

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
JANUARY 24, 2024 - 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS
AMENDED JANUARY 22, 2024***

YOU TUBE LINK FOR VIEWING ONLY:
<https://youtube.com/live/mtUDOsRfBps>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:
https://us06web.zoom.us/webinar/register/WN_uRE_ezxQ1eCZgqccAGz_A

- I. CALL TO ORDER***
- II. SELECT BOARD ACCEPTANCE OF AGENDA***
- III. ANNOUNCEMENTS***
 1. The Select Board Meeting is Being Audio/Video Recorded.
 2. 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 January 17, 2024 at 5:30 PM.
 2. Approval of Payroll Warrants for January 21, 2024.
 3. Approval of Treasury Warrants for January 24, 2024.

4. Approval of Pending Contracts for January 24, 2023 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Nantucket Soccer Club: Request for Indoor Community Athletic Field House Feasibility Study.
- ~~2. Request for Approval to Submit Local Action Unit Application to State Executive Office of Housing and Livable Communities (EOHLC) for Habitat for Humanity Nantucket's Waitt Drive Village. (Tabled to January 31, 2024)~~
2. Conservation Commission: Request for Special Counsel for Joint Town of Nantucket/Sconset Beach Preservation Fund Notice of Intent for Baxter Road Erosion Control Project.

IX. TOWN MANAGER'S REPORT

1. Review of Proposed FY 2025 Enterprise Fund Budgets: Airport; Solid Waste.

X. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports.

XI. 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
January 24, 2024

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Grant Agreement	Culture & Tourism	Massachusetts Cultural Council	(\$15,000)	Grant for the Nantucket Cultural District to support District Partners developing programming to promote and celebrate Nantucket's diversity and cultural heritage	N/A	Jan 12, 2024 - June 30, 2024
Contract Amendment	Human Resources	John E. Parow d/b/a John Parrow Consulting & Associates	N/A	Deputy Fire Chief Recruitment Services - extension of time only	N/A	Jan 1, 2024 - Sept 30, 2024
Contract Amendment	Natural Resources/ Public Works	Woods Hole Group, Inc.	Add \$20,000 to previously amended contract amount of \$335,892 for new contract amount of \$355,892	Coastal Resiliency Project - adding another geotechnical boring to the Project, for a total of 2 borings taken	Article 10 2022 ATM	Jan 4, 2023 - Dec 31, 2024
Professional Services Agreement	Police	Kelly C. Mayette	(\$14,000) due from students who are hired after 3 years	Student Officer Employment Contract	Police Department Budget	Jan 24, 2024 - Jan 23, 2027
Professional Services Agreement	Police	Rachel M. Lester	(\$14,000) due from students who are hired after 3 years	Student Officer Employment Contract	Police Department Budget	Jan 24, 2024 - Jan 23, 2027
Professional Services Agreement	Police	Brady L. Fontana	(\$14,000) due from students who are hired after 3 years	Student Officer Employment Contract	Police Department Budget	Jan 24, 2024 - Jan 23, 2027
Professional Services Agreement	Police	Ian H. Kelly	(\$14,000) due from students who are hired after 3 years	Student Officer Employment Contract	Police Department Budget	Jan 24, 2024 - Jan 23, 2027
Contract Amendment	PLUS	National Alliance of	N/A	Commission Assistance and Mentoring Program (CAMP) -	N/A	July 1, 2023 - Feb 23, 2024

		Preservation Commissions		HDC operational review - extension of time only		
Professional Services Agreement	Public Works	Avalon Consulting Group	\$99,000	Shadbrush Road DPW Facility Permitting	Article 16 2019 ATM	Jan 10, 2024 - Dec 31, 2024
Professional Services Agreement	Public Works	SMRT, Inc.	\$44,900	Restroom Facility Improvement Project - Visitor's Center; Sconset Village, Jetties Beach, Surfside Beach, Childrens Beach, Marine Department, Dionis Beach, Tom Nevers Fields	Article 10 2019 ATM	Jan 24, 2024 - Jan 23, 2025
Contract Amendment	Public Works	Commonwealth Resource Management Corp.	Add \$70,000 to previously amended contract amount of \$275,000 for new contract amount of \$345,000	Consulting services for the Town of Nantucket solid waste issues and planning	Solid Waste Enterprise Fund Budget	Jan 24, 2024 - June 30, 2024
Professional Services Agreement	Public Works	G&L Cleaning Services	\$289,296	Professional cleaning services at various municipal buildings	Public Facilities General Custodial	Feb 1, 2024 - Jan 31, 2027
Professional Services Agreement	Public Works	Vested Solutions	\$163,618.56	Professional cleaning services at Public Safety Facility	Public Facilities General Custodial	Feb 1, 2024 - Jan 31, 2027
Professional Services Agreement	Sewer Department	Robert B. Our Co. Inc.	\$2,250,000	South Valley Pump Station: replace generator system, mechanical upgrades, HVAC upgrades site work	Sewer Budget	Jan 24, 2024 - Jan 23, 2025
Professional Services Agreement	Sewer Department	Penn Valley Pump Company Inc.	\$12,145	Sludge Handling Pump repair	Sewer Budget - Repair	Jan 24, 2024 - Jan 23, 2025
Memorandum of Understanding	Select Board	Nantucket Islands Land Bank Commission	N/A*	Agreement to share Washington Street Coastal Resiliency/Conservation Projection Project	Coastal Resiliency Annual Appropriation	n/a

