overview of Harbors Plan Update.
5. Natural Resources Director: Review of 2022 Water Quality Testing Results.

X. TOWN MANAGER'S REPORT

1. Continued Preliminary Review of Town-Sponsored Warrant Articles for 2024 Annual Town Meeting.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Discussion Regarding Future Agenda Items.
2. Committee Reports.

XII. ADJOURNMENT

****Identified on Agenda Protocol Sheet***

SELECT BOARD AGENDA PROTOCOL:

Roberts Rules: The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code Charter.

Public Comment: Public Comment is to bring matters of public interest to the attention of the Board. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action, if any. Except in emergencies, the Board will not normally take any other action on Public Comment in its sole discretion.

To facilitate that any individual who wishes to provide Public Comment has the opportunity and to ensure the ability of the Board to conduct its business in an orderly fashion, the following rules and procedures are adopted consistent with the United States Constitution and the Massachusetts Declaration of Rights.

The agenda for regular Select Board meetings will include a Public Comment period at the beginning of the meeting unless there is more urgent business for the Board to take up first. This time is reserved for speakers to address the Board on matters that are not related to any other Agenda item. If a speaker wishes to address the Board on a matter that is related to another Agenda item, the Chair will accept public comment when that Agenda item is reached during the meeting.

All speakers are encouraged to present their remarks in an orderly and peaceable manner, without disruption to other speakers.

All remarks will be addressed through the Chair of the meeting.

The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not protected under the United States Constitution and the Massachusetts Declaration of Rights because it constitutes true threats, incitement to imminent lawless conduct, or engages in conduct that disrupts other speakers.

Each speaker may not exceed three (3) minutes during any Public Comment portion of the meeting.

Disclaimer: Public Comment is not a time for debate or response to comments by the Board. Comments made during the Public Comment period do not reflect the views or positions of the Board. Because of free speech principles, the Board does not have authority to prevent all speech that may be upsetting and/or offensive made during the Public Comment period.

Unanticipated Business: Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting may be brought up for discussion in accordance with the Open Meeting Law.

Public Participation: The Board welcomes valuable input from the public at appropriate times during the meeting with recognition from the Chair at his/her sole discretion. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on

the clarity of the information presented. The Board will hear any staff input and then deliberate on a course of action.

Select Board Report and Comment: Individual Board Members may have matters to bring to the attention of the Board during a meeting. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting and/or schedule the matter for a future Board meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.

Approved: April 26, 2023

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
November 1, 2023

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Grant Agreement	Culture and Tourism	Nantucket Historical Association	(\$700)	Grant from Massachusetts Cultural Council through Nantucket Historical Association for Festa Fiesta event to celebrate Hispanic & Latin American heritage on Nantucket	N/A	Oct 12, 2023 - Dec 31, 2023
Contract Amendment	Natural Resources	Arcadis U.S., Inc.	Add \$2,600 to original contract amount of \$560,000 for new contract amount of \$562,600	Sediment Transport Study & Dredge Plan - add scope for eelgrass habitat delineation services for Tuckernuck Island area	Article 10 2022 ATM	Oct 20, 2023 - Sept 30, 2024
Contract Amendment	Natural Resources	Arcadis US, Inc.	Add \$100,000 to amended contract amount of \$162,760 for new contract amount of \$262,760	Consulting Services in Connection with Notice of Intent (NOI) to Conservation Commission for Sconset Beach Erosion Control Project	Article 10 2022 ATM and \$50,000 gift from Siasconset Beach Preservation Fund (SBPF)	Nov 1, 2023 - Dec 31, 2024
State Agreement	Natural Resources	Commonwealth of Massachusetts	(\$50,000)	Yearly appropriation for shellfish propagation through Department of Marine Fisheries	N/A	July 1, 2023 - June 30, 2024
Professional Services Agreement	Our Island Home	IPC Hospitalists of New England, P.C. d/b/a TEAMHealth	\$13,000 (not to exceed)	Temporary physician services for Our Island Home - reimbursement for transportation expenses only	OIH Budget	Oct 16, 2023 - Oct 15, 2024
Professional Services Agreement	Our Island Home	SMRT, Inc.	\$813,402	Phase 1 of Our Island Home design including programmatic review, Determination of Need	Article 11 2022 ATM	Nov 1, 2023 - Oct 31, 2024

				assistance, site development, schematic design		
Software Agreement	Public Works	PeopleGIS, Inc.	\$23,955	SimpliCITY Online Services Renewal	Public Works - General Budget	July 1, 2023 - June 30, 2024
Professional Services Agreement	Sewer	Hazen & Sawyer	\$542,704 (not to exceed)	Steps 1 and 2 of the Surfside Wastewater Treatment Facility (WWTF) Phase 2 Improvements Project - evaluation of the WWTF; development of Basis of Design for Phase 2 Improvements	Article 20 2019 ATM	Nov 1, 2023 - Dec 31, 2025
Professional Services Agreement	Sewer	Hazen & Sawyer	\$599,297	Surfside WWTF Phase 2 Improvements - Drainage System Assessment engineering services during construction	Article 20 2019 ATM	Nov 1, 2023 - Dec 31, 2024
Professional Services Agreement	Sewer	Hazen & Sawyer	\$631,283	Surfside WWTF Phase 2 Improvements - Sewer Rehabilitation engineering services during construction	Article 20 2019 ATM	Nov 1, 2023 - Dec 31, 2024
Professional Services Agreement	Sewer	Hazen & Sawyer	\$41,511	Surfside WWTF Phase 2 Improvements - Dynamic Rate Model Update	Article 20 2019 ATM	Nov 1, 2023 - Dec 31, 2024
Software Agreement	Town Administration	Zen City Technologies US, Inc.	\$32,000	Community Engagement Data Services (professional data gathering & processing platform for community engagement & outreach)	Town Administration - Professional Services	Nov 1, 2023 - June 30, 2024
Employment Contract	Town Administration	Jody Kasper	TBD	New Police Chief	Police Department Budget	2023 - 2026

CONSENT AGENDA ITEMS FOR 11/1/2023 SELECT BOARD MEETING

1. Gift Acceptances

Recommend the acceptance of the following gifts to Town agencies:

- Natural Resources Department:
 - o Gift of \$3,710 from Live Off the Sand Inc. to help to improve surface water quality on Nantucket
- Human Services:
 - o Gift of \$300 from Harold and Chrysanthi Werner for Saltmarsh Senior Center

Recommended Motion: To accept all gifts for their designated purposes, with thanks to the donors.

Town Administration will ensure that letters of thanks are sent.

TOWN OF NANTUCKET NATURAL RESOURCES DEPARTMENT

131 PLEASANT STREET
NANTUCKET, MA 02554

(508) 228-7230



Select Board
16 Broad Street
Nantucket, MA 02554
10/26/2023

Dear Board Members,

On behalf of the Natural Resources Department, we are requesting that the Select Board accept the following gift of \$3,710 from Live Off The Sand Inc to help in improving surface water quality on Nantucket. Melissa Dudley is hoping to provide yearly support for our water quality program, and we sincerely appreciate her consideration and continued aid. We will attend the upcoming Select Board meeting to answer any questions that you have in regard to this gift. Thank you for your attention to the matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Carlson", is written over a horizontal line.

Jeff Carlson,
Town of Nantucket
Natural Resources Director

MEMO



Date: October 26, 2023

TO: Dawn Hill-Holdgate, Select Board Chair

CC: Jerico Mele, Director of Human Services

FROM: Laura Stewart, Saltmarsh Senior Center, Program Coordinator

RE: Request for acceptance of gift

I am writing to request acceptance of the following gift donation:

From Harold & Chrysanthi Werner: \$300.00 gift to the Saltmarsh Senior Center

Thank you,

Laura Stewart

from the desk of.....

