

Town and County of Nantucket Select Board • County Commissioners

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C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE SELECT BOARD MAY 7, 2025 - 5:30 PM PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD AND REMOTE PARTICIPATION VIA ZOOM WEBINAR NANTUCKET, MASSACHUSETTS

YOU TUBE LINK FOR VIEWING ONLY:
<https://youtube.com/live/r1gSQdNnDZc>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:
https://us06web.zoom.us/webinar/register/WN_Ni8CIIEBTw2e-0EdIM34ww

- I. CALL TO ORDER***
- II. SELECT BOARD ACCEPTANCE OF AGENDA***
- III. ANNOUNCEMENTS***
 1. The Select Board Meeting is Being Audio and Video Recorded.
 2. **Come Tour Our Island Home - Tour, Learn and Ask Questions**
Our Operations Administrator, Michelle Munroe, is Available to Give Tours and Answer Any Questions You May Have. Schedule a Tour Today:
<https://calendly.com/mmunroe-nantucket-ma/30min>.
 3. **2025 Annual Town Election** Scheduled for Tuesday, May 20, 2025 from 7:00 AM to 8:00 PM at Nantucket Hight School, 10 Surfside Road.
 4. **2025 Annual Committee/Board/Commission Vacancies and Appointment Timeline; Committee Appointment Process:** [Boards, Commissions & Committees | Nantucket, MA - Official Website](https://www.nantucket-ma.gov/3564/2025)
Deadline for Applications is May 16, 2025 at 12:00 PM.
 5. Select Board Announcements/Comments.
- IV. UPDATE ON PUBLIC COMMENT QUESTIONS FROM PRIOR SELECT BOARD MEETINGS (see [https://www.nantucket-ma.gov/3564/ 2025](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 April 30, 2025 at 5:30 PM.
2. Approval of Treasury Warrants for May 7, 2025.
3. Approval of Pending Contracts for May 7, 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. Airport: Request for Waiver of Town Noise Bylaw for Runway 06/24 Centerline Project from May 14 - May 20, 2025 from 6:00 AM to 7:00 AM.
2. ElecComm: Request for Waiver of Town Noise Bylaw for National Grid's L1 Feeder Underground Conduit Upgrade Project from May 8 - May 23, 2025 from 10:00 PM to 7:00 AM.

IX. TOWN MANAGER'S REPORT

1. 2025 Annual Town Meeting Administrative Follow-up Review.

X. SELECT BOARD REPORTS/COMMENT

1. Committee Reports.

XI. 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.

Select Board
2025 Committee Appointments Timeline
As of 4/17/2025

April 16 – Select Board review list of openings.

April 17 – Notify members of committees whose terms are expiring.

April 24, May 1, May 8 and May 15 – Advertise committee openings in newspaper and on Town's website; put on Select Board agenda as announcement starting April 16.

May 16 at 12:00 PM – Deadline for submitting applications for committee openings to Town Administration office. This includes applications for:

- Agricultural Commission
- Airport Commission
- Board of Health
- Cannabis Advisory Committee
- Capital Program Committee
- Cemetery Commission
- Coastal Resiliency Advisory Committee
- Conservation Commission
- Contract Review Committee, Human Services
- Council for Human Services
- Council on Aging
- Cultural Council
- Finance Committee
- Historic District Commission Associate
- Nantucket Affordable Housing Trust
- Nantucket Historical Commission
- Planning Board Alternate
- Real Estate Assessment Committee
- Roads and Right-of-Way Committee
- Scholarship Committee
- Steamship Authority Port Council
- Tree Advisory Committee
- Zoning Board of Appeals
- Zoning Board of Appeals Alternate

May 21 and May 28 – The names of applicants who have submitted applications will be read aloud and applications will be included in the Board's packet.

June 4 – Meeting for the applicants who applied to the following committees to introduce themselves and review their applications:

- Agricultural Commission
- Airport Commission
- Board of Health

- Cannabis Advisory Committee
- Capital Program Committee
- Cemetery Commission
- Coastal Resiliency Advisory Committee
- Conservation Commission
- Contract Review Committee, Human Services
- Council for Human Services
- Council on Aging
- Cultural Council

June 11 – Meeting for the applicants who applied to the following committees to introduce themselves and review their applications:

- Finance Committee
- Historic District Commission Associate
- Nantucket Affordable Housing Trust
- Nantucket Historical Commission
- Planning Board Alternate
- Real Estate Assessment Committee
- Roads and Right-of-Way Committee
- Scholarship Committee
- Steamship Authority Port Council
- Tree Advisory Committee
- Zoning Board of Appeals
- Zoning Board of Appeals Alternate

June 25 – Committee appointments.

