

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
APRIL 15, 2026 - 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/VXy8Vr3owk>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_oJAMya1nQT2ogtYC8vYU2g

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio and Video Recorded.
2. **Select Board/Planning Board Accepting Applications for Vacant Seat on Planning Board** until Noon on Friday, April 24, 2026; Submit Applications to Planning Board at 2 Fairgrounds Road, Nantucket, MA 02554; Joint Appointment to be Made at May 20, 2026 Select Board Meeting.
3. **2026 Annual Committee/Board/Commission Vacancies and Appointment Timeline**; Committee Appointment Process: [Boards, Commissions & Committees | Nantucket, MA - Official Website](#)
4. **The Finance Committee is Holding a May 4, 2026 Annual Town Meeting Informational Session** on Thursday, April 16, 2026 at 5:00 PM Via Zoom: <https://us06web.zoom.us/j/83529177804?pwd=GRrub0bVTH7LQbRRRIIFStF5HQwvpZX.1>
5. **May 4, 2026 Annual Town Meeting** Starts Monday, May 4, 2025 at 4:30 PM at Nantucket High School, Mary P. Walker Auditorium, 10 Surfside Road Warrant Article Information May be Found at <https://www.nantucket-ma.gov/3722/2026-Annual-Town-Meeting>; and Public Outreach Session Scheduled for:

- **Tuesday, April 21 at 5:00 PM - Remote Only - Article 15 (Somerset Needs Area Sewer Extension Appropriation)**
 YouTube: <https://youtube.com/live/aGUiEc-M0iM>; Zoom: https://us06web.zoom.us/webinar/register/WN_TZWDQZW8Q8mtxksQNSs6Rg
 - 6. **2026 Annual Town Election** Scheduled for Tuesday, May 19, 2026 from 7:00 AM to 8:00 PM at Nantucket High School, 10 Surfside Road.
 - 7. **Bartlett Road Will be Closed** from Surfside Road to Thirty Acres Lane from Monday, April 20, 2026 to Friday, April 24, 2026, 7:00 AM to 5:00 PM, for Stormwater Drainage Installation.
 - 8. DPW: **April 24, 2026 Arbor Day Proclamation; and Seedling Giveaway** on Saturday, April 25, 2026 and Sunday, April 26, 2026 from 8:00 AM to 12:00 PM or When Seedlings are Gone at Nantucket Landfill (Residential Drop-off Parking Lot).
 - 9. **The Community Claims Fund** Launched on Monday, January 26, 2026 to Accept Claims. This Fund was Created as Part of the Blade Failure Settlement with GEV. Verus, LLC, the Administrator of the Fund, has Created a Dedicated Website with More Information and Instructions for How to File a Claim: www.NantucketBladeSettlement.com. **Claims Must be Filed No Later than June 26, 2026.** For Questions, Please Contact the Verus Support Team at NantucketBladeSettlement@Verusllc.com or 508-305-7225.
 - 10. Town Offices will be Closed on Monday, April 20, 2026 in Observance of Patriots' Day.
 - 11. No Select Board Meeting on Wednesday, April 22, 2026; Next Meeting to be Held on Wednesday, April 29, 2026.
 - 12. Select Board Announcements/Comments.
- IV. UPDATE ON PUBLIC COMMENT QUESTIONS FROM PRIOR SELECT BOARD MEETINGS** (see <https://nantucket-ma.gov/3788/2026-Public-Comment-Questions-Responses>)
- V. PUBLIC COMMENT***
- VI. NEW BUSINESS****
- VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS**
- 1. Approval of Minutes of April 1, 2026 at 5:30 PM; April 2, 2026 at 9:00 AM; April 7, 2026 at 4:00 PM.
 - 2. Approval of Payroll Warrants for April 12, 2026.
 - 3. Approval of Treasury Warrants for April 15, 2026.

4. Approval of Pending Contracts for April 15, 2026 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

VIII. CONSENT ITEMS

1. Gift/Donation Acceptances: Fire Department; Planning and Land Use Services (PLUS).

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Presentation on Proposed Remote Town Meeting Legislation.
2. Fire Department: Update on New Fire Engine #5 (Replacing Fire Engine #7) Manufacturing.
3. Request for Review and Potential Approval of Amendments to Select Board Committee Appointment Process.