*administration and other costs to be split 50-50

From: [justin](#)
To: [Dawn Hill Holdgate](#); [Brooke Mohr](#); [Matt Fee](#); [Thomas Dixon](#); [Malcolm MacNab](#); [Town Manager](#)
Subject: indoor feasibility study grant
Date: Tuesday, January 16, 2024 10:32:03 AM
Attachments: [indoor grant.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Justin

Justin Quinn
4 Micheme Ln
Nantucket Ma
02554
justinquinnllc@gmail.com
5082078325

www.justinquinnllc.com

Nantucket Soccer Club
P.O. Box 2264
Nantucket, MA 02584
Nantucketsoccer20@gmail.com

January 16, 2024

Town of Nantucket
16 Broad Street
Nantucket, MA 02554

Dear Nantucket Select Board and Town Manager,

On behalf of the Nantucket Soccer Club, we are thrilled to announce our commitment to donate thirty-thousand dollars towards a feasibility study for the proposed indoor community athletic field house. This generous contribution has been made possible through a grant provided by the Nantucket Golf Club, and we are excited to play a part in advancing this important initiative for our community.

As an organization deeply invested in the well-being and development of our youth, we recognize the tremendous impact that a facility of this nature could have on the lives of our young athletes and the broader community. The potential for year-round access to high-quality athletic facilities is a prospect that we believe will not only benefit our current players but also inspire future generations to embrace active, healthy lifestyles.

We are grateful for the opportunity to support this endeavor, and we look forward to working collaboratively with the town of Nantucket and other stakeholders to ensure the success of the feasibility study and the eventual realization of the indoor community athletic field house. These funds are restricted solely to payment of a feasibility study and will be delivered once the study has been approved by the select board. If, for whatever reason, the study is approved, but does not move forward, we would expect the funds to be returned to Nantucket Soccer Club.

Thank you for your dedication to enhancing the quality of life on Nantucket, and we are eager to contribute to this exciting project.

Sincerely,

Nantucket Soccer Club

Ian Graham
Christopher Skehel
Rose Marie Samuels
Kim Latlippe
Sarah Moe
Rebecca Becker

Phil Taylor
Jennie Cook
Doug Lebrecht
Justin Quinn
Eric Anderson

January 11, 2024

Dear Select Board Members:

We are writing to express our commitment to supporting the community of Nantucket and its potential for enhanced indoor recreational facilities.

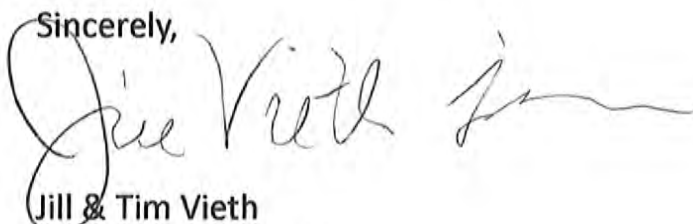
Understanding the importance of fostering a healthy and active community, we are pleased to donate \$1000 towards to the Town of Nantucket for an Indoor Recreation Feasibility Study. Recognizing the positive impact such facilities have on residents' well-being, we believe this initiative aligns with the commitment by the Select Board to offer greater access to recreation.

As you invest in the study, our hope is that the findings will guide the development of sustainable and inclusive indoor recreational spaces. By contributing to this study, we are confident that the town can create opportunities for residents of all ages to engage in activities that brings the community together and benefits their physical and mental health and overall quality of life.

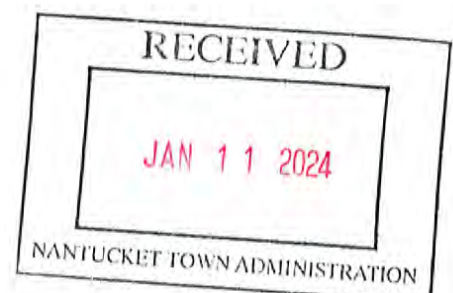
Please consider this donation as a heartfelt gesture toward the betterment of Nantucket. We look forward to witnessing the positive outcomes that this study will undoubtedly bring to the wider community.

Thank you for your dedication to enhancing the well-being of Nantucket residents for generations to come.

