SELECT BOARD

Minutes of the Meeting of January 8, 2025. 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 and Dawn Holdgate. Dr. Malcolm MacNab was present remotely.

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 and Video Recorded.

2. The Select Board is Hosting a Public Information Zoom Webinar with the Bureau of Safety and Environmental Enforcement (BSEE) Regarding the Vineyard Wind Turbine Blade Failure on MONDAY, FEBRUARY 3, 2025 at 5:00 PM.
NOTE NEW LINK:
https://us06web.zoom.us/webinar/register/WN_EaDasr7vTR6jx-g1DE6JTA
Ms. Gibson noted that the meeting, which had been scheduled for January 14th, has been rescheduled due to the volume of questions received by BSEE, which indicated it needed more time to process and prepare responses adequately. Chair Mohr elaborated on the BSEE webinar with respect to the organization and categorization of questions, at the session. Mr. Fee thanked the community for submitting so many questions.

3. Master Plan Update: Help Shape Nantucket's Future!

Share your Thoughts in the Master Plan Community Survey, Open until January 24, 2025. Your Input is Essential to Updating the 2009 Master Plan. Take the Survey Today: www.nantucket-ma.gov/masterplan.

Host a Kitchen Conversation—A Small-Group Discussion You Can Facilitate from Your Kitchen, Office, Coffee Shop, or Anywhere. Share Ideas with Friends and Neighbors about Nantucket's Strengths and Challenges to Help Update the Master Plan. To Learn More, Email Megan Trudel at mtrudel@nantucket-ma.gov.

4. Select Board Announcements/Comments.

Dr. MacNab asked about the Sconset Beach Preservation Fund (SBPF) erosion control project and concerns recently raised by some citizens.

IV. FOLLOW-UP ON PUBLIC COMMENT QUESTIONS FROM PRIOR SELECT BOARD MEETINGS

Chair Mohr stated that responses to public comments from the December 18, 2024 meeting have been posted to the Town website.

V. PUBLIC COMMENT
Robert Bates suggested security be improved for events around the Island.

Madeline Hay commented on the upcoming BSEE webinar and expressed concern that the event won't be a "dialogue".

VI. NEW BUSINESS
There was no New Business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS
Mr. Fee moved approval of items VII. 1 – 4; seconded by Ms. Holdgate; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes. All in favor, so voted.

1. Approval of Minutes of December 18, 2024 at 5:30 PM – Joint Meeting with County Commission and Nantucket Planning and Economic Development Commission (NP&EDC); December 18, 2024 at 5:30 PM – Select Board.

2. Approval of Payroll Warrants for December 22, 2024; January 5, 2025.

3. Approval of Treasury Warrants for December 25, 2024; January 1, 2025; January 8, 2025.

4. Approval of Pending Contracts for January 8, 2025 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS
1. Applicant Introduction/Review of Applications and Appointments to Capital Program Committee; Real Estate Assessment Committee; Zoning Board of Appeals, Pursuant to Select Board Committee Appointment Policy. Operations Administrator Erika Mooney reviewed the appointment process, noting that the appointments may be made by acclamation as all vacancies are for uncontested seats. She noted that some applicants are present to be introduced.

Ms. Mooney read the names of the applicants:

Caroline Baltzer - Capital Program Committee. Ms. Baltzer spoke on her application.
Jesse Bell - Real Estate Advisory Committee. Ms. Bell spoke on her application.
Lisa Botticelli - Zoning Board of Appeals

Ms. Holdgate moved to appoint the applicants as noted above by acclamation; seconded by Mr. Fee; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

IX. PUBLIC HEARINGS
1. Public Hearing Regarding Proposed FY 2026 General Fund Budget. Chair Mohr opened the hearing. Ms. Gibson recapped the most recent actions taken on the budget, with a Town Administration presentation on its recommendations to the Board on December 11, 2024, some further Board discussion on December 18, 2024 and a presentation to the School Committee on January 7, 2025. She noted that if there are items the

Board has concerns, issues, or input on with the budget recommendations, now would be a good time to provide those. She noted next steps with the budget process.