X. SELECT BOARD REPORTS/COMMENT

1. Review of Proposed New Our Island Home Bids (in Connection with Article 11 of May 4, 2026 Annual Town Meeting).
2. Request for Approval of Draft License Terms with Sconset Beach Preservation Fund (SBPF) for Use of Town-owned Property Along Baxter Road/Sconset Bluff for Erosion Control Project (Continued from April 1, 2026).
3. Update on the Investigation of the Investigation of African Meeting House Vandalism.
4. Announcement of Select Board Executive Session Vote Taken on April 2, 2026, Pursuant to the Request of the Zoning Board of Appeals, to Authorize an Appeal of the Housing Appeals Committee (HAC) Proposed Decision to Approve the Surfside Crossing 40B Housing Development with Conditions Once it Becomes Final.
5. Committee Reports.

XI. TOWN MANAGER'S REPORT

1. Traffic Safety Recommendations.

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.***



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.

Select Board
Planning Board Vacancy Appointment Timeline
As of 4/7/2026

April 7 - Advertise Planning Board vacancy on Town's website

April 15 - Planning Board vacancy to be added to Select Board agendas as announcement

April 9 and April 16 - Advertise Planning Board vacancy in the Inky

April 24 at 12:00 PM - Deadline for submitting applications for Planning Board vacancy

April 29 and May 13 - The names of applicants who have submitted applications will be read aloud and applications will be included in the Board's packet.

May 20 - Meeting for applicants to introduce themselves and review their applications; Planning Board appointment made jointly by Select Board and remaining Planning Board members.

NOTICE OF PLANNING BOARD VACANCY

The Nantucket Planning Board and Select Board are seeking to fill a vacant seat on the Planning Board through the 2027 Annual Town Election. Please submit a letter of interest to the Planning Board, attention Megan Trudel via email at mtrudel@nantucket-ma.gov or delivery to 2 Fairgrounds Road, Nantucket, MA 02554, **no later than 12:00 PM on Friday, April 24, 2026. Late submissions will not be considered.** Please include the reasons why the candidate is interested in, and qualified for, membership on the Board. **The appointment will be jointly made by the Select Board and remaining members of the Planning Board at the May 20, 2026 Select Board meeting** which will be held in-person in the first floor Community Room of the Public Safety Facility, 4 Fairgrounds Road and by remote participation via Zoom Webinar. Please see meeting posting for remote participation and viewing links. For more information, candidates may contact the PLUS office at 508-325-7587.

Select Board
2026 Committee Appointments Timeline
As of 3/25/2026

April 1 – Select Board review list of openings.

April 8 – Notify members of committees whose terms are expiring.

April 9, April 16, April 23 and April 30 – Advertise committee openings in newspaper and on Town's website; put on Select Board agenda as announcement starting April 15.

May 8 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
- Scholarship Committee
- Sign Advisory Council
- Tree Advisory Committee
- Zoning Board of Appeals
- Zoning Board of Appeals Alternate

May 13 and May 20 – The names of applicants who have submitted applications will be read aloud and applications will be included in the Board's packet.

May 27 – 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 3 – 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
- Scholarship Committee
- Sign Advisory Council
- Tree Advisory Committee
- Zoning Board of Appeals
- Zoning Board of Appeals Alternate

June 10 – Committee appointments.

2026 Committee Openings Information
As of 3/25/2026

Committee	# seats open	Term Expiration	Notes
Agricultural Commission	2	2029	
Airport Commission	2	2029	
Board of Health	2	2029	
Cannabis Advisory Committee	1	2028	VACANT
Cannabis Advisory Committee	1	2029	
Capital Program Committee	2	2029	
Cemetery Commission	2	2029	
Coastal Resiliency Advisory Committee	1	2029	
Conservation Commission	2	2029	
Contract Review Committee, Human Services	1	2029	
Council for Human Services	1	2027	VACANT
Council for Human Services	3	2029	
Council on Aging	3	2029	
Cultural Council	2	2029	
Finance Committee	3	2029	
Historic District Commission Associate	1	2029	
Nantucket Affordable Housing Trust	3	2028	2-year term, at-large
Nantucket Historical Commission	2	2029	
Planning Board Alternate	1	2029	
Real Estate Assessment Committee	2	2029	
Scholarship Committee	1	2028	VACANT
Scholarship Committee	2	2029	
Sign Advisory Council	1	2027	New staggered appointments; seats will become 3-year terms
Sign Advisory Council	2	2028	New staggered appointments; seats will become 3-year terms
Sign Advisory Council	2	2029	New staggered appointments; seats will become 3-year terms
Tree Advisory Committee	1	2028	VACANT
Tree Advisory Committee	2	2029	
Zoning Board of Appeals	1	2028	5-year term; VACANT (resignation to be accepted on 4/1)
Zoning Board of Appeals	1	2031	5-year term
Zoning Board of Appeals Alternate	1	2029	3-year term

