



MEETING POSTING

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting **notices and agenda** must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

RECEIVED

2025 FEB 28 PM 01:46
NANTUCKET TOWN CLERK
Posting Number:T 204

Committee/Board/s | SELECT BOARD

Day, Date, and Time | WEDNESDAY, MARCH 5, 2025 AT 5:30 PM

Location / Address | PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD AND
REMOTE PARTICIPATION VIA ZOOM WEBINAR

**Signature of Chair or
Authorized Person** | ERIKA MOONEY

WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF
MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML
STATUTE, NO MEETING MAY BE HELD!

AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

YOU TUBE LINK FOR VIEWING ONLY:

<https://youtube.com/live/BxW4raQMYJk>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_MG5j3U8IRrW16DvapDbCRQ

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio and Video Recorded.
2. Announce Applications Received for **African Meeting House Investigation Procurement Workgroup**; Appointments to be Made on Wednesday, March 19, 2025.
3. **New Public Works Facility and Nantucket Hunting Association Shooting/Archery Range Project: Informational Session**
Join the Town of Nantucket and the Nantucket Hunting Association on March 6, 2025 at 5:30 PM for an Informational Session on the Proposed New Public Works Facility and Shooting/Archery Range at 1 Shadbush Road. Learn about Project Updates, Including Roadway Improvements and Utility Extensions, and Share Your Feedback. Attend in Person at 4 Fairgrounds Road, via Zoom, or Watch Live on YouTube. More Information at www.nantucket-ma.gov/newdpw.

4. **Virtual Event: Easy Street Flood Mitigation**

The Public is Invited to a Virtual Community Open House on Tuesday, March 18, 2025 to Learn About the Easy Street Flood Mitigation Project, Explore Three Proposed Design Options to Address Increasing Flood Risks, and Provide Feedback; Sessions Will be Held Via Zoom from 9:30 - 10:30 AM and 5:30 - 6:30 PM. More Information at www.nantucket-ma.gov/easystreet.

5. Soil Test Borings for **Somerset Needs Area Sewer Extension Project** to Begin March 10 through April 11, 2025 on Somerset Lane, Somerset Road, Raceway Drive, Bartlett Road, West Miacomet Road and Bartlett Farm Road.

6. Select Board Announcements/Comments.

IV. UPDATE ON PUBLIC COMMENT QUESTIONS FROM PRIOR SELECT BOARD MEETINGS
(see <https://www.nantucket-ma.gov/3564/> 2025)

V. PUBLIC COMMENT*

VI. NEW BUSINESS**

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of February 19, 2025 at 5:30 PM.
2. Approval of Payroll Warrants for March 2, 2025.
3. Approval of Treasury Warrants for February 26, 2025; March 5, 2025.
4. Approval of Pending Contracts for March 5, 2025 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CONSENT ITEMS

1. Gift Acceptances: Human Services; Our Island Home; Cemetery Commission.

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Applicant Introduction/Review of Applications and Appointments to Cultural Council; Town of Nantucket Scholarship Committee; Zoning Board of Appeals Alternate, Pursuant to Select Board Committee Appointment Policy.
2. Harbor and Shellfish Advisory Board: Request to Extend Commercial Scallop Season to April 11, 2025.
3. KOBO Utility Construction Corp.: Request for Waivers of Town Noise Bylaw for National Grid's L1 Feeder Underground Conduit Upgrade Project,), Starting March 6, 2025 through Completion:
 - From 6:00 AM to 7:00 AM (7:30 AM after June 15th at 16 Broad Street; North Union Street/India Street; Coleman Court (aka Independence Lane)/India Street; Still Dock; Candle Street Substation.
 - From 8:00 PM to 6:00 AM for Easy Street.
4. Robert B. Our Co., Inc.: Request for Waiver of Town Noise Bylaw for Sea Street Third Sewer Force Main Project from 10:00 PM to 6:00 AM, March 6, 2025 through March 14,

2025 at Wastewater Treatment Facility at 81 South Shore Road; Intersection of Old South Road and Toombs Court; South Valley Pump Station at 95 Goldfinch Drive.

X. PUBLIC HEARINGS

1. Nantucket Sewer Commission: Public Hearing to Consider Amendments to Nantucket Town Sewer District Pursuant to Section 10 of the Nantucket Sewer Act Regarding Articles 76, 77, 78, 79 and 80 of the 2025 Annual Town Meeting.

XI. TOWN MANAGER'S REPORT

1. Monthly Departmental Report: Health and Human Services.
2. Monthly Departmental Report: Town Administration (Tabled from February 19, 2025).

XII. SELECT BOARD REPORTS/COMMENT

1. Presentation of Compiled Town Manager Performance Evaluation.
2. Committee Reports.

XIII. ADJOURNMENT

****Public Comment: please see attached Public Comment Policy which can also be found at <https://www.nantucket-ma.gov/DocumentCenter/View/51055/Public-Comment-Policy---Adopted-by-the-Select-Board-on-February-12-2025-PDF>.***

*****New 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.***



Town of Nantucket
Public Comment Policy
Adopted by Select Board
February 12, 2025

A. Purpose:

This Policy is adopted to facilitate orderly and efficient public comment periods at meetings of Town public bodies. It will protect the ability of the residents of Nantucket, and other persons, to provide feedback or information to pertinent public bodies regarding matters of public interest, Town initiatives, operations, services, and programs. To allow speakers a fair opportunity to address a public body, and to ensure the public body may accomplish its stated business in an efficient manner, these guidelines seek to ensure compliance with the Open Meeting Law and meet other legal and constitutional obligations. Meetings of public bodies in the Town of Nantucket should be places to engage in orderly and peaceable discourse.

