SELECT BOARD

Minutes of the Meeting of August 21, 2024. The hybrid meeting took place in person at the Public Safety Facility Community Room at 4 Fairgrounds Road; and, via remote participation using Zoom Webinar. Members of the Board present were Brooke Mohr, Thomas Dixon, Matt Fee, Dawn Holdgate and Dr. Malcolm MacNab.

I. CALL TO ORDER

Chair Mohr called the meeting to order at 5:30 PM following the Pledge of Allegiance.

II. SELECT BOARD ACCEPTANCE OF AGENDA

The agenda was accepted.

III. ANNOUNCEMENTS

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

2. Introduction of New Director of Public Health and Human Services: Roque Miramontes. Town Manager C. Elizabeth Gibson introduced Mr. Miramontes, noting that he is currently working remotely and will be on-island by early September. She said that he has most recently worked for the Centers for Disease Control. Mr. Miramontes, joining the meeting remotely, introduced himself as well. The Board welcomed him to the position.

3. Announce Applications Received for Conservation Commission Vacancy; Appointments on September 25, 2024 per Select Board Committee Appointment Process. Ms. Gibson read the names of the two applicants: RJ Turcotte and Grant Sanders.

4. No Select Board Meetings on Wednesday, August 28, 2024; Wednesday, September 4, 2024 (Summer Schedule); Next Meeting Wednesday, September 11, 2024.

5. Town Offices will be Closed Monday, September 2, 2024 in Observance of Labor Day.

6. 3rd Sewer Force Main Project to Start on Liberty Street, Winter Street, Pine Street, Silver Street, Pleasant Street – Monday, September 9, 2024; Road Restoration and Paving of Sea Street, Step Lane, Center Street, Lily Street, Liberty Street, Atlantic Avenue and Surfside Road – October 2024. Operations Administrator Erika Mooney reviewed the scheduling and nature of these projects, emphasizing that there will be significant disruption to the traveling public and the Town will do its best to provide current information as the projects proceed as to road closures and related issues.

Ms. Gibson added an additional announcement that a workshop meeting with Department of Environmental Protection officials will be held on Tuesday, September 10, 2024 at 5:00 PM and the session will be virtual. She said additional information will be posted and made available shortly.

7. Select Board Announcements/Comments. Mr. Fee said he hopes the Bicycle Pedestrian Advisory Committee is discussing bike path related safety signs and asked for an update at some point soon.

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

1. Update on Vineyard Wind Turbine Blade Failure Website, Q&A and Communications. Chair Mohr provided an update, noting that there are a number of questions, with associated answers from various

governmental agencies that have been posted to the Town's website, today. She said that she will not be accepting public comment on this issue this evening. She said if anyone has any questions that are not shown on the document she referenced, to please submit them to the Town's Communications Office and they will be posted and pursued as to the answer(s). Chair Mohr spoke on her communications with various federal and state agencies and indicated that her contact with the federal Bureau of Safety and Environmental Enforcement (BSEE) has been very responsive. Mr. Fee thanked Chair Mohr, Communications Manager Florencia Rullo and Assistant Town Manager Richard Sears for their very active monitoring and responsiveness to this incident. He said the Town's and citizens' interests have been well represented and that it has taken quite a bit of time.

V. PUBLIC COMMENT

Penny Dey commented on Land Bank meetings not being hybrid as most of the other Town board/ committee/commission meetings are and suggested that their meetings be hybrid. She added that the Land Bank minutes also be made available on-line, noting they are difficult to locate.

Veronica Bonnet submitted a document for the Board's review pertaining to Vineyard Wind.

Bill Grieder spoke on the need to protect the Ames Avenue bridge and nearby intersection and asked for some future Board discussion on this.

Campbell Sutton thanked Town officials for their work on the Vineyard Wind issue.

Ms. Sutton thanked Town staff for their work to make the agendas and minutes web page accessible.

Ms. Sutton asked whether the Town has heard anything about a Housing Court on Nantucket.

Ms. Sutton asked if there could be a landfill update soon.

Ms. Sutton asked about a voluntary system regarding a local transfer fee for affordable housing.

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 Dr. MacNab; all in favor, so voted.

1. Approval of Minutes of July 23, 2024 at 12:00 PM; July 29, 2024 at 3:00 PM; July 29, 2024 at 4:00 PM; August 7, 2024 at 5:30 PM; August 8, 2024 at 9:00 AM; August 12, 2024 at 11:00 AM.