Sincerely,

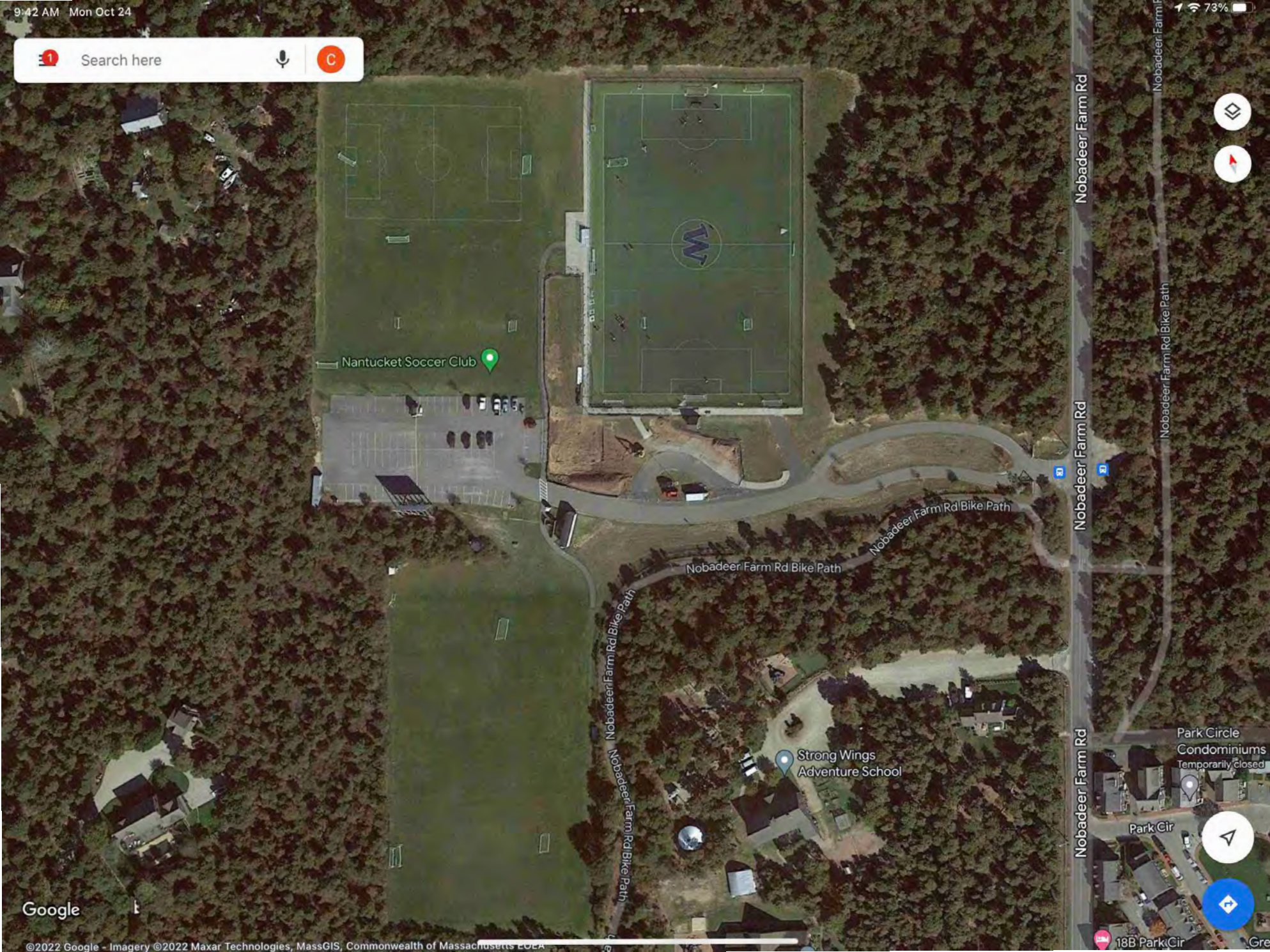


Jill & Tim Vieth
12 Okorwaw Avenue
Nantucket, MA 02554





Search here



Nantucket Soccer Club

Nobadeer Farm Rd Bike Path

Nobadeer Farm Rd Bike Path

Nobadeer Farm Rd Bike Path

Strong Wings
Adventure School

Nobadeer Farm Rd

Nobadeer Farm Rd

Nobadeer Farm Rd

Nobadeer Farm Rd Bike Path

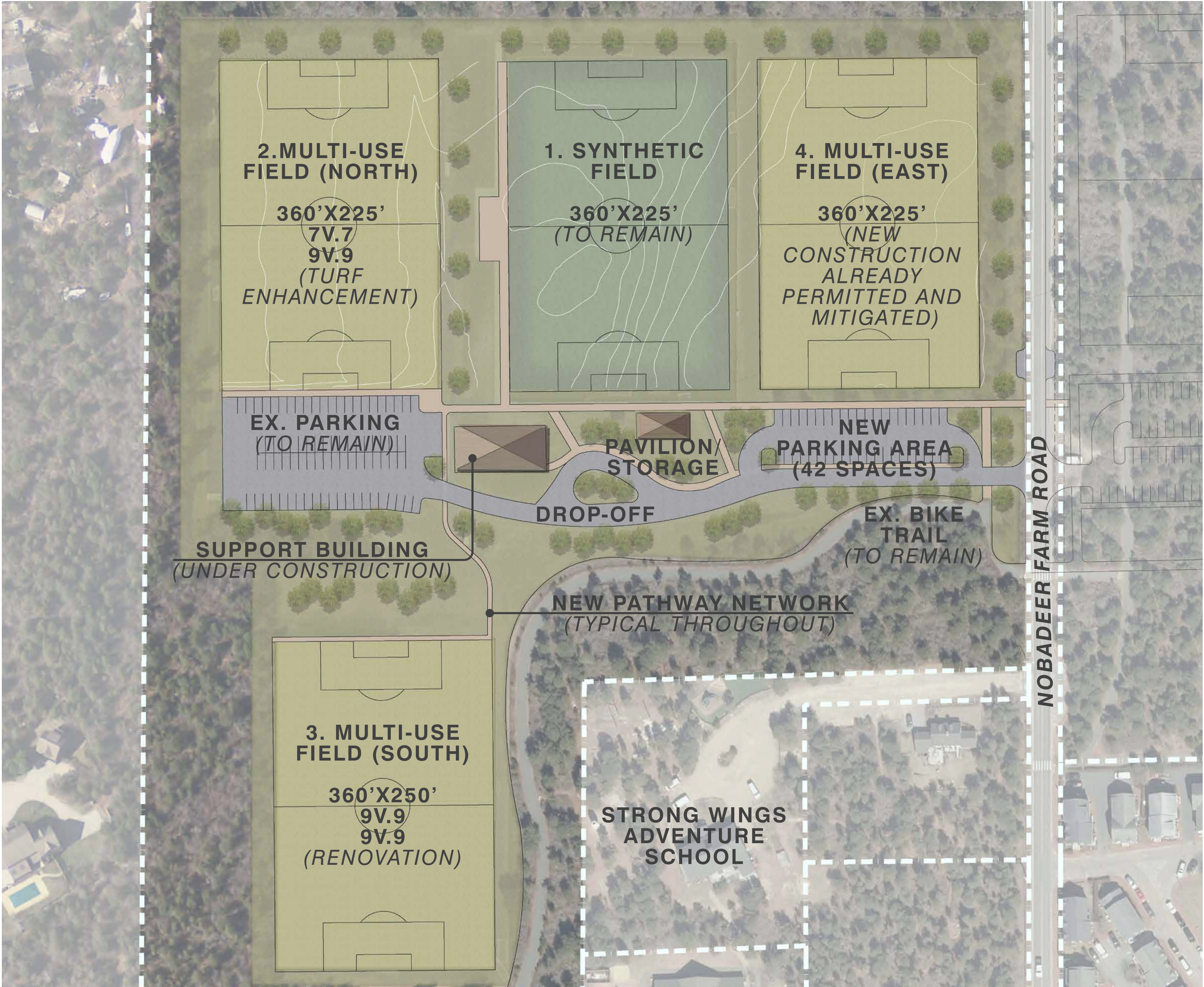
Nobadeer Farm Rd

Park Circle
Condominiums