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
April 15, 2026

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Grants						
Grant Assurances	Airport	MassDOT	(\$6,452.53)	Taxiway G Phase III	N/A	May 16, 2025- May 15, 2045
Grant Assurances	Airport	MassDOT	(\$3,792)	Runway 6-24 Centerline Rehab	N/A	June 3, 2025 - June 2, 2045
Grant Assurances	Airport	MassDOT	(\$229,503.20)	Purchase Aircraft Tug	N/A	May 22, 2025- May 21, 2045
Grant Assurances	Airport	MassDOT	(\$7,886.39)	Apron Drainage	N/A	June 3, 2025 - June 2, 2045
Grant Agreement	Culture & Tourism	Nantucket S.T.A.R.	\$1,000	Sensory Art Class for Children	Nantucket Cultural Council Budget	Mar 1, 2026 - Dec 31, 2026
Grant Agreement	Culture & Tourism	Nantucket Island School of Design and the Arts, Inc.	\$1,000	Weekly Summer Community Events	Nantucket Cultural Council Budget	Mar 1, 2026 - Dec 31, 2026
Grant Agreement	Culture & Tourism	Nantucket Island Chamber of Commerce	\$25,000	Rock Solid grants to support local businesses	Cape & Islands License Plate Fund	Apr 2, 2026 - Dec 31, 2026
Grant Agreement	Fire	Executive Office of Public Safety & Security; Department of Fire Services	(\$18,967.86)	Firefighter Safety Equipment Grant Program	N/A	Apr 15, 2026 - Apr 14, 2027
Leases/Licenses						
License Agreement	Town Administration	Commonwealth of Massachusetts	(\$6,500)	License with Commonwealth of MA for Sheriff Office Space at 20 S Water Street	N/A	Apr 15, 2026 - Apr 14, 2027
Amendments						
Contract Amendment	Town Administration	CDM Smith, Inc.	N/A	Extension of contract for on-call support services for PFAS Water Quality Project	N/A	Jul 1, 2025 - Dec 31, 2026

Professional Services & Purchase Agreements						
Professional Services Agreement	Housing	SMRT, Inc.	\$154,295	Design/architecture services for Proposed Municipal Employee Housing at Waitt Drive	Article 10 of 2022 Annual Town Meeting	Mar 15, 2026 - Jun 30, 2026
Professional Services Agreement	Human Resources	Capital Strategic Solutions	\$24,500	Municipal Finance Director Executive Search	Human Resources Budget	Apr 15, 2026 - Dec 31, 2026
Professional Services Agreement	Sewer	Rowse Architects, Inc.	\$777,564	Designer Services for New Garage at Surfside WWTF	Article 16 of 2021 Annual Town Meeting	Apr 1, 2026 - Mar 31, 2028
Professional Services Agreement	Sewer	GEA Mechanical Equipment US, Inc.	\$11,933.34	Surfside WWTF Centrifuge Repairs	Sewer/Wastewater Budget	Apr 15, 2026 - Apr 14, 2027
Professional Services Agreement	Stormwater	Hazen & Sawyer	\$1,181,031	Preparation of Stormwater Master Plan	Article 22 of 2024 Annual Town Meeting	May 1, 2026 - June 30, 2027
Professional Services Agreement	Stormwater	Niezgoda & Murray Excavating LLC	\$974,000	Washington Street Stormwater Infrastructure Repairs/Replacement	Article 22 of 2023 Annual Town Meeting	Apr 15, 2026 - Dec 31, 2026
Professional Services Agreement	Town Administration	Raftelis Financial Consultants, Inc.	\$76,500	Operational Review of Finance Department	Town Administration Budget	Apr 1, 2026 - Dec 31, 2026