2. Approval of Payroll Warrants for August 18, 2024.

3. Approval of Treasury Warrants for August 14, 2024; August 21, 2024.

4. Approval of Pending Contracts for August 21, 2024 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Chair Mohr noted an updated item with respect to the collective bargaining agreement for the Deputy Chief of Police. Mr. Dixon stated he would abstain from the contracts with the Nantucket Racquet Sports Association and the Nantucket Interfaith

Council Rental Assistance Program. Mr. Fee moved approval of the pending contracts as presented; seconded by Dr. MacNab; so voted 4-0 with Mr. Dixon recused.

VIII. PROJECTS

1. Surfside Area Transportation Improvements Project Update. Public Works Director Andrew Patnode introduced the agenda item, provided a brief overview of the project and turned it over to Zach Wassmouth of GPI, the Town's engineers for the project. Mr. Wassmouth reviewed the presentation contained in the Board's agenda packet. He also spoke to some concerns expressed at an August 14th public informational session. Mr. Fee commented that this presentation demonstrates how long it takes to get projects like this completed, due to their complexity. Burton Balkind asked if the catch basins will be monitored. Mr. Patnode said that the Sewer Department handles catch basin cleaning and although that would be a question for them, he explained the engineering process as to how the filtration of these catch basins is intended to function. Discussion followed as to the maintenance of these and other catch basins. Mr. Patnode noted that a contract for Island-wide Town catch basin cleaning was approved tonight on Pending Contracts.

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Applicant Introduction/Review of Applications and Appointments to Capital Program Committee; Council on Aging; Cultural Council; Nantucket Historical Commission; Real Estate Assessment Committee; Town of Nantucket Scholarship Committee, Pursuant to Select Board Committee Appointment Policy. Ms. Mooney reviewed the appointment process (paper ballot for contested boards) and noted that many of the appointments can be made by acclamation for uncontested seats. She noted that some applicants are present to be introduced.

Ms. Mooney read the names of the applicants for uncontested seats:

Council on Aging – Arlene O'Reilly
Cultural Council – Jack Bulger
Real Estate Assessment Committee – Thomas Barada
Scholarship Committee – Jacqueline McGrady and Anne E. Broadus

Mr. Fee moved to appoint the applicants of uncontested seats by acclamation; seconded by Ms. Holdgate; all in favor, so voted

Votes on the remaining committees were tabulated by Ms. Mooney as follows:

Capital Program Committee (1 seat)

Peter T. Kaizer and Joseph W. Plandowski, applicants. Mr. Kaizer was not present. Mr. Plandowski spoke on his application.

Peter T. Kaizer – received votes from : Chair Mohr, Mr. Dixon, Mr. Fee, Ms. Holdgate and Dr. MacNab
Joseph W. Plandowski – did not receive any votes

So voted to appoint Mr. Kaizer.

Nantucket Historical Commission (2 seats)

Linda Williams, Diane Coombs and Sarah Noelle McLane, applicants. Ms. McLane, Ms. Williams and Diane Coombs spoke on their applications.

Linda Williams – received a vote from Ms. Holdgate
Diane Coombs – received votes from Chair Mohr, Mr. Dixon, Mr. Fee and Dr. MacNab
Sarah Noelle McLane - received votes from Chair Mohr, Mr. Dixon, Mr. Fee, Ms. Holdgate and Dr. MacNab

So voted to appoint Ms. Coombs and Ms. McLane.

2. Select Board Strategic Plan Update: Housing Focus Area (Tabled from July 17, 2024). Housing Director Kristie Ferrantella reviewed the update, using the presentation contained in the Board's agenda packet.

3. Housing Office: Affordable Housing Trust Quarterly Report (Tabled from August 7, 2024). Housing Director Kristie Ferrantella reviewed the update, using the presentation contained in the Board's agenda packet.

At 6:44 PM, Ms. Holdgate left the meeting; she returned at 6:46 PM.

Mr. Dixon complimented the Housing staff for their efficiency and good work. Chair Mohr commented on how pleased she is that the Town's housing efforts and capacity to address housing issues has increased so significantly in the last decade.

4. Update on Baxter Road Alternative Access Project. Sustainability Projects Coordinator Vincent Murphy introduced the item and turned the update over to William Casey of Arcadis. Mr. Casey reviewed the update, using the presentation contained in the Board's agenda packet. Mr. Fee asked if betterments are being considered for this project. Ms. Gibson responded affirmatively and added that more work needs to be done on this and said she is hesitant about putting this project before the 2025 annual town meeting because of readiness with a betterment proposal. Chair Mohr thanked Mr. Casey for the presentation.