Temporarily Closed

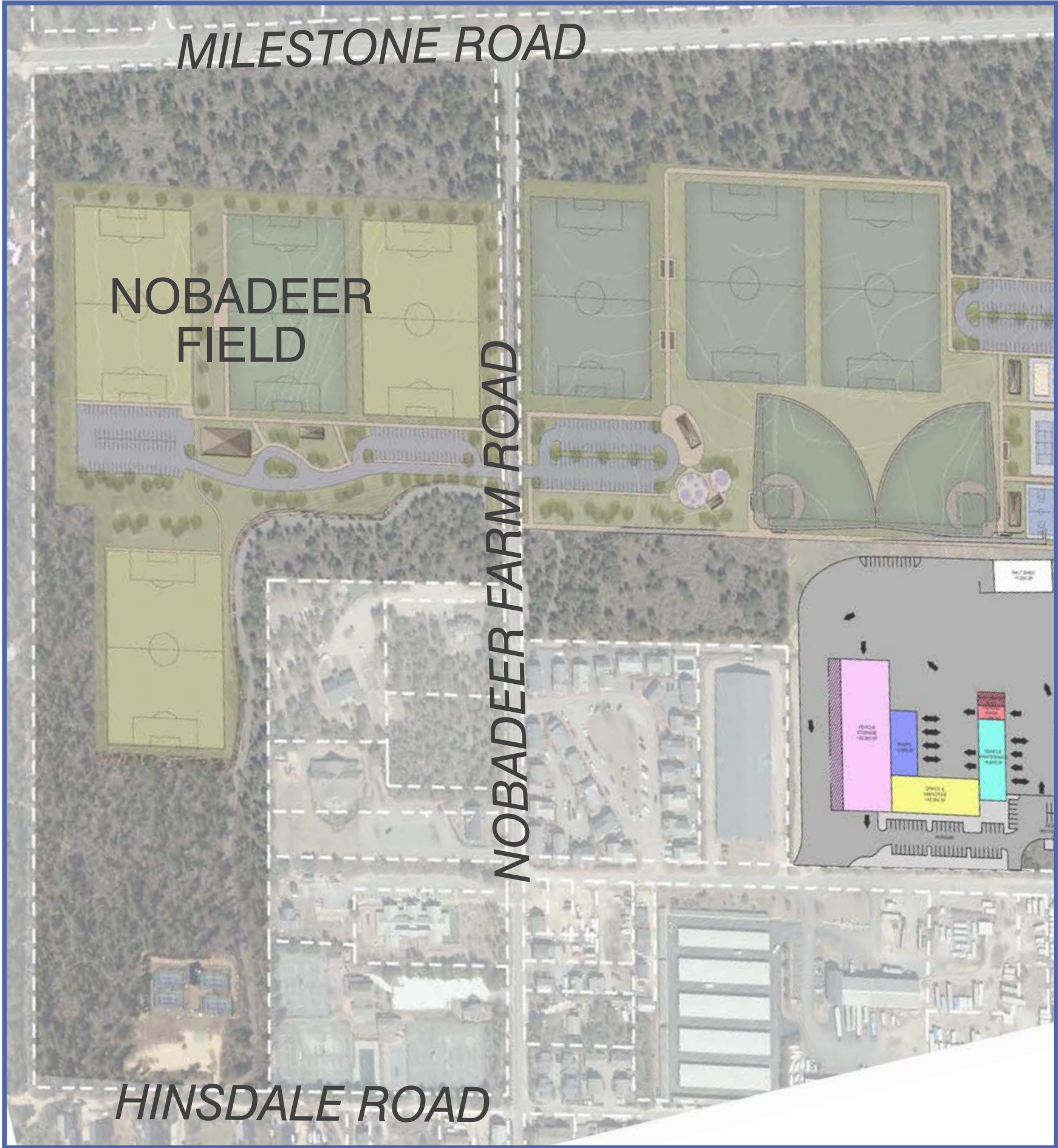
Park Cir

18B Park Cir

NOBADEER FIELD | MASTER PLAN CONCEPT



KEY MAP



PROPOSED FIELD USE MATRIX

FIELD TYPE:

- 1. SYNTHETIC TURF FIELD
- 2. MULTI-USE RECTANGULAR FIEL (NORTH)
- 3. MULTI-USE RECTANGULAR FIEL (SOUTH)
- 4. MULTI-USE RECTANGULAR FIEL (EAST)

USES:

- NANTUCKET SOCCER CLUB
- NANTUCKET YOUTH LACROSSE
- SOCCER PLUS
- SUMMER SOCCER LEAGUE
- OTHERS (TBD)