B. Authority:

Principles of free speech and freedom to petition the government, fundamental rights protected by the United States and Massachusetts Constitutions, prohibit public bodies from preventing all speech that may be upsetting or offensive. As such, this Policy establishes reasonable time, place, and manner restrictions sufficient to facilitate orderly and peaceable public comment periods at meetings of elected and appointed public bodies of the Town.

C. Legal Standards:

Meetings of public bodies are subject to the requirements of the Open Meeting Law, G.L. c. 30A, §§ 18-25. The Open Meeting Law empowers the chair of a public body to preside at and regulate the proceedings of meetings. Pursuant to G.L. c. 30A, § 20(g), no person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. Any person wishing to speak at an open meeting must first be recognized by the chair. All questions raised and all comments made by a duly-recognized speaker must be directed to the chair of the public body alone, not to individual members of the public body, staff, or the public. The chair is authorized to maintain order, and, although a rare occurrence, has authority, after appropriate

warnings are ignored, to take action up to and including removal of a person who is disrupting a meeting.

D. Application:

To secure the rights of the public to participate in public comment periods in the Town of Nantucket in a manner consistent with law, and, to thereby protect the Town and members of elected and appointed bodies from civil rights claims, this policy shall apply to all public bodies in the Town of Nantucket.

E. Procedures:

1. All agendas of multiple-member bodies in the Town of Nantucket shall include a period for Public Comment, subject to the limitations set forth in paragraph 3. Where to place Public Comment on the agenda is at the discretion of the chair. If public comment is invited during a separate agenda item, this Policy shall govern.
2. While statements made during a Public Comment period are not required to address an agenda item for that particular meeting, such comments must relate to a matter within the public body's jurisdiction. Public comments on matters outside the public body's jurisdiction may be ruled out of order by the chair. To avoid due process issues, a person seeking to provide comments on a matter appearing on the same agenda will be asked to defer until the specific agenda item is reached.
3. Each speaker will be allowed to speak once for up to 3 minutes. The chair will curtail verbal comments exceeding the allotted time.
4. A recognized speaker may not cede or assign their time to another unless such an assignment is required as reasonable accommodation for such person because of a disability. All speakers who may need an accommodation are strongly encouraged to contact Town staff or the chair of the public body at least 48 hours prior to the meeting. That said, to facilitate an efficient public comment period, groups that have multiple speakers with the same viewpoint may consider consolidating their comments or designating one person to speak on their individual behalf's.

F. Disruptive Conduct/Unprotected Speech:

Disruptive conduct and engaging in other unprotected speech, including but not limited to the following, may be grounds for the chair of a public body to curtail speech and take other action as appropriate:

1. Speaking without being recognized;
2. Continuing to speak after the chair has curtailed additional verbal comment;
3. Interrupting a recognized speaker;
4. Speaking about matters not within the jurisdiction of the public body;
5. Engaging in conversations while another person is speaking;

6. Making true threats of violence directed toward a particular individual; and
7. Making comments inciting imminent lawlessness.

G. Public Body Response:

1. A public comment period is a listening session, and the public body is there to listen. The public body, in fact, should not respond to matters raised at the meeting unless it is
2. Matters raised during public comment periods are not required to, and are unlikely to, be addressed or resolved by the public body at the same meeting. Individual members of the appropriately deferred to a noticed-agenda item due to Open Meeting Law considerations.
3. At the sole discretion of the chair of the public body, matters raised during public comment may or may not appear on a future agenda or be referred to the Town Administrator for appropriate action, if any.
4. A public body cannot demand that persons attending meetings or participating in public comment be civil to one another. Nevertheless, the Town, or the members of the public, and those that appear before them are encouraged to make any/or all residents of the Town feel welcome, including listening to them speak, and acknowledging that speakers may have a different viewpoints.

Disclaimer: A Public Comment period is not a time for debate or response to comments by the public body. Comments made during the Public Comment period do not reflect the views or the positions of the public body. Because of constitutional free speech principles, the public body does not have the authority to prevent all speech that may be upsetting and/or offensive during the public portion of the meeting.

H. Enforcement:

Concerns about Public Comment Periods may be brought to the attention of the Town Manager, who will discuss the concerns with the chair of the public body, and take appropriate action. Failure to comply with this Policy may be deemed a violation of the Town's Code of Conduct, and grounds for the removal of an appointed official.

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
March 5, 2025

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Contractual Services						
Professional Services Agreement	Select Board/Town Administration for Zoning Board of Appeals	Bristol Engineering Advisors, Inc.	Not to exceed \$8,200	Update to hydrogeologic review of Surfside Crossing 40B Project	Town Admin Professional Services	March 6, 2025 - April 1, 2025