SELECT BOARD

Minutes of the Meeting of September 18, 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 as posted.

III. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson reviewed the Announcements.

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

2. The Town of Nantucket will Hold Influenza and COVID-19 Vaccination Clinics on Saturday, October 5, 2024 and Saturday, October 19, 2024, 9:30 AM to 4:00 PM at Nantucket Elementary School Cafeteria (off Backus Lane). Operations Administrator Erika Mooney noted flyers in Spanish, English and Portuguese are available.

3. At its Meeting on September 12, 2024, the Select Board Reviewed Executive Session Minutes of July 20, 2020 and August 26, 2020 and Determined that Continued Nondisclosure was Required as the Purpose of those Executive Session Meetings Remains Ongoing, Such that the Negotiating and Litigating Positions of the Board May be Jeopardized by Disclosure at this Time.

4. Select Board Announcements/Comments. Chair Mohr thanked the voters for attending a special town meeting yesterday as well as all staff involved in making a town meeting happen.

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

There were no follow-up comments. Chair Mohr noted there are some follow-ups being worked on, but staff has recently been preoccupied with other priorities.

V. PUBLIC COMMENT

There was no public comment.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Mr. Fee moved approval of items VII 1 – 2; seconded by Ms. Holdgate; all in favor, so voted.

1. Approval of Minutes of September 10, 2024, at 5:00 PM; September 11, 2024 at 5:30 PM; September 12, 2024 at 9:00 AM.

2. Approval of Treasury Warrants for September 18, 2024, 2024.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Town Council Study Committee Update. Ms. Gibson introduced Joe Grause, chair of the Committee (TCSC). Mr. Grause reviewed the 2023 annual town meeting vote that prompted establishment of the TCSC. He said that the TSCC has been reviewing the pros and cons of a Town Council since inception. He said that the Committee is working on a draft charter and reviewed the structure currently being recommended, as contained in the materials in the Board's agenda packet. He said the Committee is seeking to make a transition straightforward, as well as some other issues the group is reviewing. Mr. Grause reviewed outreach measures the TCSC has worked on. He said that a draft of a new charter has been provided to Town Counsel, with the hope that an article can be put forward at the 2025 annual town meeting. He reviewed the timing of approval after that. He said that the Committee is hoping an article could be ready by the citizen warrant article deadline. He thanked the University of Massachusetts Collins Center for its invaluable assistance to the Committee and thanked the Board and Town Administration for providing for that assistance. Dr. MacNab asked about the number of councilors and whether there would be sufficient interest to fill all of them. Mr. Grause said that Town Council membership seems to vary from 5 – 11, in most towns with a Town Council. Dr. MacNab asked about at-large members vs members from precincts or districts. Mr. Grause responded. Some discussion followed on this. Mr. Fee said the two public forums scheduled will be helpful and said he thinks a change like this will be a "hard sell". Discussion continued. Mr. Grause commented that town meeting does not represent Nantucket very well. Chair Mohr asked the Board to consider the process of moving an article to a town meeting warrant, specifically if this should be a citizen article or Board-sponsored. Mr. Dixon, the Select Board's ex officio member of the TCSC, said he does not think it is appropriate for him to support a Town-sponsored article that would dissolve the Board he serves on. Mr. Fee said he thinks there is a lack of trust in Town government, and he is not sure a Town-sponsored article would be appropriate. Mr. Grause noted concern about being able to meet the citizen article deadline. He added that there has been Committee discussion about petitioning for a special town meeting if the deadline for the annual town meeting cannot be met. Dr. MacNab said he has no problem with Board sponsorship of the article. Mr. Fee suggested a "sense of the meeting" as to a change to a Town Council form of government at the 2025 annual town meeting, following continued outreach and public review. Ms. Holdgate said she does not have a problem with Select Board sponsorship, noting that she does not think that means the Board supports the article. Chair Mohr said she has a concern that Board sponsorship indicates to the public that the Board supports the article. She expressed support for Mr. Fee's suggestion about a sense of the meeting initiative. Mr. Grause said the TCSC's observations and citizen feedback seem to indicate support for a Town Council. Chair Mohr said the Committee's work is much appreciated. She said the Board should make sure that the Committee has proper legal review for the article. Town Counsel John Giorgio spoke on what the development of charter change article(s) entails, noting that it is substantial. He added that completion of this effort by the citizen warrant article deadline for the 2025 annual town meeting (ATM) is unrealistic. He added that the work is substantial enough that it would be outside the parameters of the legal retainer. He spoke on the issue of a non-binding question at the ATM and gave an example of a similar charter revision effort in another town (Sandwich). Mr. Dixon asked about a non-binding ballot question rather than at ATM. Mr. Giorgio responded. Some discussion followed. Chair Mohr expressed support for this idea. Dr. MacNab concurred. Chair Mohr said that she understands that some members of the TCSC have a sense of urgency about this issue and said this needs to be done carefully. Mr. Giorgio said a non-binding ballot question needs to be worded carefully to ensure that voters are very clear as to what would be proposed. Chair Mohr suggested Mr. Grause bring these thoughts back to the Committee for discussion. Mr. Grause agreed to do so and to return back to the Board with feedback in the near future.