Laura Stewart
Program Coordinator,
Senior Services
81 Washington Street
Nantucket, MA 02554
508-228-4490

phone: 508-228-4490
fax: 508-325-5366
e-mail: lstewart@nantucket-ma.gov



Agenda Item Summary

Agenda Item #	IX. 1.
Date	11/1/2023

Staff

Brian E. Turbitt, Finance Director

Subject

Approval of Clean Water Trust Notes for Water Main Extension Project West of the Airport

Executive Summary

The Water Main Extension Project West of the Airport was approved for funding through the Clean Water Trust. The interim financing notes are issued at 0% interest, and the permanent financing will be issued at 2%. The amount of the issue is 5,993,945. The town has also been notified that it has been awarded \$1,757,161 in federal loan forgiveness for the project.

Staff Recommendation

Recommend approval of Clean Water Trust notes for the Water Main Extension Project West of the Airport.

Background/Discussion

The Water Main Extension Project West of the Airport was approved for funding through the Clean Water Trust. The interim financing notes are issued at 0% interest, and the permanent financing will be issued at 2%.

Impact: Environmental ☐ **Fiscal** ☒ **Community** ☐ **Other** ☐

Debt Service principal and interest payments will begin upon the closing of the Clean Water Trust Loan Pool. The closing is anticipated to occur in December of 2025 with the first payment due in FY26.

Board/Commission Recommendation

N/A

Public Outreach

N/A

Connection to Existing Applicable Plan (i.e. Strategic Plan, Master Plan, etc.)

N/A

Attachments

Vote of the Select Board.



VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Nantucket, Massachusetts, certify that at a meeting of the board held November 1, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

- VOTED:
- (1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$9,000,000 (the “Bonds”) pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed May 3, 2022 (Article 10), which authorized a total borrowing of \$9,000,000 for planning or construction of drinking water infrastructure (the “Project”);
 - (2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the “Notes”) from time to time in an aggregate principal amount not to exceed \$9,000,000;
 - (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the “Trust”) at a price determined pursuant to the Financing Agreement;
 - (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Select Board and the Treasurer and evidenced by their execution of the Bonds or Notes;
 - (5) that any certificates or documents relating to each Bond and Note (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures;
 - (6) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

- (7) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

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

Dated: November 1, 2023

Clerk of the Select Board

Community Wildfire Protection Plan

Nantucket Fire Department
Fire Chief Michael Cranson

November 1, 2023



Northeast Forest and Fire Management LLC and Stakeholders

- Massachusetts Department of Conservation and Recreation
- Massachusetts Audubon Society
- Trustees of Reservations
- U.S. Fish and Wildlife Services
- Nantucket Fire Department
- Nantucket Town Manager
- Nantucket Conservation Foundation
- Nantucket Land Bank
- Wannacomet Water Company
- Nantucket Memorial Airport

Wildland Urban Interface (WUI)

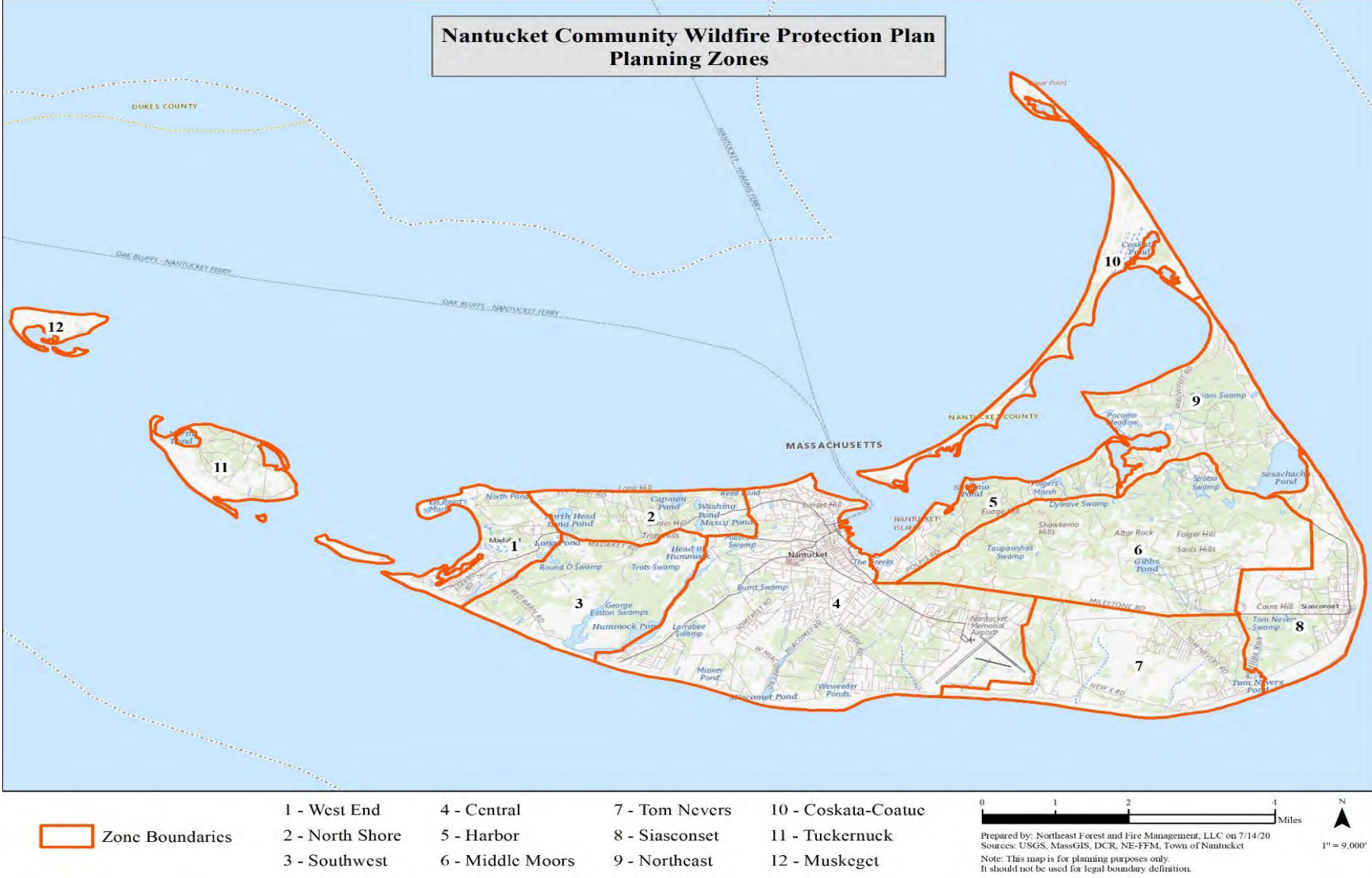
The National Wildfire Coordinating Group (NWCG) defines the wildland-urban interface (WUI) as the “the line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuel.”