2025 Committee Openings Information
As of 4/9/2025

Committee	# seats open	Term Expiration	Notes
Agricultural Commission	2	2028	
Airport Commission	1	2028	
Board of Health	1	2028	
Cannabis Advisory Committee	1	2028	
Capital Program Committee	1	2028	
Cemetery Commission	1	2028	
Coastal Resiliency Advisory Committee	1	2028	
Conservation Commission	3	2028	
Contract Review Committee, Human Services	1	2028	
Council for Human Services	1	2027	vacant
Council for Human Services	3	2028	
Council on Aging	1	2026	vacant
Council on Aging	3	2028	
Cultural Council	3	2028	
Finance Committee	3	2028	
Historic District Commission Associate	1	2028	
Nantucket Affordable Housing Trust	1	2027	2-year term, at-large
Nantucket Historical Commission	2	2028	
Planning Board Alternate	1	2028	
Real Estate Assessment Committee	1	2028	
Roads and Right of Way Committee	3	2028	
Scholarship Committee	2	2028	
Steamship Authority Port Council	1	2027	2-year term
Tree Advisory Committee	2	2028	
Zoning Board of Appeals	1	2030	5-year term
Zoning Board of Appeals Alternate	1	2028	3-year term

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
May 7, 2025

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Leases						
Commercial Lease	Parks & Recreation/ Select Board	The Surf, LLC	(\$249,546)	4.5-year lease for Surfside Beach Concession	N/A	May 1, 2025 - Nov 15, 2029
Contractual Services						
Professional Services Agreement	Marine	Upland Architects	\$53,000	Engineering & architectural services for new Harbormaster building	Article 17 ATM 2018	Apr 1, 2025 - Mar 31, 2028
Professional Services Agreement	Police	SMRT, Inc.	\$75,890	Phase 4 of multi-year program for repairs/ improvements to police seasonal housing facilities at Low Beach Rd	Article 14 ATM 2023	May 1, 2025 - April 30, 2028
Professional Services Agreement	Police	Encore Holdings, LLC	\$77,840	Fire alarm system repairs & upgrades to police seasonal housing facilities at Low Beach Rd	Article 14 ATM 2022	May 1, 2025 - April 30, 2028

From: [Warren Smith](#)
To: [Erika Mooney](#)
Cc: [Arthur Gasbarro](#); [Preston Harimon](#); [Dhruv Patel](#)
Subject: Re: Noise Permit Question
Date: Wednesday, April 9, 2025 4:49:34 PM
Attachments: [Phase 2 Baseline Schedule \(BL00\).pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Erika,

We would like to seek a waiver in regards to the Town Noise Bylaw in reference to a runway centerline project that will be conducted this coming spring.

Details:

The Nantucket airport's main runway 06/24 is in need of centerline repair due to aggregate failing within a roughly 4' x 4000' stretch of pavement. The project consists of 3 full-runway closures beginning April 14th to mill and overlay the asphalt. A 30-day curing window is required per FAA engineering standards, after which grooving of the asphalt is required per FAA engineering standards. The grooving construction phase is scheduled from May 14th to May 20th. Unfortunately, May 15th is the start of scheduled air service for Nantucket, with JetBlue Airlines beginning 1 daily flight into Nantucket with a scheduled arrival of 2:41pm and 3:30pm departure. To maximize the construction worker's schedule and unionized contract, we are requesting a Noise Waiver for the dates of **May 14th, May 15th, May 16th, May 19th, and May 20th** (we will not need a noise waiver over the weekend) to begin work at 6:00am (0600hrs). I have been informed that the grooving machine produces noise and moves at an extremely slow rate. We want to be cognizant of our neighbors that live along the boundaries of the airport. We are also proposing to have the groovers begin on the end of Runway 6 and to proceed working toward the Runway 24 end as this moves the construction away from the nearby dwellings day-over-day to minimize noise levels. I have attached the full-detailed schedule to this email for your reference.

Please let me know if there is anything else you need on my end for the Select Board to review for this waiver.

Thank you,

Warren Smith

Nantucket Memorial Airport
14 Airport Road, Unit 1

From: [Richard O'Leary](#)
To: [Erika Mooney](#)
Subject: Noise
Date: Friday, May 2, 2025 2:48:42 PM

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Dear Select Board Members:

On behalf of ElecComm, I am requesting a waiver of the Town Noise Bylaw for work associated with NGrid's L1 project, specifically for work on Candle Street and Easy St, from 10pm to 7am, from May 8 through May 23. Thank you.

Rick O'Leary

Manager – Field

Operations

978-770-7639

roleary@squan.com

SQUAN.com/videos