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbits-Nutt, Secretary & CEO
Denise Garcia, Acting Administrator



GRANT ASSURANCES

Nantucket Memorial Airport

Taxiway G Phase III Env Mon

Project Number: AIP-3-25-0033-086-2024

MMARS Number: 77F33862024ACKENVMON

Project Authorization Date: 05/16/2025

A. Definitions.

1. "Aeronautics Division" shall mean the Massachusetts Department of Transportation (MassDOT) Aeronautics Division.
2. "Airport" shall mean the Nantucket Memorial Airport and all appurtenant areas and facilities which are used, or intended for use, for airport buildings, airport facilities, or rights-of-way, together with all buildings and facilities located thereon.
3. "Airport Commission" shall mean the Nantucket Airport Commission with members appointed by the Board of Selectmen, as appropriate pursuant to Section 51 E of Chapter 90 of the General Laws.
4. "Town" shall mean the Town of Nantucket.
5. "FAA" shall mean the Federal Aviation Administration.
6. "Grant" shall mean the Grant referenced above, including the Grant Application, finance plan, and related materials supplied by the Applicant and on which the Aeronautics Division relies in awarding the Grant, all as amended by these Grant Assurances.
7. "Grant Assurances" shall mean the assurances and certifications contained herein and made by the Airport Commission for the purpose of securing the Aeronautics Division's approval and award of the Grant.
8. "Program" shall mean the investigation and analysis, engineering, consulting, planning, design and construction of the subject project.
9. "Project" shall mean the project referenced above by project title and project number and related work included as additional efforts in the Program at the sole discretion of the Aeronautics Division.
10. The project will be conducted upon Airport property as well as outside the Airport boundaries with funding from the Airport Commission, FAA, and the Aeronautics Division.

B. General.

Logan Office Center, One Harborside Drive, Suite 205N
East Boston, MA 02128
Tel: 617-412-3680, TDD: 617-973-7306
www.mass.gov/massdot

AIP-3-25-0033-086-2024 - Taxiway G Phase III Env Mon

1. These Grant Assurances shall be complied with in the performance of the obligations imposed upon the Airport Commission, the Town and its respective successors pursuant to the Grant.
2. Upon acceptance of the Grant by the Airport Commission and the execution of the Grant by the Airport Commission, the Town and the Aeronautics Division, these Grant Assurances shall be incorporated in and become a part of the Grant without further reference.

C. Duration.

1. The terms and conditions of these Grant Assurances shall take full force and effect on the date the Grant is executed by the Aeronautics Division and shall remain in full force and effect for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission or from the Aeronautics Division, whichever occurs later.

D. Certifications by the Airport Commission

1. The Airport Commission hereby assures and certifies that it will comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.
2. The Airport Commission hereby assures and certifies that:
 - a. oversight of the Airport is exclusively held by the Airport Commission and that the Airport Commission has sole custody and control of the Airport pursuant to Chapter 90, Section 51 E of the General Laws;
 - b. the state funds from previous grants from the Aeronautics Division, and the physical assets they produced, were sought by the Airport Commission on the basis that they would ensure the continued fiscal and operational stability of the Airport;
 - c. the state funds from this Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;
 - d. the Airport Commission has the legal authority to apply for, accept, and be bound by this Grant and the understandings and assurances contained therein;

- e. the Airport Commission has the legal authority to oversee the performance of all of the obligations imposed upon the Airport Commission and the Town by this Grant;
- f. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project;
- g. the Airport Commission shall submit within thirty (30) days of the date the Aeronautics Division executes this Grant a finance plan with details as to the total cost to design and construct the subject project and the sources and amounts of funds the Airport Commission has available to it to pay those costs;
- h. the Airport Commission shall not take any action which would deprive the Airport Commission of, or otherwise diminish, any of the rights, privileges, responsibilities or powers of the Airport Commission as are necessary to exercise the custody, care and management of the Airport or to perform the terms, conditions, and assurances in this Grant, previous grants and future grants from the Aeronautics Division without the prior written approval of the Aeronautics Division. The Airport Commission will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;
- i. the Airport Commission shall not sell, encumber, other than leasing, or otherwise transfer or dispose of the title to or interests in the physical assets and real property located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld;
- j. the Airport Commission shall not eliminate all or any portion of the physical assets and real property previously purchased through a Aeronautics Division grant, located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld; and
- k. the Airport Commission has authorized the Chair of the Airport Commission to execute the Grants and the Grant Assurances on behalf of the Airport Commission and has attached hereto a copy of the Airport Commission meeting minutes, certified by the Secretary of the Airport Commission to be a true copy of said minutes, documenting such authorization.