DRAFT

NANTUCKET, MA
PARKS AND RECREATION MASTER PLAN
2022



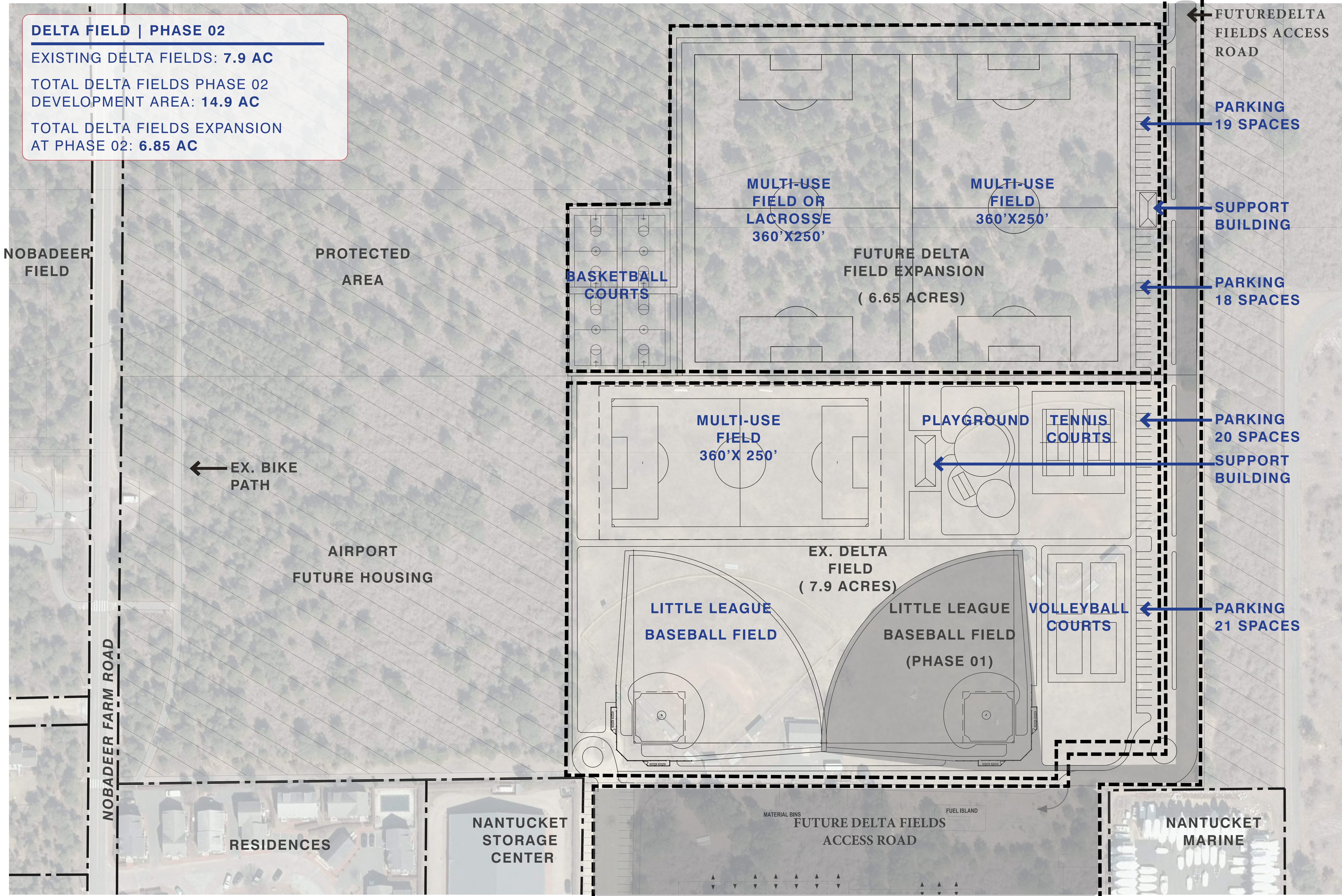
Weston & Sampson
design studio

DELTA FIELD | PHASE 02

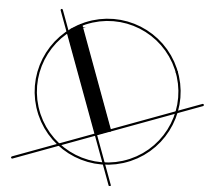
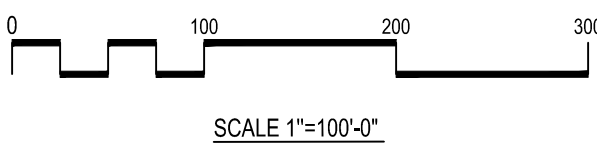
EXISTING DELTA FIELDS: **7.9 AC**

TOTAL DELTA FIELDS PHASE 02
DEVELOPMENT AREA: **14.9 AC**

TOTAL DELTA FIELDS EXPANSION
AT PHASE 02: **6.85 AC**



CONCEPT DRAFT



Project:
TOWN OF NANTUCKET



DELTA FIELDS
NOBADEER FARM ROAD
NANTUCKET, MA 02554

Weston & Sampson

427 Main Street,
Suite 400, Worcester, MA 01608