WUI is divided into three categories

CATEGORY 1: Interface Community	CATEGORY 2: Intermix Community	CATEGORY 3: Ocluded Community
Structures directly abut wildland fuels wildland	Structures are scattered throughout the wildland area	Structures abut an island of fuels (i.e. park or open space)
Clear line of demarcation	No clear line of demarcation	Clear line of demarcation

Nantucket geographic planning zones

Zone	Zone Name	Area (Ac.)	Island	WUI Component (Interface or Intermix)
1	West End	1,440	Nantucket	wildland urban interface; wildland urban intermix
2	North Shore	1,386	Nantucket	wildland urban intermix
3	Southwest	2,655	Nantucket	wildland urban intermix
4	Central	7,901	Nantucket	wildland urban interface; wildland urban intermix
5	Harbor	1,337	Nantucket	wildland urban intermix
6	Middle Moors	5,428	Nantucket	wildland urban intermix
7	Tom Nevers	3,410	Nantucket	wildland urban intermix
8	Siasconset	2,374	Nantucket	wildland urban interface; wildland urban intermix
9	Northeast	2,689	Nantucket	wildland urban intermix
10	Coskata-Coatue	1,419	Nantucket	mostly uninhabited
11	Tuckernuck	1,025	Tuckernuck	wildland urban intermix
12	Muskeget	313	Muskeget	uninhabited



Management Recommendations

- Incorporate Firewise practices
- Implement Fuel treatments
- Install and maintain fuel breaks
- Conduct prescribed burning to reduce wildfire risk

Annual Recommendations

- Improve Wildland Suppression Capabilities
 - Implement Wildland Fire Focused Trainings
 - Evaluate Firefighting Apparatus to Ensure Needs of Nantucket
 - Improve Water Supply to Decrease Refill Times and Increase Amount of Available Water
 - Develop Fire Department Policies and Procedures Specific to Wildland Fire

Annual Recommendations Cont'd

- Decrease Fire Danger to Community Through Fuel and Hazard Mitigation
 - Improve and Maintain Fire Breaks
 - Implement Fuel Treatments in Areas of High Fire Danger Risk
 - Implement Prescribed Fire to Reduce Fuel Loads

Annual Recommendations Cont'd

- Reduce Structural Ignitability through Firewise Measures
 - Implement Parcel-based Assessments for all Properties, Providing Landowners with Site-specific Recommendations
 - Conduct Public Outreach on Firewise Mitigation Measures
 - Develop a Process to Allow Property Owners to Implement Firewise Recommendations on Forested Lands within the Home Ignition Zone

Community Wildfire Protection Plan

The Nantucket Community Wildfire Protection Plan aims to assist our community in minimizing the potential for wildfire-related harm, ensuring the safety of residents, and securing their properties.

Fire Chief Michael Cranson



Scan the QR code
to read
the Community Wildfire
Protection Plan



Select Board Update

Diversity, Equity & Inclusion Office

Dr. Kimal McCarthy | DEI Director

November 2023



DEI Commitment Statement

Open shores; open doors. The Town & County of Nantucket works to promote, foster, and sustain equal access in an equitable and inclusive work environment where diversity is celebrated and valued in the workplace and the community. We are committed to engaging with the history and story of all who live, work, and play on our beautiful shores.



Update: Strategic Plan Implementation

- DEI Strategic Plan design completed in April 2023
- Four Focus Areas:
 - (1) Communications | (2) Training & Professional Development | (3) Celebration & Appreciation | (4) Harness Local & Diverse Talent
- Implementation:
 - Created a Roadmap for Distribution
 - Developed *Celebration & Appreciation* opportunities throughout 2023
 - Starting Purposeful Dialogue with dept. heads and town employees

New: DEI Trainings Project, Launch 2024

- Presentations (30 – 45 minutes)
 - Principles of Diversity, Equity and Inclusion
 - New Employees' DEI Orientation
- Trainings (1 – 2 hours)
 - Capacity Building Training
 - Cultural Sensitivity Training
 - Engaged Allyship and Being an Upstander
 - Inclusive Leadership
 - Understanding Privilege
- Workshops (4 sessions, 2-hours ea.)
 - *Micromessaging: Why Great Leadership is Beyond Words* by Stephen Young

Update: DEI Committee (DEIC)

- The DEI Committee established during consultation with Tangible Development.
- DEIC supports the director and makes recommendations on the office's direction and objectives.
- The Committee has 12 members; almost all departments are represented.
- DEIC participants must complete Capacity Building Training.
- The Committee meets monthly to discuss DEI issues and workplace culture.

Update: DEI Office & Community

- DEI director a Friend & Advisor to the Nantucket Civic League.
- DEI presentations to Council on Human Services and ReMain Nantucket.
- 2023 HHS/DEI Intern, Maryann Vasquez-Cruz, coaching on Hispanic Outreach.
- Working with MAAH, NHA, NPS to prepare for the African Meeting House's Bicentennial (2025).
- DEI director participated in search for the Chief of Police.

Update: Nantucket & MA DEI Coalition

- Member of the Massachusetts DEI Coalition.
- The Coalition is supported by the Metropolitan Area Planning Council (MAPC).
 - Recommendation: Town leadership should review/approve any bylaws by MAPC for coalition participation.
- MA DEI Coalition working on a second DEI Guide.
- MA towns are requesting Nantucket's DEI RFP and guidance.

Thank You!



Contact Information:

Kimal McCarthy, Ed.D.

Diversity, Equity & Inclusion Director

16 Broad Street | 508-228-7200 ext. 7344

krmccarthy@nantucket-ma.gov

Town of Nantucket's DEI Commitment Statement:

Open shores; open doors. The Town & County of Nantucket works to promote, foster, and sustain equal access in an equitable and inclusive work environment where diversity is celebrated and valued in the workplace and the community. We are committed to engaging with the history and story of all who live, work, and play on our beautiful shores.

Harbor Plan Update

Natural Resources
Department

Jeff Carlson, Director

11/1/2023

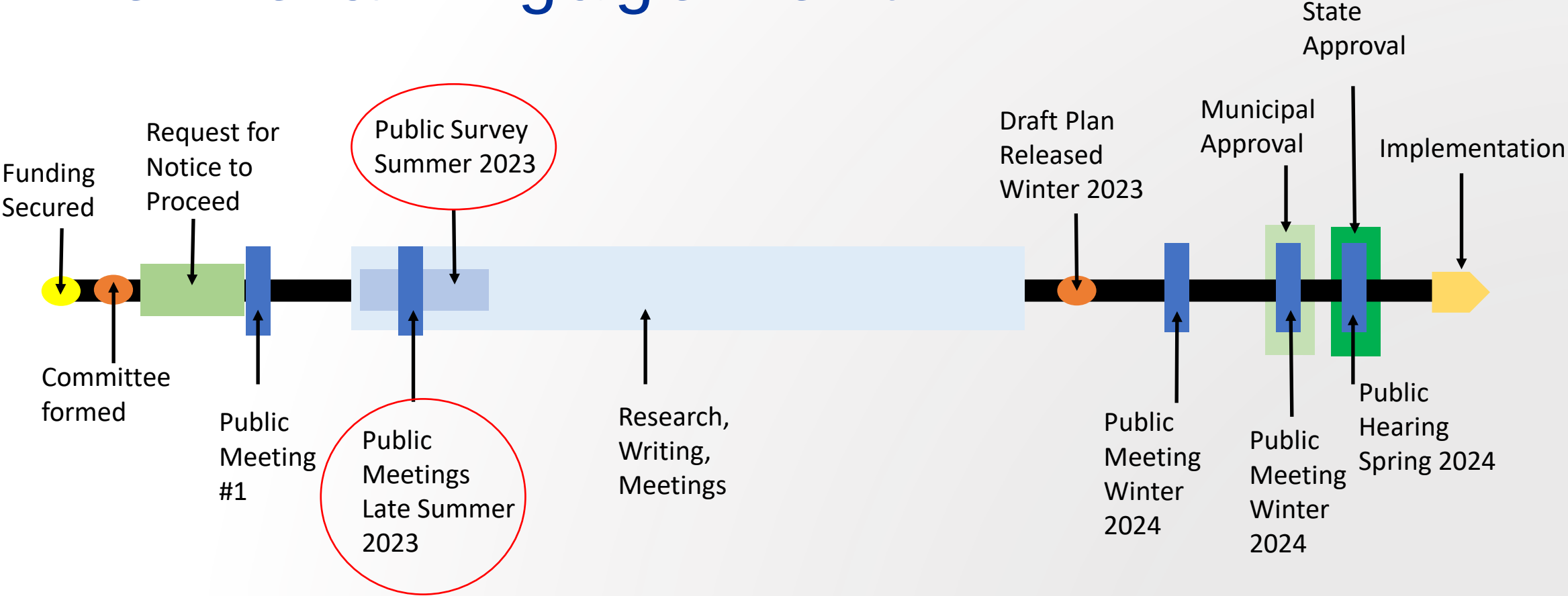


What is a Harbor Plan & Why Develop One?