E. Certification of the Chair of the Board of Selectmen of Nantucket.

- 1. Notwithstanding any powers that may be granted to the Board of Selectmen of Nantucket the Town agrees not to attempt to reorganize the Airport Commission, or in any way to interfere with the autonomy and authority of the Airport Commission as

created under Chapter 90, Section 51E of the General Laws, without the express approval of the Aeronautics Division.

2. The Town assures and certifies that it will take no actions that would interfere with the Airport Commission's ability to comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.

3. The Town hereby assures, certifies and acknowledges that:
 - a. notwithstanding any powers, authority of responsibility that may be granted to the Town, it agrees not to interfere unlawfully with the powers, authority and responsibilities granted to the Airport Commission by Chapter 90, Section 51 E of the General Laws; provided, however, that this provision shall not preclude the establishment of a management agreement or agreements between the Airport Commission and the Town to contract for services, resources and skills of the Town offices or any department of the Town; provided further that each such agreement shall not take effect until approved by the Aeronautics Division in writing;
 - b. the state funds from the Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;
 - c. The Airport Commission has the legal authority to apply for and accept this Grant and the understandings and assurances contained therein;
 - d. The Airport Commission has the legal authority to oversee the performance of all the obligations imposed upon the Airport Commission and the Town by this Grant; and
 - e. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project.

4. The Town hereby assures and certifies that:
 - a. the Town shall not take or permit any action which would dissolve the Airport Commission or deprive the Airport Commission of any of the rights, privileges, responsibilities or powers of the Airport Commission as are necessary for it to

exercise the custody, care and management of the Airport or to perform any or all of the terms, conditions, and assurances in the Grant, previous grants and future grants from the Aeronautics Division without the prior written approval of the Aeronautics Division, and the Town will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;

- b. the Town shall not take any actions which would have the effect of modifying or terminating any of the obligations and responsibilities imposed upon and accepted by the Airport Commission pursuant to this Grant without the prior written approval of the Aeronautics Division; and
 - c. the Town shall not take any action which would have the effect of altering, modifying, expanding, or eliminating all or any portion of the physical assets and real property located at the Airport without the prior written approval of the Aeronautics Division.
5. The Board of Selectmen hereby assures and certifies that it has authorized their Chair to execute these Grant Assurances on behalf of the Town and has attached hereto a copy of the meeting minutes, certified by the Secretary to be a true copy of said minutes, documenting such authorization.

F. Accounting System, Audit and Record Keeping Requirements.

1. The Airport Commission hereby covenants and agrees to:
- a. deposit all funds received for this Project into an Airport Commission segregated account and to disburse said funds solely for the purposes for which they were paid;
 - b. keep all Project accounts and records which fully disclose: i) the total cost of the Project. ii) the amount and disposition by the Airport Commission of the proceeds of all grants and other funds received by the Airport Commission for this Project. iii) the amount and nature of the funds supplied by each source for this Project. and, iv) such other financial records as are pertinent to the Project;
 - c. keep all Project accounts and records in accordance with an accounting system that will facilitate an effective financial audit of the Project; and
 - d. upon request, make available to the Aeronautics Division or its designated representative for the purpose of audit and examination, any books, documents, papers, and records of the Airport Commission or Town that is pertinent to the Project.

G. Conformity to Plans, Specifications and Aeronautics Division Approvals.

1. The Airport Commission shall execute the Project subject to the plans, specifications, budgets and schedules reviewed and approved by the Aeronautics Division and such other guidance as the Aeronautics Division deems appropriate. All modifications to the approved plans, specifications, budgets and schedules shall also be subject to the review and approval of the Aeronautics Division.
2. The Airport Commission shall provide and maintain competent technical and administrative supervision throughout the duration of the Project to ensure the Project is completed in accordance with the terms of the Grant, these Assurances, the approved plans, specifications, budgets and schedules.