As there was no public comment, Ms. Holdgate moved to close the hearing; seconded by Mr. Dixon; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

Dr. MacNab moved to accept and endorse the budget recommendations as presented; seconded by Mr. Fee; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

X. TOWN MANAGER'S REPORT

1. Review of Draft Town Meeting and Election Warrant for 2025 Annual Town Meeting. Ms. Gibson reviewed the draft warrant articles, using a draft document as contained in the Board's packet. Discussion occurred on several articles, with the following Board action:

Personnel Compensation Plans for Fiscal Year 2026.
Ms. Gibson suggested the Moderator's salary be increased from $175 per year to $1,000 per year. The Board was in agreement.

Appropriation: Community Preservation Committee Funds for Affordable Housing Trust Fund.
Ms. Gibson introduced this new article, which Finance Director Brian Turbitt explained, saying that if Community Preservation Act funds are used to acquire land it would give the Affordable Housing Trust Fund more flexibility.

Amendment to Chapter 58 of the Town Code (Car Rental Agencies, Registration of).
Town Counsel attorney Brian Riley explained two potential draft articles that he prepared as contained in the Board's agenda packet, noting that one version would not require registration of peer-to-peer car rentals, and the other version would require such registration. Mr. Fee read the definition of rental agency, "A person, business or corporation engaged in the Town of Nantucket in the business of renting, leasing or keeping for rent any motor vehicle" and expressed his opinion that anyone renting a motor vehicle, whether it is peer shared or otherwise, is subject to the bylaw and any changes require legislative action. Mr. Riley reviewed a special act from 1988 that authorized the Town's bylaw and said he does not think the special act would need to be amended. He added that this is primarily a policy issue. Mr. Fee asked about the Town's legal exposure if rental vehicle medallions (RVM) are treated differently going forward and the Town has more control over them. Mr. Riley expressed an opinion that the licensees do not have a property interest and as a result the liability would be low. Mr. Dixon said he understands Mr. Fee's concerns but is concerned about the Town's capacity to enforce the registration of peer-to-peer car sharing. Ms. Holdgate agreed. She added she would like to somehow restrict or prohibit peer-to-peer cars, when not rented, from utilizing public parking spots. Dr. MacNab agreed with the comments that have been expressed and said cars, overall, should be limited on the Island. Chair Mohr said the number of peer-to-peer shared cars on-Island is unknown. She said she would like to pursue a way to allocate unused RVMs to peer-to-peer car shares. Mr. Fee said he would be interested in that sort of system; and, reiterated his opinion that peer-to-peer car sharing is not allowed on Island without a license. Some discussion followed among the Board members as to ways to control and/or allocate the RVMs. Ms. Gibson re-reviewed the language from a 2024 annual town meeting warrant article which addressed the disposition of RVMs. Steven Cohen, representing Turo [peer-to-peer car share platform] spoke on this matter providing a perspective on the

article options. He suggested that peer-to-peer car shares be allowed and perhaps required to pay an annual fee to the Town. He said peer-to-peer car sharing does not contribute to Island traffic problems as indicated by Mr. Fee. Some discussion followed. Chair Mohr asked for confirmation as to the legal issue of peer-to-peer car sharing. Matthew Peel spoke in favor of a limit to rental vehicles, generally and encouraged additional public discussion on this issue.