- Document that establishes community goals and policies to guide public and private land use along the harbor
- Identify goals and vision for the waterways/shoreline
- Develop strategies and resources needed to achieve goals and vision
- Address important topics such as boating, fishing, climate change, public access
- Inform state decision-making regarding activities in town



Timeline & Engagement

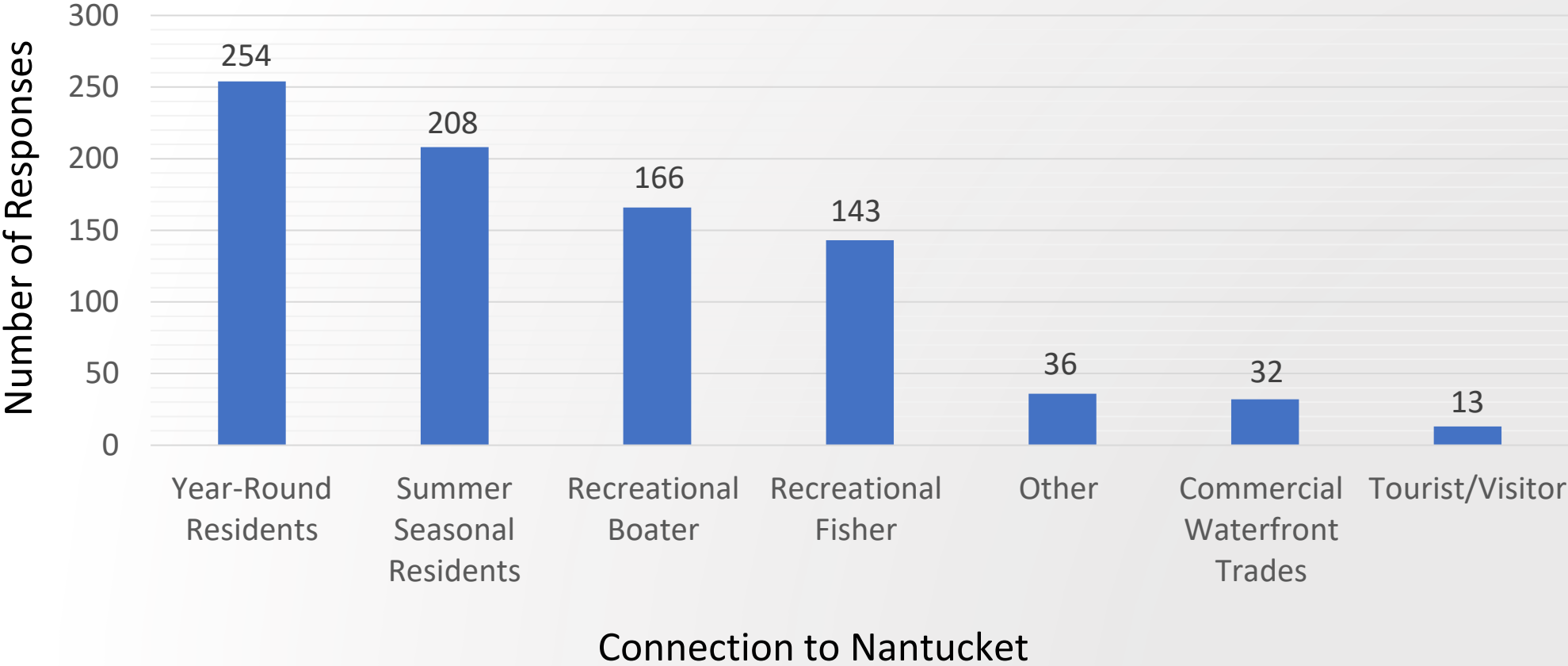


Findings from 4 Public Meetings

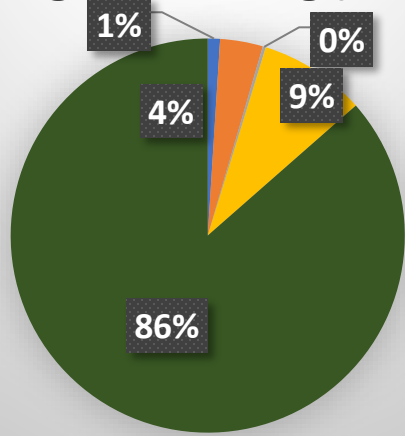
- **Water quality & natural resources** – nitrogen loading, fertilizers, septic systems, enforcement, need for data, natural resource issues, invasive species, education, stormwater
- **Boating & navigation** – fuel costs, moorings/docks/ramps, vessel speed and safety, facilities, chandlery, dredging
- **Public access** – climate change, barriers, Chapter 91, new access opportunities
- **Fishing** – dredging, water quality impacts, access, data needs, workforce, threats
- **Coastal resiliency** – plan integration, specific resiliency issues around harbors, nature-based solutions, oyster reefs, erosion
- **Commercial & residential waterfront** – support services for users, access points, parking, waterfront upgrades

Online Survey Results

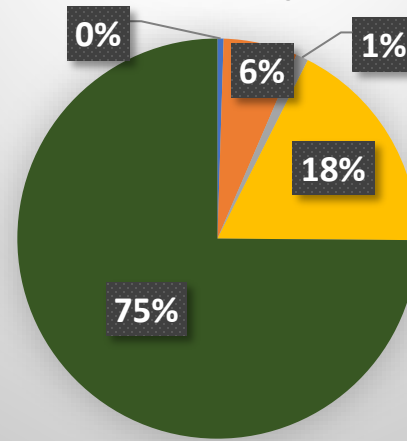
Survey Respondents (n = 534)
Check all that apply



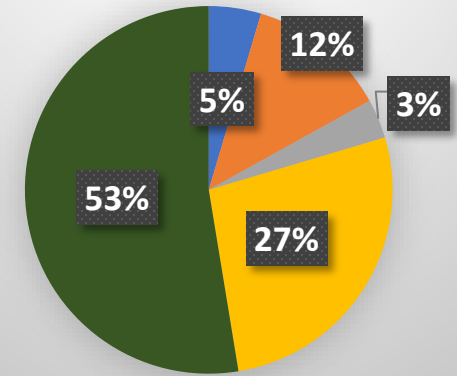
Fishing/Shellfishing (n=399)



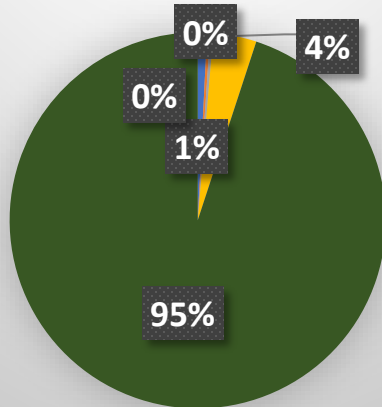
Public Access (n=402)



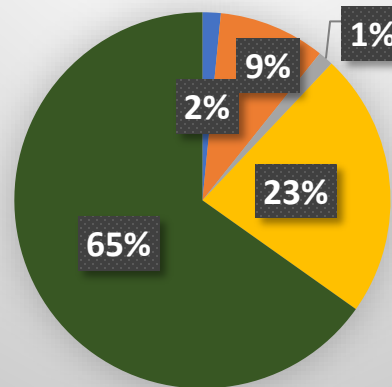
Infrastructure/
Economic Vitality (n=348)