H. Airport Operation and Maintenance.

1. The Airport Commission shall operate the Airport for:
 - a. the aeronautical benefit of the public using the Airport;
 - b. the uses intended by the Aeronautics Division in the approval of the Airport Certificate;
 - c. the uses intended by the Aeronautics Division in the award of this funding grant; and
 - d. such non-aeronautical uses as are explicitly approved in writing by the FAA and the Aeronautics Division.
2. The Airport Commission shall suitably operate and maintain the Airport and all facilities located thereon or connected therewith with due regard to climatic and flood conditions. The Airport and all facilities which are necessary to serve the aeronautical users of the Airport, other than facilities owned and controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by federal or state agencies for airport maintenance and operation.
3. Except as provided for in Section H(5) below, the Airport Commission shall not cease to operate, abandon, or dispose of the Airport, or any part thereof, without the prior written consent of the Aeronautics Division.
4. The Airport Commission or the Board of Selectmen of the Town shall not close the Airport or restrict the use of the Airport or any of the facilities located thereon or connected therewith without the prior written permission of the Aeronautics Division.
5. The Airport Commission, the Airport Manager or, in the absence of the Airport Manager, the Assistant Airport Manager, may suspend the operation of the Airport for aeronautical

use only during temporary periods when a climatic condition or other condition identified as a reason for suspension of airport operations in applicable federal or state aeronautical laws, rules, regulations, advisories, or orders, interferes with the safe operation and maintenance of the Airport. The Airport Commission, the Airport Manager or, in the absence of the Airport Manager, the Assistant Airport Manager, shall comply with all applicable federal or state aeronautical laws, rules, regulations, advisories, or orders governing said suspension of operations.

6. The obligation to operate the Airport as prescribed above shall run for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission from the Aeronautics Division.

I. Compatible Land Use.

1. The Airport Commission and the Town shall take appropriate action to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

J. Economic Nondiscrimination.

1. The Airport Commission and the Board of Selectmen of the Town shall make the Airport available as an airport for public use on fair and reasonable terms and without unjust discrimination, to all types, kinds and classes of aeronautical use.
2. Every agreement, contract, lease or other arrangement under which a right or a privilege is granted to any person, firm, or corporation to conduct or engage in any activity at the Airport, shall require such person, firm, or corporation to conduct or engage in their respective activity(ies) in a fair, reasonable and not unjustly discriminatory manner.
3. Each person, firm, or corporation operating at the Airport shall be subject to the same rates, fees, rentals and other charges as are uniformly applicable to all other persons, firms, or corporations making the same or similar uses of the Airport and utilizing the same or similar facilities.
4. The Airport Commission and Board of Selectmen of the Town shall not exercise or grant any exclusive right or privilege which operates to prevent any person, firm or corporation from providing the same or similar service at the Airport.
5. Subject to the prior written approval of the Aeronautics Division, the Airport Commission may prohibit or limit any given type, kind or class of aeronautical use of the Airport if such action is necessary for the safe operation of the Airport or necessary to serve the civil aviation needs of the public.

6. The Airport Commission shall establish such fair, equal and not unjustly discriminatory conditions to be met by all users of the Airport as may be necessary for the safe and efficient operation of the Airport.

K. Airport Revenues.

1. The Airport Commission shall maintain a fee and rental structure for all Airport property, facilities and services. Said fee and rental structure shall be constructed so as to make the Airport as self-sustaining as possible under the circumstances existing at the Airport. A copy of said fee and rental structure and any future amendments thereto shall be provided to the Aeronautics Division, upon request.
2. All revenues generated at the Airport and payable to the Airport Commission plus any local taxes on aircraft fuel established after December 30, 1987, shall be deposited in an Airport Commission segregated account and expended by the Airport Commission for the capital or operating costs of the Airport.