5. Siasconset Beach Preservation Fund (SBPF):
a) Discussion of Notice of Intent Progress and Request for Change in Construction Sequencing for Town and Siasconset Beach Preservation Fund (SBPF) Baxter Road and Sconset Bluff Stabilization and Coastal Resiliency Project. Mr. Murphy introduced the item and provided an overview of this project and its recent background. Mr. Fee emphasized that the Town's involvement in this project was due to a need for increased oversight over SBPF. Mr. Murphy reviewed several maps of the project site to show the original sequencing of the project vs what is now being proposed by SBPF. He also reviewed changes in distance between the edge of the bluff and Baxter Road over the past several years, as well as Federal Emergency Management Agency (FEMA) erosion projections. Mr. Murphy commented that his role is to protect the Town's interests and that in his opinion, the request from SBPF represents a risk to the Town, given the projections and the actual measurements. Dr. MacNab asked if this section of the road should "just be let go". Mr. Murphy responded and explained there are ways to increase the longevity of the properties and the road with a correctly installed and sequenced structure(s). Some discussion followed as to the FEMA projections. Ms. Holdgate inquired about the location of the private funding sources from the properties in question, and whether there could be some sort of concurrent way to address this. Meridith Moldenhauer, speaking on behalf of SBPF, agreed with Mr. Murphy's overview and said SBPF is looking for "flexibility" which will help them with fundraising for the project. She spoke on the specifics of the sequencing, with respect to each "reach" of the proposed project and how this relates to the fundraising efforts of SBPF. She stated that some of the proposed resequencing will continue to address the area where there is the most severe erosion, while also addressing the "reaches" where the private funding is most likely to come from.

Dr. MacNab asked what guarantee there is that “reach 1” where the worst erosion is, will be done in a timely manner. Ms. Moldenhauer responded, saying that “reach 1” will remain part of the project but that it is not the worst area for erosion. Some discussion followed. Ms. Holdgate concurred that a guarantee of some kind is important for “reach 1”. Mr. Murphy stated that “reach 1” does have the highest level of erosion and is the most necessary to be done first. Mr. Fee said he believes a coastal resiliency district with betterments is needed in this area. He added this project will also require a town meeting vote. Chair Mohr asked for clarification from Town Counsel as to the impacts on revised sequencing. Attorney George Pucci explained what specifically will need town meeting approval pursuant to the Town Code, but that it is unrelated to the sequencing. Mr. Pucci asked if any indication has come from the Conservation Commission (ConCom) as to the resequencing proposal. Natural Resources Director Jeff Carlson explained the criteria the ConCom uses to make a determination like this, but that one is if imminent danger is present. He said the ConCom has been very clear over time that all aspects of the project must be properly memorialized especially as to expectations. Nantucket Land and Water Council Executive Director Emily Molden expressed concerns about the request for resequencing, as well as funding sources for the project and management of the project. She spoke in favor of prioritizing “reach 1”. Chair Mohr asked about the funding for “reach 1”. Ms. Moldenhauer stated that “reach 1” will need “separate and additional funding beyond the homeowners” perhaps from other philanthropic organizations. She said that has always been the case. She added that SBPF is “confident” that the funding for “reach 1” will be secured. She reiterated the request for “flexibility” to enhance their fundraising. Mr. Fee said he supported a memorandum of understanding with SBPF, because “reach 1” was to be done first. He expressed concern about approving this, now; he would like staff or Town Counsel to demonstrate how there could be a “guarantee” that “reach 1” be done first. Discussion followed as to how to reduce risk to the Town. Ms. Holdgate said she might be comfortable with some flexibility with more of a timeline guarantee with respect to “reach 1”. Dr. MacNab said the Board should make a decision that is best for the Town, and he supports the advice provided by Mr. Murphy to keep the project as is. He expressed frustration with this item being before the Board at all. Mr. Dixon expressed support for Mr. Murphy’s recommendation, adding that this request should have been made well before now. Mr. Fee said he feels this decision should not be made tonight. Dr. MacNab moved not to change the original Notice of Intent; seconded by Mr. Dixon; so voted 4-0. Ms. Holdgate abstained.