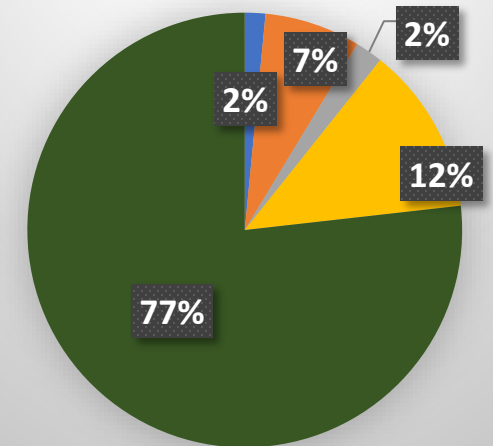
Water Quality/Natural
Resources (n=377)



Boating and Navigation
(n=382)



Coastal Resilience (n=392)



■ Do not know
 ■ Neutral
 ■ Not important
 ■ Somewhat important
 ■ Very important

Online Survey Results

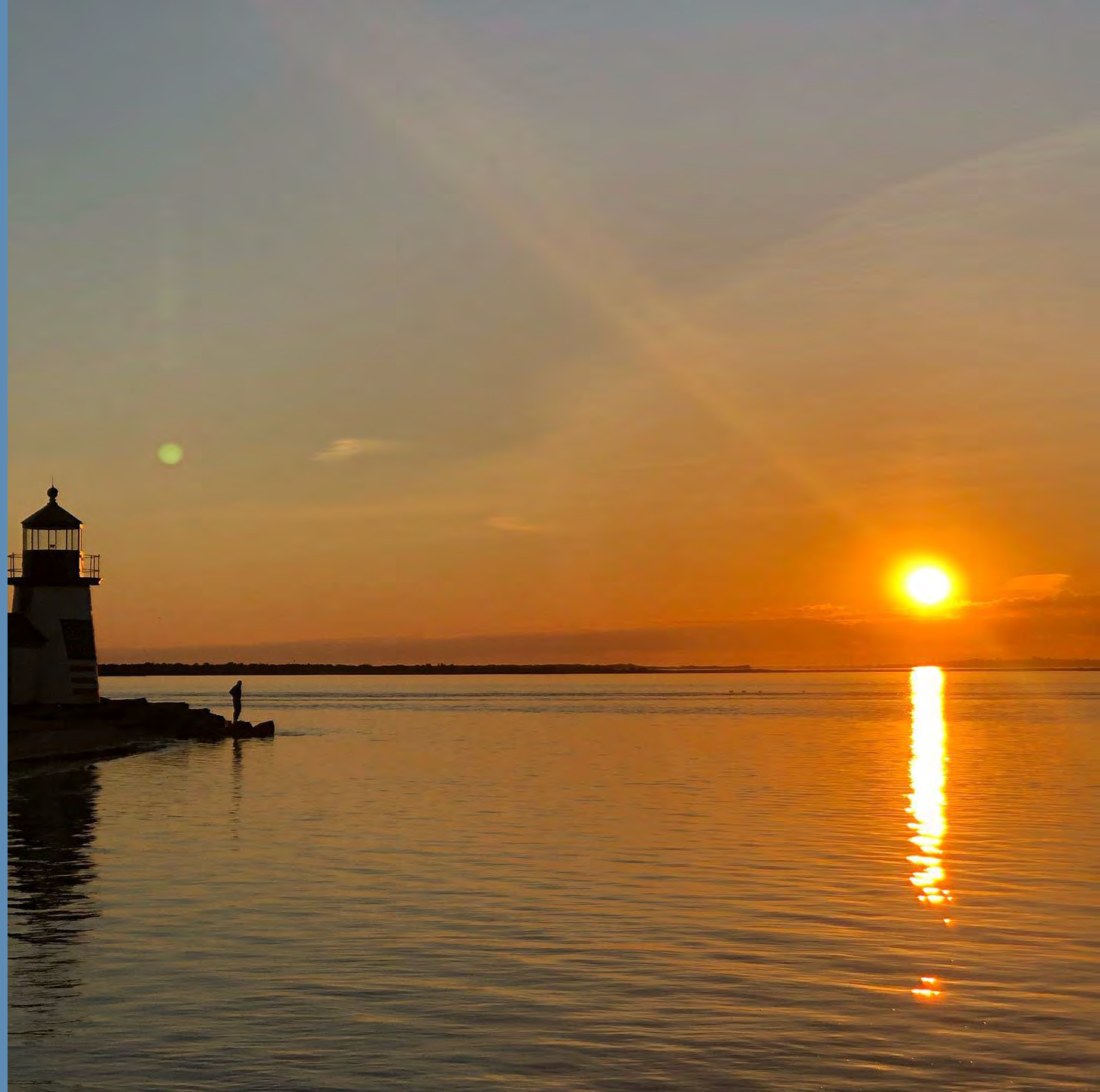
Natural Resources and Water Quality

- More needs to be done to enforce fertilizer regulations (funding, additional staff)
- Concern for overdevelopment of island and impacts
- Increase monitoring/inspection of septic systems and sewer areas
- Strong support for continued eelgrass restoration efforts
- Need stormwater management
- Concern regarding pollution in Madaket from the landfill
- More education on fertilizer and water quality
- Both support for dredging and concern for dredge impacts on seafloor

Thank you!



Jeff Carlson
Natural Resources Director
131 Pleasant Street
508-228-7230
jcarlson@Nantucket-ma.gov



Water Quality Update

Natural Resources
Department

Jeff Carlson, Director

11/1/2023



Surface Water Monitoring

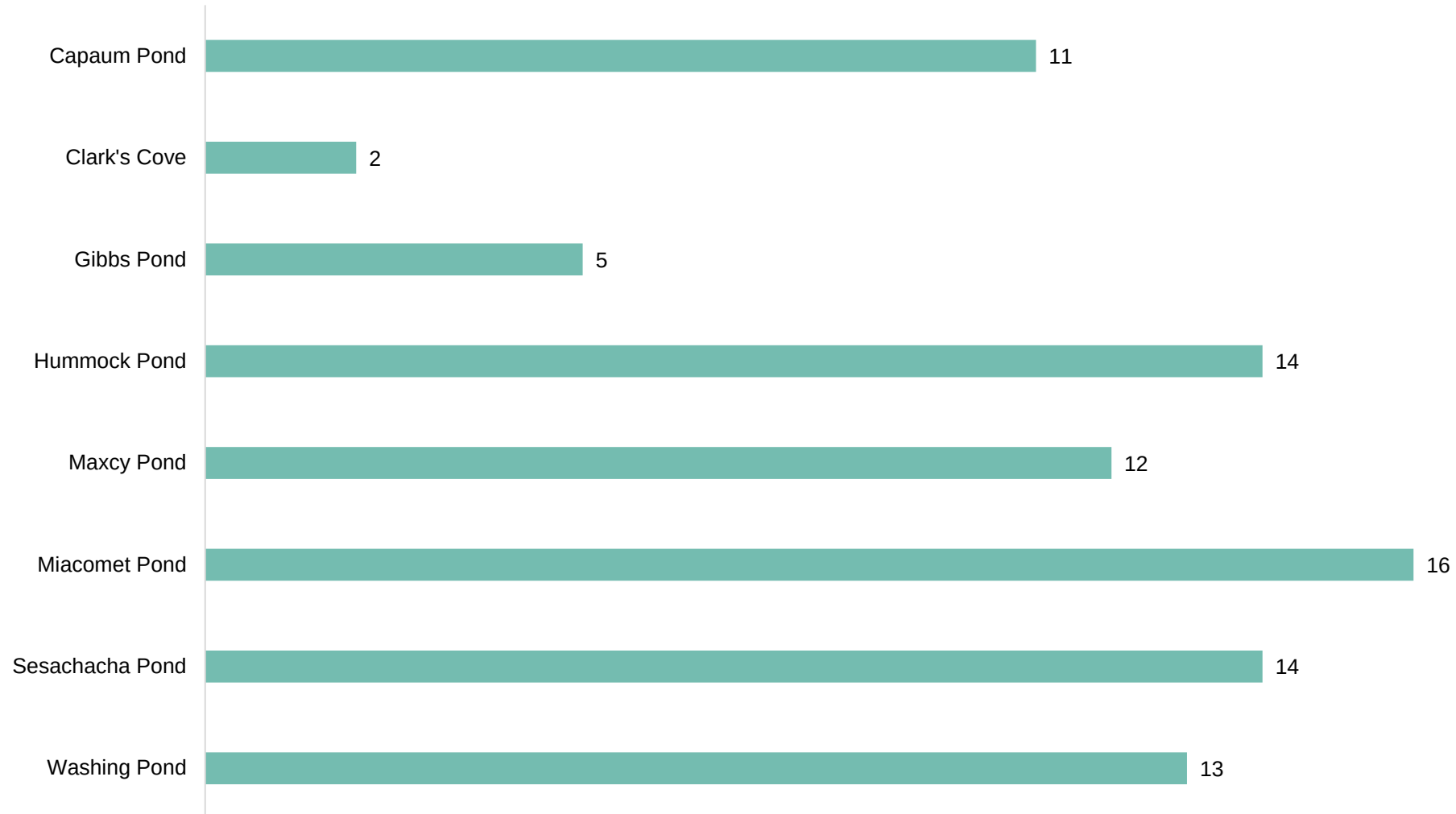
1. To determine the present (2021) ecological health of each of the main salt ponds and estuaries within the Town of Nantucket,
2. To gauge (as historical data allows, 2010-2021) the decline or recovery of various salt ponds and embayment's over the long-term (also part of TMDL compliance), and
3. To provide the foundation (and context) for development of potential alternatives for nutrient and resource management and quantitative measures of success.