L. Reports and Inspections.

1. The Airport Commission shall, upon reasonable request:
 - a. submit to the Aeronautics Division such annual or special financial and operations reports to the Aeronautics Division;
 - b. make available to the public at reasonable times and places a report of the airport budget in a format satisfactory to the Aeronautics Division;
 - c. make all Airport and Airport Commission records and documents affecting the Airport, including deeds, leases, operation and use agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Aeronautics Division; and
 - d. in a format prescribed by the Aeronautics Division, provide to the Aeronautics Division and make available to the public, not later than one hundred and twenty (120) days following each of its fiscal years, an annual report listing in detail:
 - i. all amounts paid by the Airport to any other unit of government and the purposes for which each such payment was made; and
 - ii. all service and property provided by the Airport to other units of government and the amount of compensation received for providing each such service and property.

M. Airport Layout Plan.

AIP-3-25-0033-086-2024 - Taxiway G Phase III Env Mon

1. The Airport Commission shall maintain an up-to-date Airport Layout Plan (ALP) of the Airport which shall show:
 - a. the boundaries of the Airport and all proposed additions thereto or deletions therefrom, together with the boundaries of all offsite areas owned or controlled by the Airport Commission for Airport purposes and any proposed additions thereto or deletions therefrom;
 - b. the location and nature of all existing and proposed Airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars, other buildings and structures, and roads) including all proposed extensions and reductions of existing airport facilities; and
 - c. the location and nature of all existing and proposed non-aviation areas at the Airport and of all existing or proposed improvements located thereon.
2. The ALP, and each amendment, revision or modification thereof, shall be subject to the approval of the Aeronautics Division, which approval shall be evidenced by the signature of a duly authorized representative of the Aeronautics Division on the face of the ALP.
3. The Airport Commission and/or Board of Selectmen shall not make or permit any changes or alterations in the Airport or any of the facilities at the Airport thereby causing non-conformity with the ALP as approved by the Aeronautics Division and which might, in the opinion of the Aeronautics Division, adversely affect the safety, utility or efficiency of the Airport. If a change or alteration of the Airport or the facilities is made which the Aeronautics Division subsequently determines adversely affects the safety, utility or efficiency of the Airport, the Airport Commission and the Board of Selectmen shall, if requested by the Aeronautics Division:
 - a. eliminate such adverse effect in a manner approved by the Aeronautics Division; or,
 - b. bear all costs of relocating such property (or replacement thereof) to the level of safety, utility, efficiency and cost of operation existing prior to the unapproved change in the Airport or its facilities.

N. Civil Rights.

1. The Owner and their respective agents, employees and representatives, shall comply with applicable federal, state, and local laws, regulations, rules and orders to assure that no person shall, based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-Era Veterans), be excluded from participating in any activity conducted with or benefiting from funds received from this Grant.

O. Disposal of Land and Airport Facilities.

1. The Airport Commission and Board of Selectmen shall not sell or otherwise transfer or dispose of the title to or interests in the Airport, its facilities, real property or personal property without the prior approval of the Aeronautics Division, which will not be unduly withheld.

P. Foreign Market Restrictions.

1. The Airport Commission and Board of Selectmen shall not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

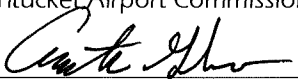
Q. Future Grants.

1. This Grant is being awarded in the expectation that the Airport Commission will complete the scope of work associated with this Project.
2. The Airport Commission and Board of Selectmen (collectively referred to here as "the local entities") and the Aeronautics Division jointly and severally acknowledge and agree that this Grant is awarded and accepted on the explicit understanding that this Grant and any future grant or grants, anticipated to fund further development of the Airport will have included in its (their) terms a guarantee by the local entities that no part of the assets or income of the Airport, whether presently existing or to be created pursuant to these grants, will be diverted to non-airport uses without the express prior written approval of the Aeronautics Division, the granting of such approval being universally recognized to be considered as highly unlikely.

R. Successors.

1. This Grant, as amended by these Assurances, shall be binding upon and shall inure to the benefit of the successors of the parties hereto.