978.977.0110 800.SAMPSON
www.westonandsampson.com

Consultants:

Seal:

Revisions:

Rev	Date	Description

Seal:

Revisions:

Rev	Date	Description

SCALE: AS NOTED

Date: MARCH 30, 2023

Drawn By: JC

Reviewed By: BK

Approved By: BK

W&S Project No: 200124

SCALE: AS NOTED

Drawing Title:

PHASE 02
BUILD OUT
PLAN

Sheet Number:

L121

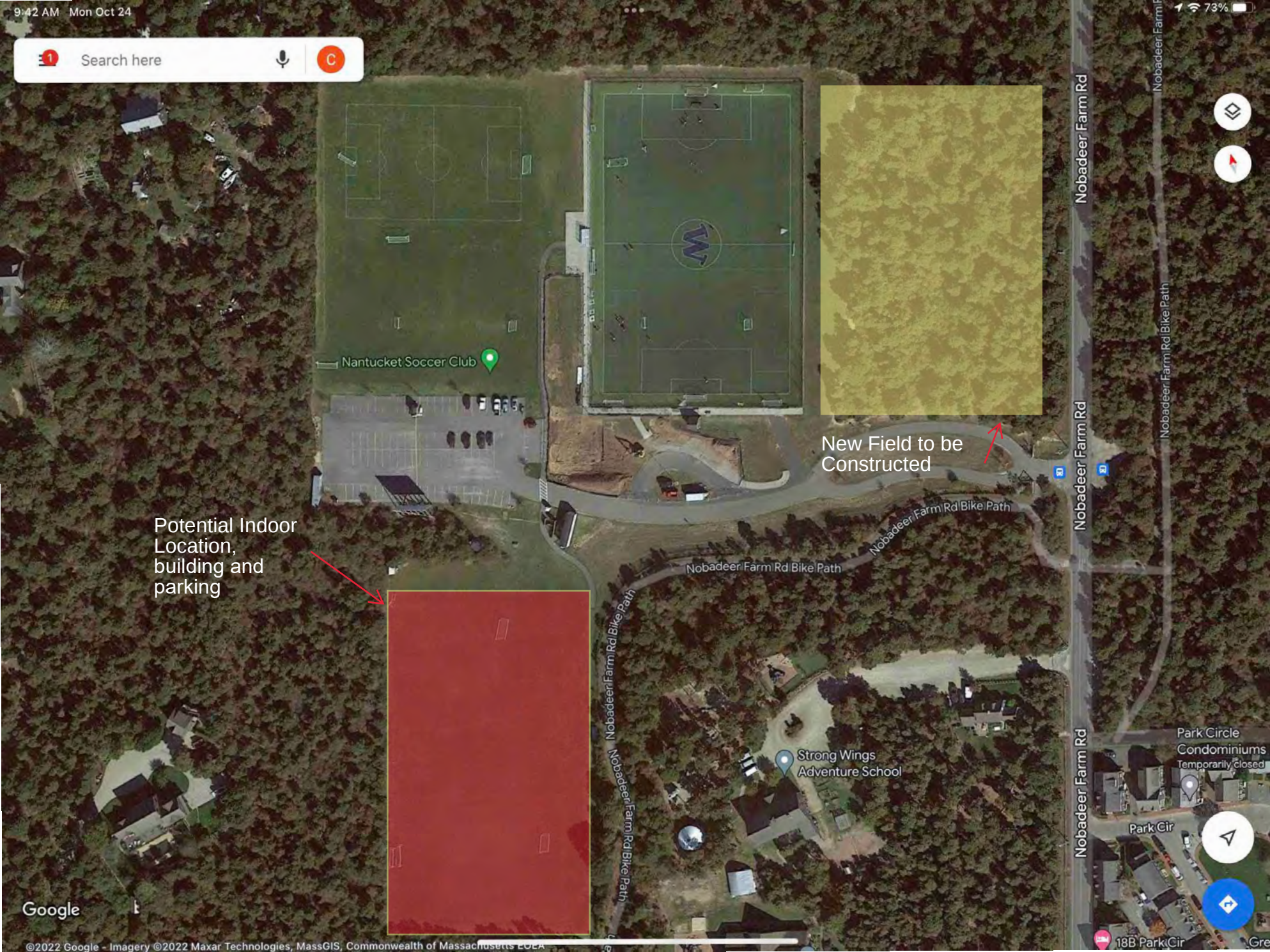
Parks and Rec Master Plan Timeline. The first step is Nobadeer expansion project, the extra field is needed before other fields can be taken offline for reconstruction.