Current Status: 2022

Location	Type	TMDL	Status	Health Score	Remedial Actions
Madaket Harbor	Marine	In place - 2015	> TMDL at sentinel	Acceptable	Implementation of Water Quality Management Plan
Nantucket Harbor	Marine	In place - 2009	> TMDL at sentinel	Acceptable	Implementation of Water Quality Management Plan
Polpis Harbor	Marine	In place - 2009	> TMDL at sentinel	Stable	Implementation of Water Quality Management Plan
Long Pond	Brackish	In place - 2015	< TMDL @ sentinel	Improved	Landfill remediation
Sesachacha Pond	Brackish	None – MEP completed 2006	Impaired	Variable	Biannual Pond Openings
Hummock Pond	Brackish	None – MEP completed 2014	Significantly Impaired	Variable	Biannual Pond Openings
Miacomet Pond	Fresh	None	Significantly Impaired	Variable	Dredging project in design phase

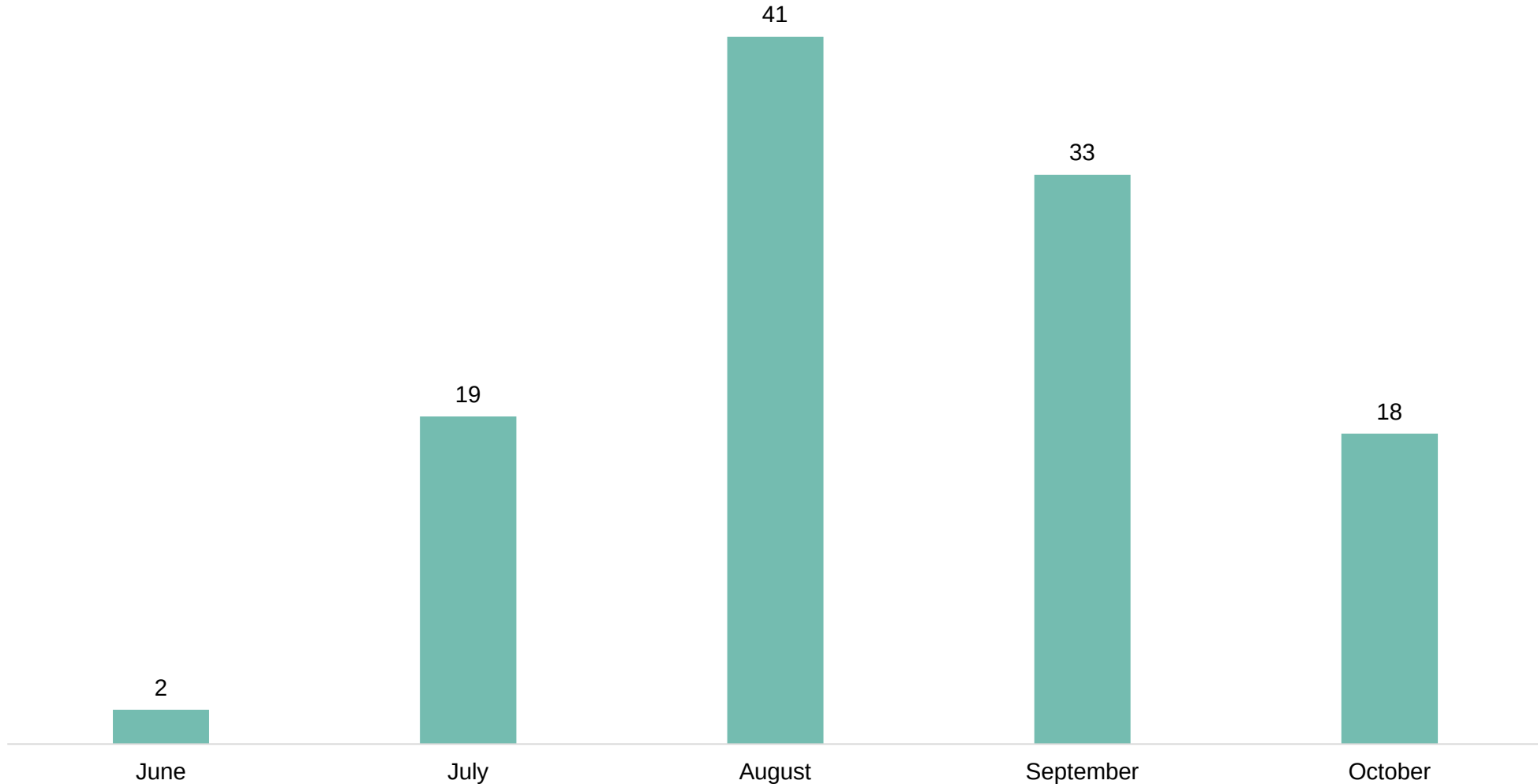
Harmful Algal Bloom Summary 2023

Weekly HABs Reported from June 1st to October 27th 2023



Harmful Algal Bloom Summary 2023

HAB Reports per Month from June - October 2023



Harmful Algal Bloom Summary 2023



Miacomet Pond
16/16 weeks



Hummock Pond
14/16 weeks



Sesachacha Pond
14/16 weeks

Water Quality Management Plan

Objectives

The Water Resource Management Plan includes identifying management strategies to reduce the controllable load of nutrients into surface water bodies with specific recommendations and methods to improve water quality. This plan will be used to explore options and feasibility of improving current water quality monitoring and testing procedures, as well as habitat quality evaluation and metrics.

