



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 NOV 14 PM 03:34
NANTUCKET TOWN CLERK
Posting Number:T 940

Committee/Board/s | SELECT BOARD

Day, Date, and Time | WEDNESDAY, NOVEMBER 19, 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/umTtPA7J0_8

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_cPUmFskIS7y6P7PLR0SxFw

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio and Video Recorded.
2. No Select Board Meeting on Wednesday, November 26, 2025; Town Offices Closed on Thursday, November 27, 2025 in Observation of Thanksgiving.
3. The NP&EDC (Nantucket Planning and Economic Development Commission) is hosting EOHLC (Executive Office of Housing and Livable Communities) for a "Virtual ADU (Accessory Dwelling Unit) Roadshow" on Thursday, November 20th from 4:30 PM - 5:30 PM - Specific to Nantucket, with a Question and Answer Session Regarding Section 8 of Chapter 150 of the Acts of 2024, Which Allows ADUs Under 900 Square Feet to be Built By-right in Single-family Zoning Districts.

To participate use the link below:

<https://us06web.zoom.us/j/82456662138?pwd=NkCldazuISO5LoCj9yMvg83IFxbB5r.1>

For more information regarding ADUs, the link to the Commonwealth's website is below:

<https://www.mass.gov/info-details/accessory-dwelling-units>

4. 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 November 10, 2025 at 11:00 AM; November 12, 2025 at 5:30 PM.
2. Approval of Treasury Warrants for November 19, 2025.
3. Approval of Pending Contracts for November 19, 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. Resignation Acceptance: Council for Human Services.

IX. REAL ESTATE ITEMS

1. Request for Approval and Execution of Temporary Right of Entry and License Agreement with Nantucket Education Trust, Inc. to Allow Access to Town-owned Property Located at 48 Sparks Avenue to Conduct Due Diligence, Feasibility, Permitting, Engineering and Studies on the Property in Preparation of Constructing Three Duplexes for Nantucket Public Schools Staff Housing.

X. TOWN MANAGER'S REPORT

1. Monthly Departmental Report: Solid Waste.
2. Waste Services Agreement Transition Update.
3. Commercial Solid Waste Fee Review/Adjustment Process.
4. Continued Review of Town-Sponsored Warrant Articles for 2026 Annual Town Meeting Including:
 - Updated Noise Bylaw Amendment Proposal
 - Citizen Warrant Article Submittals
5. Monthly Town Management Report.

XI. SELECT BOARD REPORTS/COMMENT

1. Committee Reports.

XII. 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.*

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
November 19, 2025

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Leases/License Agreements						
Residential Lease	Housing	Nantucket Affordable Housing Trust	\$58,500	12 Honeysuckle Drive for full-time/contract employees	Housing Budget	Jan 1, 2026 - Dec 31, 2026
Grants						
Grant Agreement	Natural Resources	Massachusetts Office of Energy & Environmental Affairs	(\$374,572)	For Surfside WWTF dune restoration conceptual design & long-term planning	N/A	Nov 1, 2025 - Jun 30, 2027
Amendments						
Contract Amendment	Public Works	Nantucket Yard Guard, Inc.	Add \$9,339 to original contract amount of \$100,000 for amended contract amount of \$109,339	Extension of time & increase scope for tree clearing on Candle House Lane	Public Works Budget	Sep 1, 2025 - Nov 30, 2026
Contract Amendment	Public Works	Environmental Partners Group, LLC	N/A	Extension of time for on-call support for resident engineering services for various DPW projects	N/A	Sep 1, 2023 - Aug 31, 2026
Service and Purchase Agreements						
Professional Services Agreement	Housing	BPH Investment Company, LLC	\$35,000	Consultation on proposed Town loan to Ticcoma Green development & Low Income Housing Tax Credit (LIHTC) issues	Housing Budget & Affordable Housing Trust	Jan 1, 2025 - Feb 1, 2026
Professional Services Agreement	Housing	Placemate, Inc.	\$120,000	Administrator for Homeowner Rental Incentive Program	Affordable Housing Trust	Dec 15, 2025 - Dec 31, 2026
Professional Services Agreement	Natural Resources	Arcadis	\$324,741.72	Surfside WWTF dune restoration conceptual design & long-term planning	Massachusetts Office of Energy & Environmental Affairs	Nov 1, 2025 - Jun 30, 2027

Professional Services Agreement	Public Works	Nantucket Yard Guard, Inc.	Not-to-Exceed \$100,000	On-call tree trimming services	Public Works Budget	Dec 1, 2025 - Nov 30, 2026
Professional Services Agreement	Public Works	Pathfinder Tree Services	Not-to-Exceed \$100,000	On-call tree trimming services	Public Works Budget	Dec 1, 2025 - Nov 30, 2026
Professional Services Agreement	Public Works	KOBO Utility Construction	Not-to-Exceed \$500,000	On-Call Construction & Excavation Services for the Department of Public Works	Public Works Budget	Nov 19, 2025 - Nov 18, 2028
Professional Services Agreement	Sewer	KOBO Utility Construction	Not-to-Exceed \$500,000	On-Call Construction & Excavation Services for the Sewer Department	Sewer Budget	Nov 19, 2025 - Nov 18, 2028
Professional Services Agreement	Stormwater	KOBO Utility Construction	Not-to-Exceed \$500,000	On-Call Construction & Excavation Services for Stormwater	Stormwater Budget	Nov 19, 2025 - Nov 18, 2028
Professional Services Agreement	Public Works	C.C. Construction, Inc.	Not-to-Exceed \$500,000	On-Call Construction & Excavation Services for the Department of Public Works	Public Works Budget	Nov 19, 2025 - Nov 18, 2028
Professional Services Agreement	Sewer	C.C. Construction, Inc.	Not-to-Exceed \$500,000	On-Call Construction & Excavation Services for the Sewer Department	Sewer Budget	Nov 19, 2025 - Nov 18, 2028
Professional Services Agreement	Stormwater	C.C. Construction, Inc.	Not-to-Exceed \$500,000	On-Call Construction & Excavation Services for Stormwater	Stormwater Budget	Nov 19, 2025 - Nov 18, 2028
Professional Services Agreement	Public Works	Toscana Corporation	Not-to-Exceed \$500,000	On-Call Construction & Excavation Services for the Department of Public Works	Public Works Budget	Nov 19, 2025 - Nov 18, 2028
Professional Services Agreement	Sewer	Toscana Corporation	Not-to-Exceed \$500,000	On-Call Construction & Excavation Services for the Sewer Department	Sewer Budget	Nov 19, 2025 - Nov 18, 2028
Professional Services Agreement	Stormwater	Toscana Corporation	Not-to-Exceed \$500,000	On-Call Construction & Excavation Services for Stormwater	Stormwater Budget	Nov 19, 2025 - Nov 18, 2028



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 they are on the agenda for the same meeting.
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. Such matters may be appropriately deferred to a noticed-agenda item at a future meeting 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.