Real Estate Lease/License of Baxter Road Property for Erosion Control.
Ms. Gibson explained the article in the draft warrant is the same article from the 2024 annual town meeting, which was not acted upon and relates to the Baxter Road SBPF erosion control project. Town Counsel Attorney George Pucci explained the status of the erosion control project in question, which is before the Conservation Commission (ConCom) for permitting, noting that it is a jointly filed application by the Town and SBPF. Sustainability Program Manager Vincent Murphy explained there are two unrelated projects that could be using Town-owned property at the location in questions that would be subject to Chapter 67 of the Town Code, which requires Town Meeting approval for coastal erosion projects on Town property. Some discussion followed among Board members as to the referenced projects. Mr. Fee stated that he thinks approval of this article will be difficult because of numerous issues with the project. He asked Mr. Murphy how the ConCom might "guarantee" that conditions of any approval are met. Mr. Murphy spoke about the utilization of a required escrow account. Discussion followed. Mr. Cohen spoke on both projects, explained each and expressed support for including the article as written, with perhaps the additional wording "subject to an order of conditions". D. Anne Atherton spoke in favor of two warrant articles, one for each project. Ms. Atherton added that a current Memorandum of Understanding between the Town and SBPF required that the current project be brought into compliance, which she said has not occurred. Discussion followed as to the timing of ConCom approval of either project; and, whether there ought to be two articles or one. Mr. Pucci stated caution should be given to two vs one article, as two could cause confusion. Discussion continued among Board members as to one article vs two.

Ms. Gibson explained a recommendation from Senator Cyr regarding introductory home rule petition language and allowing more room for the General Court to make changes, if needed, after a town meeting vote. Some discussion followed. Town Counsel John Giorgio noted that while this is a policy issue for the Board, he does not recommend giving up the option for the Select Board to approve any changes. Some discussion followed as to what changes the Legislature would or would not be able to make with the proposed language. Mr. Dixon concurred with Mr. Giorgio. The consensus of the Board was not to include any of the proposed language changes from Senator Cyr. Discussion followed about the home rule petitions.

Ms. Gibson reviewed real estate articles. Discussion followed on:

Authorization for Nantucket Education Trust, long-term lease authorization.
Ms. Gibson noted this is a new article that came in late and explained it. Some discussion followed as to flexibility of the housing with school staff vs non-school staff for use. It was generally agreed between the proponent (Nantucket Education Trust), Town Counsel and the Board that while the housing is exclusively for school staff, should there be a circumstance where a unit or units cannot be filled with school staff, there could be an opportunity for town employees to rent a vacant unit.

Review of the warrant document was concluded with no further changes. Mr. Fee initiated a discussion as to working out a "compromise" regarding a pending home rule petition that was sponsored by a citizen, approved at the September 2024 special town meeting. It was generally agreed that Chair Mohr as the County representative would follow up on this.

XI. SELECT BOARD REPORTS/COMMENT
1. Committee Reports. Ms. Holdgate spoke on the status of outreach for the proposed new Our Island Home facility. She reported on the Capital Program Committee recommendations of FY 2026 capital projects. Chair Mohr noted an upcoming informational session as to a coastal resiliency project for Francis Street/Washington Street. Mr. Fee spoke about the benefits of established public processes for significant projects, such as the Francis Street project.

XII. ADJOURNMENT
Ms. Holdgate moved adjournment at 8:02 PM; seconded by Mr. Fee; by roll call vote: Chair Mohr – Yes; Mr. Dixon – Yes; Mr. Fee – Yes; Ms. Holdgate – Yes; Dr. MacNab – Yes; so voted.

Approved the 15th day of January, 2025.

SELECT BOARD
JANUARY 8, 2025 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

VII. 1. Draft minutes of 12/18/2024 joint CC-NPEDC; Draft minutes of 12/18/2024 SB
VII. 4. Pending Contracts spreadsheet
VIII. 1. Round 3 Committee membership & applicant list; Committee applications
IX. 1. FY 2026 General Fund Budget recommendations; FY 2026 Town Manager's Budget Message
X. 1. DRAFT 2025 ATM/ATE Warrant; DRAFT Car Rental Bylaw re: peer-to-peer car sharing; Draft Car Rental Bylaw re: NO peer-to-peer car sharing