Comprehensive data collection – Proposed for FY'24 Capital Funding

- Eelgrass, Bay Scallop and Whelk Surveys
- TMDL Monitoring
- Groundwater monitoring
- Stormwater monitoring

Proposed plan sent to other local collaborators for review and comment during drafting of plan



Management for Improvement

Management targeted for controllable load

Wastewater
(Sewer and Septic)



Fertilizer



Overland Flow
(Runoff and Storm water)



Management Activities – Wastewater

Project Name	Status
Surfside WWTF Upgrade	Complete – Phase 2 scoping underway
Sea Street Pump Station Renovation	Complete
Sconset WWTF Evaluation	In design phase
Surfside Area Sewer Project	Underway
Sea Street 3 rd Force Main	Underway
South Shore Road Sewer Installation	Underway

These projects were all action items of the Sewer Master Plan which can be found at:

<https://nantucket-ma.gov/1536/Sewer-District-Master-Plan>

Management Activities – Fertilizer

Project Name	Status
Improved training program	Scheduled to be in place late 2023 – early 2024
Multi-lingual evaluation to gain license	In development – hopeful for 2024
Property owner engagement program	Scheduled for rollout late 2023/early 2024

Difficulties of enforcement:

- No ability to modify existing local regulations
- No right to enter private properties
- Enforcement personnel must witness the violation occurring and from a public area

Management Activities – Runoff

Project Name	Status
Madaket Culvert Evaluations	Complete – report on town website https://www.nantucket-ma.gov/1362/Madaket-Culverts
Children’s Beach Pump Station Evaluation	Complete – report on town website https://www.nantucket-ma.gov/1363/Childrens-Beach-Pump-Station
Stormwater Pipe Condition Assessment	Ongoing – being done by camera
Washington Street Extension Bio-retention Area	Underway with assistance from the Great Harbor Yacht Club Foundation
Sesachacha Road Bio-retention Area	Construction complete
Illicit Discharge Regulations	Adopted by Select Board on 3-15-2023; implementation underway

Other Management Activities

- **Nantucket and Madaket Harbors Action Plan – Underway – est. 18 months to completion**
- **Coastal Resiliency Plan - Complete**
- **Nantucket Harbor Watershed Delineation Update and Groundwater Monitoring - Underway**
- **Miacomet Pond Dredging Design – Underway with Land Bank**
- **Alum Treatment of the North Head of Hummock Pond – Permitted and Scheduled for Spring 2024**
- **Invasive Species Management - Underway**
- **Harmful Algal Bloom Monitoring Program - Underway**
- **Sediment Transport Study and Dredge Plan – Underway – Scheduled for completion late 2024**
- **Madaket Harbor and Long Pond Estuary Plan Scenario and Model Update - Complete**

Where you can find more information

- <https://www.nantucket-ma.gov/2100/Water-Quality-Reports>
- Water Quality data is available to view and download using the Water Quality Analysis and Visualization (WQAV) Viewer on the Town Website which was developed as a collaboration between the Town of Nantucket and MIT Sea Grant program – link below:

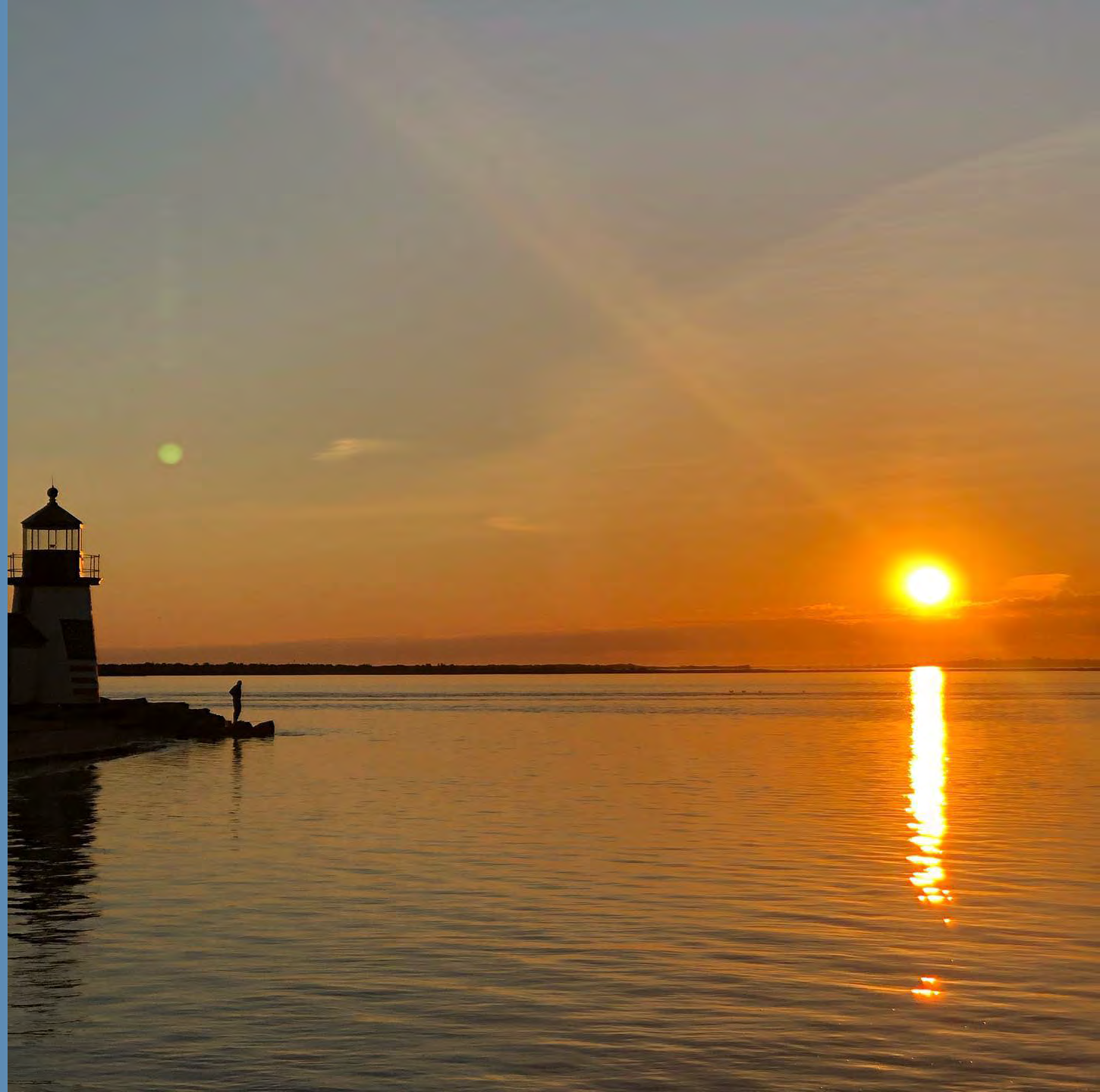
<https://www.nantucket-ma.gov/2129/Water-Quality-Analysis-Visualization>



Thank you!



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Preliminary Outline #2 for 2024 Annual Town Meeting Warrant

For 11/01/23 SB review

As of 10/26/23

NOTE: Numbering & Order is NOT FINAL

Annual Articles

1. Receipt of Reports
2. Appropriation: Unpaid Bills
3. Appropriation: Prior Year Articles
4. Revolving Accounts: Annual Authorization
5. Appropriation: Reserve Fund
6. FY 2024 General Fund Budget Transfers
7. Personnel Compensation Plans for FY 2025 (*add per diem dispatcher*)
8. Appropriation: FY 2025 General Fund Operating Budget
9. Appropriation: Health & Human Services
10. Appropriation: General Fund Capital Expenditures
11. Appropriation: FY 2025 Enterprise Funds Operations
12. Appropriation: Enterprise Funds Capital Expenditures
13. FY 2024 Enterprise Funds Budget Transfers
14. Appropriation: Waterways Improvement Fund
15. Appropriation: Ferry Embarkation Fee
16. Appropriation: Ambulance Reserve Fund
17. Appropriation: County Assessment
18. Appropriation: Finalizing FY 2025 County Budget
19. Rescind Unused Borrowing Authority (*if needed*)
20. Appropriation: OPEB Trust Fund
21. Appropriation: Free Cash
22. Appropriation: Stabilization Fund

Other Select Board Sponsored Articles

NOTE: most of these were reviewed/discussed by SB and/or Town Administration since the 2023 ATM

ZONING* BYLAW & GENERAL BYLAW AMENDMENTS

**Board discussion occurred in January 2018 regarding a request/directive that all zoning articles must be accompanied by a narrative explanation as to why the item is being put forward, along with any operational or financial impacts*

Zoning Bylaws

See attached from Planning (includes Zoning and other)

General Bylaws

- Paid parking (see vote on Article 66 of 2020 ATM – attached) (*NOTE: when the Board discussed this potential article in 2022, it was left that it needed to understand what it will take to implement paid parking (ie – the capital and any operational investments), that analysis began with the prior Transportation Planner but has not yet proceeded due to multiple other priorities*)
- Anything for E-bikes, E-scooters? (not sure where this stands with BPAC)
- Noise bylaw – any changes to hours/days/summer? (brought up at NCL 2023 annual forum; 2023 Sconset Civic Assoc annual meeting)
- Rental car bylaw changes?