This is an aggressive "perfect world" time line

Nobadeer Expansion approved at STM.

- December 2023 – April 2024
 - **Nobadeer Expansion Project**
 - Design and Permitting
- April 2024 – May 2024
 - **Nobadeer Expansion Project**
 - Procurement process
 - **ATM for FY'25**
 - Jetties Tennis Reconstruction project (\$1.9M)
 - Tom Nevers Playground (\$158k)
 - Nobadeer Playground (\$636k)
- August/September 2024
 - **Nobadeer Expansion Project**
 - Start construction of new grass field and renovation of south field
 - These fields once complete, will need a minimum of 2 growing cycles before opening for use.
 - Playground installation
 - **Jetties Tennis**
 - Procurement Process
 - **Tom Nevers**
 - Playground Reconstruction
 - Ballfields restoration (fencing and Dugouts) to Capital
 - Skate rink restoration/reconfiguration to Capital/CPC
 - **Delta Fields**
 - Design funding request to capital
- October/November 2024
 - **Jetties Tennis**
 - Jetties Tennis Award / Start Construction estimated timeline 12-14 weeks (about 3 months) for completion.
 - **Delta Fields**
 - Design and Permitting
- Spring 2025
 - **ATM for FY'26**
 - Tom Nevers Ball Field Restoration
 - Beach Debris and Bluff Stabilization supplemental
 - Skate Rink Restoration/reconfiguration
 - **Nobadeer Field Expansion**

- New fields to be maintained but still closed for use.
- **Jetties Tennis**
 - Open for use late Spring (operations of courts put to out to bid?)
- Late Summer/Fall 2025
 - **Delta Fields**
 - Delta expansion construction funding and reconfiguration project to Capital
- Spring 2026
 - **ATM FY'27**
 - Delta expansion and reconfiguration
 - Children's Beach Playground refresh if needed
 - **Nobadeer Field Expansion**
 - New Fields Open for use.
 - North Field Restoration work to commence.
- Fall 2026
 - **Delta Fields**
 - Delta reconfiguration to procurement
- Winter/Spring 2027
 - **Delta**
 - Construction to begin.
- Fall 2028
 - **Delta Fields**
 - Possible phased opening of non-field items. Such as courts and playgrounds
 - Fields maintained but not used for play
 - **Nobadeer Turf Field**
 - Nobadeer Turf field replacement to Capital.
 - **Nobadeer Grass Fields**
 - All Fields Open for Use (All youth sports moved to Nobadeer)
- Spring/ Summer 2030
 - **Delta Fields**
 - Fields open for use.



Potential Indoor Location, building and parking

New Field to be Constructed

Current Field Usage:

- Nantucket Soccer Club: 450 Athletes
- Nantucket Youth Lacrosse: 230 Athletes
- Nantucket Little League: 225
- Nantucket Adult Soccer: 100 Athletes
- NPS needs???
- Nobadeer turf is used by Nantucket Community Soccer, Nantucket Youth Lacrosse, and Nantucket Public Schools. For the past two years we have been receiving increasing requests from NPS to use the turf field for practice before off island games. Starting this spring season, we are dedicating Wednesdays on the turf field for the use of the public school at their discretion.
- This past fall we hosted CPS soccer at the Delta fields due to lack of space at the NPS fields.
- NPS soccer programs used the grass and turf fields at Nobadeer for preseason practice while work was being completed on the school fields.
- Collaboration conversations are continuing between NPS and TON for field usage as school programs continue to grow and field space at NPS becomes a premium. What supplemental needs might NPS need if they renovate existing fields?
- When the life of the Nobadeer turf field is exhausted (6-10 years) is there a suitable replacement? Or will it need to be replaced with Grass fields. 2 grass fields would be required to absorb the hours of use.
- All current projects would need to be completed before a field could be taken offline to be used for an indoor location.
- What are the needs for the fields going to be in 6 years???

Questions about indoor facility:

- What are we looking for? What is included?
 - a. This dictates how big the building will need to be.
- Where will the building go, how much space is needed parking ect... and what would the mitigation be, is there open space that can be used for mitigation?
- Who operates the building and runs the programming?
 - a. Hours of operation? Nights and weekends? Seasonal or year-round?
- What might be the cost associated with construction and operation.
 - a. Can a community this size cover operational cost?