2. Finance Department: Request for Approval of General Obligation Bond Anticipation Notes in the Amount of $24,175,000, Dated October 4, 2024, for Affordable Housing Trust, Airport, Sewer, Solid Waste and General Municipal Purposes. Finance Director Brian Turbitt introduced and reviewed the item, including the projects these bonds are funding. Mr. Fee moved approval pursuant to the vote in the Select Board agenda packet dated September 18, 2024; seconded by Mr. Dixon; all in favor, so voted.

3. Sewer Department: Request for Select Board to Authorize Town Manager to Sign and File Nantucket Asset Management Grant Documents for Sewer, Stormwater and Water. Sewer Director David Gray and Stormwater Manager Charles Johnson introduced the item, and explained the software system the grant funds would be used to acquire and how the software would benefit the Town. Ms. Holdgate moved to authorize the Town Manager to sign and file documents for the Nantucket Asset Management Grant as requested; seconded by Mr. Fee; all in favor, so voted.

IX. TOWN MANAGER'S REPORT

1. Overview of Article 3 of November 7, 2023 Special Town Meeting (Acceptance of Massachusetts General Law: Adoption of Community Impact Fee on Professionally Managed Short-Term Rentals). Ms. Gibson noted that the Town Administration office and other offices have received inquiries about the implementation of the community impact fee as voted at last fall's special town meeting. She said that Town Counsel has been asked to review the implementation details and turned the matter to Town Counsel John Giorgio. Mr. Giorgio reviewed an explanatory summary as contained in the Board's agenda packet. Some discussion followed as to how the revenue generated from the fee is to be collected, segregated and spent. Further discussion followed as to exactly who the fee applies to.

2. ~~Historic District Commission Operations Review.~~ – Tabled

Ms. Gibson said that a new date is under review with the consultants who prepared the operational review of the HDC, as it turned out no one from their firm could attend tonight.

3. Waitt Drive Seasonal Dormitory Update. Ms. Gibson introduced the item. She said that participating remotely is Parker Helwig, architect for J&J Construction, the contractor, and Jon Lemieux and Brad Cole from the Owner's Project Manager, Vertex Companies. Ms. Gibson reviewed that this project has been in the development stage for at least two years. Site planning, design and permitting have been completed and the project has progressed to the point where site work has started. She reviewed the purpose of the project, which is for Town employee housing, mostly seasonal. She said a new modern facility will help with recruitment of seasonal staff; will allow for more effective and efficient management of seasonal staff; and can be used in the off-season for remote work staff when they are on island. She noted that constructing this new consolidated, efficient space will free up other scattered, less efficient buildings and properties for other Town uses. She said that the $11.7 million of funding for this project comes from two appropriations: at the 2022 Annual Town Meeting and Annual Town Election, $8.5 million was approved and then supplemental funding of $3.2 million was approved at the 2023 Special Town Meeting. She said additional detail is contained in the presentation in the Board's packet. She turned the item to Mr. Helwig and Mr. Cole, who reviewed the presentation in the Board's packet. Mr. Fee asked about HDC changes, as referenced in the presentation. Mr. Helwig responded. Mr. Fee asked if a "budget to date" can be provided, regularly. Mr. Cole responded affirmatively and said Vertex provides a monthly statement.

