

SELECT BOARD/COUNTY COMMISSIONERS

Minutes of the meeting of January 9, 2025. The meeting was moved from the Town Building Conference Room to the Town Manager's Conference Room, 16 Broad Street. Select Board Members present were Brooke Mohr, Tom Dixon, Matt Fee and Dawn Holdgate. Dr. Malcolm MacNab participated remotely. Town Manager C. Elizabeth Gibson was also present. Assistant Town Managers Gregg Tivnan and Rick Sears, and Operations Administrator Erika Mooney were present remotely.

I. CONVENE IN OPEN SESSION

Chair Mohr called the meeting to order at 9:05 AM.

1. County Commission: Swearing-in of Register of Deeds. Assistant Town Clerk Laura Raimo swore in Jennifer Ferreira as Register of Deeds for a new six-year term.

Ms. Holdgate moved to adjourn to executive session pursuant to MGL C. 30A § 21(A), not to return to open session for the purposes of:

1. Purpose 7: To Comply with, or Act Under the Authority of, Any General or Special Law (Open Meeting Law, G.L. c. 30A, §§ 18-23) to Approve Executive Session Minutes of December 5, 2024.

2. Purpose 3: To Discuss Strategy with Respect to Threatened Litigation by the Town Against Vineyard Wind and GE Vernova Relative to the Town's Litigation Strategy for Cost Recovery for Wind Turbine Failure and Consideration of Proposed Settlement Agreement, where an Open Meeting May have a Detrimental Effect on the Litigating Position of the Select Board/County Commissioners and the Chair so Declares; Votes May be Taken.

3. Purpose 3: To Discuss Strategy with Respect to Threatened Litigation by the Town Against the Bureau of Ocean Energy Management (BOEM) Relative to the Town's Litigation Strategy for Failures in the Federal Permitting Process for SouthCoast Wind, where an Open Meeting May have a Detrimental Effect on the Litigating Position of the Select Board/County Commissioners and the Chair so Declares; Votes May be Taken.

4. Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 1 Shadbush Road, where an Open Meeting May have a Detrimental Effect on the Negotiating Position of the Select Board/County Commissioners and the Chair so Declares; Votes May be Taken.

5. Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 10 Parker Lane and 55 Fairgrounds Road, where an Open Meeting May have a Detrimental Effect on the Negotiating Position of the Select Board/County Commissioners and the Chair so Declares; Votes May be Taken.

6. Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 77 Bartlett Road and 1 Hatch Circle, where an Open Meeting May have a Detrimental Effect on the Negotiating Position of the Select Board/County Commissioners and the Chair so Declares; Votes May be Taken.

7. Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 1, 2, 3, 6, 7 and 8 Gooseberry Place, where an Open Meeting May have a Detrimental Effect on the Negotiating Position of the Select Board/County Commissioners and the Chair so Declares; Votes May be Taken.

8. Purpose 3: To Discuss Strategy with Respect to Litigation (Becky's Bronco's, LLC v. Town of Nantucket, Civil Action No. 24-11308), where an Open Meeting May have a Detrimental Effect on the Litigating Position of the Select Board/County Commissioners and the Chair so Declares; Votes May be Taken.

9. Purpose 3: To Discuss Strategy with Respect to Litigation Update, where an Open Meeting May have a Detrimental Effect on the Litigating Position of the Select Board/County Commissioners and the Chair so Declares:

a) Barros v. Select Board, et al
Nantucket Superior Court, Civil Docket No. 2175CV00004

b) Building Commissioner v. Parker
Nantucket Superior Court, Docket No. 2475CV00039

c) Gardner, et al. v. Board of Selectmen, et al.
Nantucket Superior Court, C.A. No. 2275CV00006

d) Maddalone v. Nantucket ZBA, et al.
Land Court No. 21 MISC 000205

e) NOAA Rule – North Atlantic Right Whale

f) Opioid Litigation

g) PFAS Contamination

h) Town, by and through Building Commissioner v. Clay Street Development LLC
Nantucket Superior Court, Docket No. 2475CV00026

i) Town, by and through Building Commissioner v. Leon Frances, et al.
Nantucket Superior Court, Docket No.

j) Vineyard Wind

k) Bell, Trustee v. ZBA, et al.
Land Court, Docket No. 24 MISC 000253

l) Catherine Dean Schulman, Trustee v. Planning Board
Land Court, Docket No. 24 MISC 000339

m) McDermott, et al. v. Town, et al.
Land Court, Docket No. 23 MISC 000072

n) Rugged Scott, LLC v. Zoning Board of Appeals
H.A.C. No. 2018-01

o) Steven L. Cohen v. Planning Board
Land Court, Docket No. 23 MISC000582

p) Town, by and through Building Commissioner v. LB Nantucket, LLC, et al.
Nantucket Superior Court, Docket No. 2475CV00022

q) Town, by and through Building Commissioner v. Anne Parker
Nantucket Superior Court, Docket No. 2475CV00039

r) Ward v. ZBA
Land Court, Docket No. 22 MISC 000064 (MDV) (Ward I) and 24 MISC 00543 (MDV) (Ward II)

s) MA Public Employees (LIUNA) v. Town of Nantucket
AAA Case 01-24-0006-2126

t) 29 Commercial Wharf
HDC, 2023-11-9542

u) Corey v. Conservation Commission, et al.
Suffolk Superior Court, C.A. No. 2284CV02606

v) Feeley, et al. v. Planning Board, et al.
Land Court, Docket No. 24 MISC 000130

w) Hutton v. Board of Health
Nantucket Superior Court C.A. No. 2175CV00037 / Appeals Court No. 2023-P-0612

x) In the matter of: Gallagher, Jr., Philip N.
Nantucket Probate and Family Court, NA23P0067GD

y) In the matter of: Gallagher, Jr., Philip N.
Nantucket Probate and Family Court, NA23P0068PM

z) Quick v. Town, et al.
Land Court, Docket No. 23 MISC 000056

aa) SBPF v. Conservation Commission

bb) Town v. Charder
Southeast Housing Court, C.A. No. 20H83CV00052CI

cc) Tripp Stable v. Nantucket Planning Board, et al.
Land Court, Docket No. 24 MISC 000396

dd) Wayne J. Wyrzes, et al. v. ZBA, et al.
Land Court, Docket No. 23 MISC 000660

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 9, 2025 – 9:00 AM
TOWN BUILDING CONFERENCE ROOM
16 BROAD STREET
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- I. 1. Letter to Sec. Galvin re: Register of Deeds Swearing-in