TOWN OF NANTUCKET CONSERVATION COMMISSION

IAN GOLDING, CHAIR
131 PLEASANT STREET
NANTUCKET, MA 02554

CONCOM@NANTUCKET-MA.GOV
508-228-7230



January 18, 2024

Select Board
16 Broad Street
Nantucket, MA 02554

Re: Request for Independent Counsel – Joint Town of Nantucket/Sconset Beach Preservation Fund Notice of Intent DEP File Number SE48-3736

Based on a vote 7-0 at the January 18, 2024, meeting of the Nantucket Conservation Commission, as Chair I was authorized to provide this letter requesting independent legal counsel for this application to be authorized by the Town of Nantucket Select Board. Given the history of filings for this area and nature of the application the Commission has required and received legal counsel on all previous filings or formal actions related to the protection of Baxter Road. The Commission recognizes that the current application is being jointly filed by both the Town of Nantucket and Sconset Beach Preservation Fund as applicants and that the Town owns a significant amount of the property needed to construct this project if all required permits are obtained. It is this partnership that is leading the Commission to request independent counsel for reviewing the project and provide legal assistance as needed by the Commission. The Commission feels that it is imperative to have counsel as soon as possible to prevent any potential delays from allowing counsel to be hired during the process to catch up on the permit hearings and issues.

The Commission recognizes that through the Town of Nantucket Charter Section 3.4(a)(2) that the Select Board has the exclusive right to appoint Town Counsel. In addition, that the Town Manager within Section 4.2(d)(10) of the Town shall have the authority, subject to resolution of approval or disapproval of the select board, to prosecute, defend and compromise, all litigation to which the Town is party. In the event that a board, council, commission or committee of the Town is a party defendant to litigation and the Town a party plaintiff, that board may vote to be represented by special counsel funded from the same appropriation as Town Counsel would otherwise be. Looking at past history, the existing removal order and the previous appeals of Emergency Orders and Orders of Conditions the likelihood of legal action is high. Upon review of the previous

TOWN OF NANTUCKET CONSERVATION COMMISSION

IAN GOLDING, CHAIR
131 PLEASANT STREET
NANTUCKET, MA 02554

CONCOM@NANTUCKET-MA.GOV

508-228-7230



filings no Order of any kind has been issued without legal review for this general project area. In this case and given the fact that the Select Board is required to authorize an appeal it could potentially put the Select Board on opposite sides of that legal action requiring separate counsel as suggested by the Charter. The Commission recognizes the fact that the Town is a regular applicant to the Commission and typically does not require independent counsel, but no applicant or project has had as long a history of legal actions, making it unique.

Certain issues have been brought to the Commission's attention or have been discovered through Commissioners' review of the application that require some clarification by counsel as soon as possible for the hearings to proceed in as timely manner as possible.

1. Rehearing limit: The Code of the Town of Nantucket Chapter 136 §136-3(F) reads: *Permit and waiver rehearing limit. No permit or waiver which has been unfavorably and finally acted upon by the Commission shall again be eligible for consideration on a new application within three years after the date of final unfavorable action unless the Commission finds, by a favorable vote of a majority of the members then present and voting, specific and material changes in the circumstances upon which the previous unfavorable action was based and describes such changes in the records of its proceedings.*

Does the final action taken on SE48-2824 on September 2, 2022, when the Superior Court affirmed the Commission's removal order require that this rehearing limit be discussed regarding this applications eligibility for review?

2. How do the requirements of the previous and existing MOU's and license agreements factor into the review of the application?
3. How does the current removal order and ongoing lack of compliance with sand mitigation impact this NOI submission?
4. Do the engineer notes in the removal plan documents carry the force and effect of law and how does that impact the new NOI?

These are four issues that have been identified for counsel opinion. These have been identified prior to the first hearing at which testimony will be accepted on

TOWN OF NANTUCKET CONSERVATION COMMISSION

IAN GOLDING, CHAIR
131 PLEASANT STREET
NANTUCKET, MA 02554

CONCOM@NANTUCKET-MA.GOV

508-228-7230



January 25, 2024, demonstrating the complicated nature of the application.

TOWN OF NANTUCKET CONSERVATION COMMISSION

IAN GOLDING, CHAIR
131 PLEASANT STREET
NANTUCKET, MA 02554

CONCOM@NANTUCKET-MA.GOV

508-228-7230



In summary the Code of the Town of Nantucket Chapter 136 §136-3(C) allows The Commission is authorized to require an applicant to pay the costs and expenses of any expert consultant deemed by the Commission necessary to enable the Commission to evaluate the application. The Commission feels strongly that a legal consultant/counsel is necessary to properly evaluate this complicated application. Given the parties involved it would seem appropriate to have all parties with equal and independent representation to create a fair and transparent process for all involved.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to be "Ian Golding", is written over a faint, larger version of the same signature.

Ian Golding, Chair
Nantucket Conservation Commission

Links to FY 2025 Enterprise Fund Budgets:

Airport

<https://stories.opengov.com/nantucketma/published/8kpP2XFowQ>

Solid Waste

https://stories.opengov.com/nantucketma/published/eV9FI5_qU4