HOME RULE PETITIONS

Resubmittal of Pending HRP's from prior ATMs (if these have not been acted upon by the Legislature)*

- Community Housing Bank (Article 76/2022 ATM; Article 79/2019 ATM; Article 70/2018 ATM; Article 88/2017 ATM; Article 82/2016 ATM)
- Sewer Act Amendment (Article 84/2023 ATM; Article 77/2022 ATM)
- Gov't Study Committee Recommendations (Article 85/2023 ATM; Article 78/2022 ATM)
- Fertilizer Ban (Article 86/2023 ATM)
- Real Estate Conveyances x 2 (1 – Article 87/2023 ATM, Article 94/2022 ATM: 50 Altar Rock Rd to NCF; 2 – Article 88/2023 ATM, Article 95/2022 ATM: Portion of Ames Ave)

NEW:

- Amend County Charter to change “Board of Selectmen” to “Select Board”
- Coastal Resiliency Districts - ?
- Conveyance of paper road (W Chester St ext) to Land Bank
- Year-round housing deed restriction program? (not sure if this is also bylaw)
- Licensing Board – holding off until we see if new separate monthly meeting works out?

**several of these are currently in hearings; need to confirm their status*

MGL ACCEPTANCES

- Accept MGL c. 44, s. 54(b)(1) – Relating to the standards of investments of Trust Funds

REAL ESTATE RELATED

- 31 Western Ave (under consideration - TBD)
- Conveyance of paper road (W Chester St ext, Grove Ln) to Land Bank
- Appropriation for acq of transfer station
- Appropriation for acq of composter

OTHER

- Do we need to increase any borrowing auth for Housing?
- Coastal erosion structure approval in connection with SBPF/Town project at Baxter Rd?
- Increase salary for Select Board members? (discussed by Board 10/25/23)

BALLOT QUESTIONS

- possible debt exclusion(s) and/or capital exclusion(s) for capital projects; real estate

CITIZEN ARTICLES

Submittal deadline Mon, November 13

FY 24 State Budget Change to Standards for Investment of Trust Funds in Municipalities

September 11, 2023

The FY 24 state budget, Chapter 28 of the Acts of 2023, includes a change to the standards for investment of trust funds in municipalities. Section 26 amends G.L. c. 44, §54, to insert a local acceptance provision that allows investment in accordance with the so-called “Prudent Investment Rule” (G.L. c. 203C), which essentially allows for a broader range of investments, some of which may be “riskier” than what would otherwise be allowed for investments in savings banks. The revised version of G.L. c. 44, §54 provides as follows (with the new text italicized):

Section 54. (a) Trust funds, including cemetery perpetual care funds, unless otherwise provided or directed by the donor of the funds, shall be deposited in: a trust company, co-operative bank or savings bank, if the trust company or bank is organized or exists under the laws of the commonwealth or any other state or may transact business in the commonwealth and has its main office or a branch office in the commonwealth; a national bank, federal savings bank or federal savings and loan association, if the bank or association may transact business and has its main office or a branch office in the commonwealth; provided, however, that a state-chartered or federally-chartered bank shall be insured by the Federal Deposit Insurance Corporation or its successor or invested by cities and towns in participation units in a combined investment fund under section 38A of chapter 29 or in bonds or notes which are legal investments for savings banks. Cities and towns having such funds in the custody of the treasurer in an aggregate amount in excess of \$250,000 may also invest such funds in securities, other than mortgages or collateral loans, which are legal for the investment of funds of savings banks under the laws of the commonwealth; provided, that not more than 15 per cent of any such trust funds shall be invested in bank stocks and insurance company stocks, nor shall more than 1 1/2 per cent of such funds be invested in the stock of any 1 bank or insurance company.

(b)(1) A city, town or district that accepts this subsection in the manner provided in section 4 of chapter 4 may manage trust funds held in the custody of the treasurer of the city, town or district as a combined investment pool and may invest said funds in accordance with chapter 203C and not in accordance with subsection (a). If any provision of this subsection conflicts with the terms of a bequest, trust or other instrument that expresses the clear intent of the donor, then such funds may be managed and invested only in accordance with the terms of such bequest, trust or other instrument.

(2) Paragraph (1) shall only apply to trust funds and shall not apply to any other money held or controlled by a city, town or district or to any money held or controlled by any other municipal authority, commission or other such entity or fund which is authorized to invest its funds pursuant to this section.

(c) Municipal trust funds subject to this section invested in a chartered, insured financial institution shall only be deposited in accordance with subsection (a).

(d) This section shall not apply to the City of Boston.

Note that since Chapter 28 of the Acts of 2023 included an emergency preamble, it took effect immediately, unless as otherwise specified. Section 115 of said Chapter 28 states that the Act took effect as of July 1, 2023.

Therefore, if towns want to include this local acceptance provision on their upcoming fall or special town meeting warrants, the article can take a form similar to the following:

To see if the Town will vote to accept the provisions of G.L. c.44, §54(b) to allow Town trust funds to be invested in accordance with G.L. c.203C, the so-called “Prudent Investment Rule”, or take any other action relative thereto.

For further information, please contact your KP Law attorney at 617.556.0007 or contact Attorney Lauren Goldberg at lgoldberg@k-plaw.com or Attorney Mark Reich at mreich@k-plaw.com

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.

2024 ATM Concept List as of 10/02/23

Map Changes

R-1 to R-5 or R-5L– Hooper Farm Road/Cartwright/Shady Maple/Allens/First/Second

R-10 to R-10L Nobadeer Way (Correction)

RC-2 to CTEC – Appleton (3 Properties)

RC-2 to CMI or CTEC – 43 Nobadeer Farm Road (Single Property)

RC-2 to R-5 or CN 61 Surfside Road and 2 Miacomet Ave

RC-2 to ??? Rosebud/Hinsdale/Forrest

Bylaw Changes

Flex Development – ability for PB to grant waiver of CR when there is an affordability component to development

CMI- 40ft allowed by right when 25% is affordable (get some structural schematics)

Apartments and Apartment buildings – density increase when there is a min of 25% affordable (subject to PB review and Special Permit)

Move MMD Special Permit to ZBA (discuss with ZBA on 10/12)

Prohibit large residential swimming pools in the MMD (allow small and hot tubs by special permit?)

Technical Amendments

139-2 (update apartments building(s) to be three or more units)

139-2 (change 650 to 900 to reduce confusion with conflicting numbers)

139-2 (remove R-1 and RC-2 setback difference from the definition of yard, front)

139-12 (update language that referenced incorrect Bylaw sections)

139-12G(2)(e) (update Bylaw section reference)

139-16C(3) (remove R-1 and RC-2 setback differences)

Other articles prepared by staff NOT for Planning Board

Bylaw update to Chapter 127-20A to reference the appropriate TOD and COD map

Cannabis Advisory Committee article?