<u>b) Request for Select Board Approval/Town Manager Signature on Notice of Intent to Conservation Commission for Coir Terrace Maintenance Project at 59-83 Baxter Rd DEP File No. 48-3759.</u> Ms. Gibson introduced the item and explained it is believed there is a town meeting vote needed in order for the project to proceed (if ultimately approved by the ConCom), even if the Board authorizes the Town Manager to sign the Notice of Intent (NOI). Mr. Pucci concurred with Ms. Gibson’s review and added that a plan should be attached to the NOI indicating the location of the Town-owned land in the project area. He also noted he has not been able to obtain an existing license for the original project at this location. Ms. Moldenhauer said SBPF would appreciate the Board’s authorization for the Town Manager to sign the NOI, but since it only came up today that a town meeting vote would be required, she would like SBPF’s attorney to review that issue. Mr. Carlson elaborated on the nature of the project and its history and his communication with the Department of Environmental Protection as to whether it is a new/replacement project, or a matter of maintaining an existing project. Chair Mohr asked who makes the ultimate determination as to the nature of the project (maintenance vs new project). Mr. Pucci said he would be happy to discuss that further with SBPF’s attorney, but he does believe a town meeting vote per the Town Code is needed for this project. Ms. Holdgate said she does not have an issue with Ms. Gibson signing the NOI, with a notation that it is subject to determining whether or not the project will require a town meeting vote and so moved; seconded by Mr. Fee; all in favor, so voted.

X. TOWN MANAGER'S REPORT

1. Select Board Strategic Plan Update: Efficient Government Focus Area. Assistant Town Manager Richard Sears reviewed the presentation contained in the Board's agenda packet.

At 8:28 PM, Ms. Holdgate left the meeting; she returned at 8:33 PM.

Other staff on the Focus Area team also participated in the update, speaking on different strategies: Chief Technology Officer Mike Alvarez, Human Resources Director Amanda Perry and Public Works Director Andrew Patnode. With respect to recruitment and retention efforts, Mr. Sears commended Ms. Perry for the Human Resources Department's work, noting that in the last fiscal year, 67 employees (replacement and new) have been brought on and that represents a significant effort.

2. Review of 2024 Annual Town Meeting Survey Results. Communications Manager Florencia Rullo reviewed the survey results using the presentation contained in the Board's agenda packet. Ms. Gibson reviewed the various next steps and suggestions as included in the presentation. She said some internal discussion will continue and some other ideas may be brought to the Board with more information. Some discussion followed on some of the survey results. Chair Mohr noted some ideas that keeping coming up are simply not legal.

3. Monthly Town Management Report. There was no Town Manager's report.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Status Update Regarding Vote on Article 36 of 2024 Annual Town Meeting (Non-Binding Appropriation for Independent African Meeting House Vandalism Investigation), Including Discussion of Scope of Services for the Investigation. Chair Mohr reviewed the scope of services contained in the Board's agenda packet, and explained that despite the request in the citizen article that citizens be given funding to conduct the requested investigation, it is not a legal use of municipal funds. Gail Holdgate, article sponsor, expressed confusion as to what was voted. Chair Mohr reiterated the legal parameters and what the alternative is. She added that the warrant article in question was non-binding. Mr. Fee explained that the review in question will be independent. Some discussion followed. Ms. Holdgate asked who will conduct the investigation. Chair Mohr explained and said that it will be an independent, outside firm, yet to be hired; and re-explained the scope of work in the Board's packet. Ms. Holdgate indicated that she understood. Ms. Holdgate moved to engage a firm to conduct the scope of work as contained in the Board's packet; seconded by Dr. MacNab; all in favor, so voted. Mr. Fee asked who will make the selection. Chair Mohr said it will be done through procurement.

2. Committee Reports. There were no committee reports.

XII. ADJOURNMENT

Dr. MacNab moved adjournment at 9:21 PM; seconded by Ms. Holdgate; all in favor, so voted.

Approved the 11th day of September 2024

SELECT BOARD
AUGUST 21, 2024 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

III. 3. Conservation Commission membership/applicant list; ConCom applications
VII. 1. Draft minutes of 7/23/2024 open session; draft minutes of 7/29/2024 open session; draft minutes of 7/29/2029 joint w/ FinCom, Planning Board; draft minutes of 8/7/2024; draft minutes of 8/8/2024 open session; draft minutes of 8/12/2024 Licensing & Petitions
VII. 4. Pending Contracts spreadsheet – Amended
VIII. 1. Surfside Area Transportation Improvements presentation
IX. 1. Round 2 Committee Vacancy applicant list; committee applications; email/letter from Hillary Rayport
IX. 2. Strategic Plan Update – Housing
IX. 3. Affordable Housing Trust quarterly report
IX. 4. Baxter Road Alternative Access update presentation
IX. 5a. Letter from SBPF re: request for change in construction sequency; email from Sustainability Programs Manager; ConCom proposed Findings & Additional Conditions; Maps/Photos
IX. 5b. Email thread re: proposed Coir Terrace Maintenance Project; Notice of Intent signature page
X. 1. Strategic Plan Update - Efficient Government
X. 2. 2024 ATM Survey Results
XI. 1. African Meeting House - Scope of Services for Independent Review of Investigation; certified copy of Article 36 of 2024 ATM