X. SELECT BOARD'S REPORTS/COMMENT

1. Update from Vineyard Wind/GE Vernova on Vineyard Wind Turbine Blade Failure, Including Update on Environmental Assessment Framework. Chair Mohr turned the item to Roger Martella of GE Vernova to

provide an update on the environmental assessment of the area impacted by the blade failure. Mr. Martella reviewed the concerns expressed by the Town and the approach developed by GE Vernova to respond to these, noting that the assessment has several components. He said that environmental impact assessment consultations have occurred with several state and federal agencies and that Arcadis has been engaged by GE to assist. Mr. Martella spoke on the assumptions used in the assessment process, noting that the assumptions and standards are very conservative, meaning "protective". Mr. Martella described the ways in which the debris will be analyzed, tested and evaluated. Adam Ayers of Arcadis confirmed Mr. Martella's account. Vallorie Oliver asked about Arcadis's impartiality, stating that they are a firm that supports sustainable projects around the world; asked if the broken blade that fell to the ocean floor has been or will be removed; asked if there is modeling indicating where debris ended up; and what the final determination is as to the cause of the blade failure. Mr. Martella responded, stating that Arcadis is believed to be fully impartial and encouraged public review of the materials in the Board's packet. Chair Mohr commented on the extensive feedback Town staff and associated professionals have also provided, supporting Mr. Martella's statement. Mr. Martella said that the broken blade, broke up into pieces on the ocean floor and the plan is to remove all of the pieces. He said that debris was widely reported to be found in a "wide pattern" and in all areas, been removed. He said that the root cause analysis of the blade failure continues, and, in the meantime, measures are in place to reexamine all other blades. He reviewed those measures. Mr. Fee asked about collection of the debris to determine how much was recovered. Mr. Martella responded and described the testing used to make the determinations as to how much of the failed blade has been recovered. Mr. Ayers elaborated on the testing process. Ms. Oliver said she feels the "process has been rushed from the beginning" with respect to the Vineyard Wind project and asked for assurances as to the safety of the project and that it will not proceed without these. Chair Mohr responded and said there are many issues that need to be addressed and resolved before state or federal approval will be issued to resume operation and/or construction. Bruce Mandel asked about the blade failure. Mr. Martella responded. Ms. Oliver asked about inspection of the blades being brought into Boston before being shipped offshore; and asked about transparency with any negotiations with other offshore wind farms. Mr. Martella responded to Ms. Oliver's question about blade inspections. Chair Mohr responded to the question of negotiations, noting that those are taking place in executive session due to the nature of the discussions and that when appropriate those discussions will be shared with the public. Jason Graziadei asked about a recent blade failure at an offshore wind farm at Dogger Bank, UK. Mr. Martella responded and said that failure is unrelated to the Vineyard Wind issue. Chair Mohr said that further updates will be provided as more information is available. Mr. Fee said he has had questions about the questions and answers posted on-line and said staff has done a good job getting those up. He said if people do not see their questions up, they should contact the Communications Office. Chair Mohr concurred as to the staff's work on getting the information up.

2. Committee Reports. There were no reports,

XI. ADJOURNMENT
Mr. Fee moved adjournment at 7:19 PM; seconded by Dr. MacNab; all in favor, so voted.

Approved the 25th day of September 2024

SELECT BOARD
SEPTEMBER 18, 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. 2. Flu and Covid-19 vaccination clinics flyer – English; Flyer – Spanish; Flyer – Portuguese
VII. 1. Draft minutes of 9/10/2024 DEP; Draft minutes of 9/11/2024; Draft minutes 9/12/2024 open session
VIII. 1. Memo from Town Council Study Committee Chair re: update; Information on public meetings re: Town Council proposal
VIII. 2. AIS re: Bond sales; Vote of Select Board dated 9/18/2024; Bond sale results
VIII. 3. AIS re: Asset Management Grants; Authority to File; Certifying Statement for the Authority to File
IX. 1. Certified copy of Article 3 of 11/7/2023 Special Town Meeting - Community Impact Fee; Town Counsel memo re: STR Community Impact Fee
IX. 3. Waitt Dr Seasonal Dormitory Update presentation – UPDATED
X. 1. Vineyard Wind Environmental Assessment Update presentation