IN WITNESS WHEREOF, the Airport Commission and the Town of Nantucket certify that the information contained herein and attached hereto is accurate and complete and that we agree with the assurances herein, as represented by the signatures of the persons below:

<p>Nantucket Airport Commission</p> <p>By: <u></u></p> <p>Title: Chair</p> <p>Date: <u>6/20/25</u></p>	<p>I hereby certify that <u>Arthur Gasbarr</u> is the Chair of the Nantucket Airport Commission and was authorized to execute these Grant Assurances on behalf of the Nantucket Airport Commission by a vote taken on <u>6/17/2025</u>, a copy of which is attached and made a part hereof.</p> <p><u>Vilina L. Iliev</u></p> <p>Reporting Secretary</p>
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<p>Chair of the Board of Selectmen, Town of Nantucket</p> <p>By: _____</p> <p>Date: _____</p>	<p>I hereby certify that _____ is the Chair of the Board of Selectmen for the Town of Nantucket and has been authorized to execute these Grant Assurances on behalf of the Town of Nantucket on this day _____, 20____.</p> <p>_____</p> <p>Town Clerk, Town of Nantucket</p>
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GRANT ASSURANCES

Nantucket Memorial Airport

Runway 6-24 Centerline Rehab – Design & Permitting

Project Number: AIP No. 3-25-0033-088-2024

MMARS Number: 76F33882024ACKRWCLDP

Project Authorization Date: 06/03/2025

A. Definitions.

1. "Aeronautics Division" shall mean the Massachusetts Department of Transportation (MassDOT) Aeronautics Division.
2. "Airport" shall mean the Nantucket Memorial Airport and all appurtenant areas and facilities which are used, or intended for use, for airport buildings, airport facilities, or rights-of-way, together with all buildings and facilities located thereon.
3. "Airport Commission" shall mean the Nantucket Airport Commission with members appointed by the Board of Selectmen, as appropriate pursuant to Section 51 E of Chapter 90 of the General Laws.
4. "Town" shall mean the Town of Nantucket.
5. "FAA" shall mean the Federal Aviation Administration.
6. "Grant" shall mean the Grant referenced above, including the Grant Application, finance plan, and related materials supplied by the Applicant and on which the Aeronautics Division relies in awarding the Grant, all as amended by these Grant Assurances.
7. "Grant Assurances" shall mean the assurances and certifications contained herein and made by the Airport Commission for the purpose of securing the Aeronautics Division's approval and award of the Grant.
8. "Program" shall mean the investigation and analysis, engineering, consulting, planning, design and construction of the subject project.
9. "Project" shall mean the project referenced above by project title and project number and related work included as additional efforts in the Program at the sole discretion of the Aeronautics Division.
10. The project will be conducted upon Airport property as well as outside the Airport boundaries with funding from the Airport Commission, FAA, and the Aeronautics Division.

B. General.

1. These Grant Assurances shall be complied with in the performance of the obligations imposed upon the Airport Commission, the Town and its respective successors pursuant to the Grant.
2. Upon acceptance of the Grant by the Airport Commission and the execution of the Grant by the Airport Commission, the Town and the Aeronautics Division, these Grant Assurances shall be incorporated in and become a part of the Grant without further reference.

C. Duration.

1. The terms and conditions of these Grant Assurances shall take full force and effect on the date the Grant is executed by the Aeronautics Division and shall remain in full force and effect for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission or from the Aeronautics Division, whichever occurs later.

D. Certifications by the Airport Commission

1. The Airport Commission hereby assures and certifies that it will comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.
2. The Airport Commission hereby assures and certifies that:
 - a. oversight of the Airport is exclusively held by the Airport Commission and that the Airport Commission has sole custody and control of the Airport pursuant to Chapter 90, Section 51 E of the General Laws;
 - b. the state funds from previous grants from the Aeronautics Division, and the physical assets they produced, were sought by the Airport Commission on the basis that they would ensure the continued fiscal and operational stability of the Airport;
 - c. the state funds from this Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;

- d. the Airport Commission has the legal authority to apply for, accept, and be bound by this Grant and the understandings and assurances contained therein;
- e. the Airport Commission has the legal authority to oversee the performance of all of the obligations imposed upon the Airport Commission and the Town by this Grant;
- f. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project;
- g. the Airport Commission shall submit within thirty (30) days of the date the Aeronautics Division executes this Grant a finance plan with details as to the total cost to design and construct the subject project and the sources and amounts of funds the Airport Commission has available to it to pay those costs;
- h. the Airport Commission shall not take any action which would deprive the Airport Commission of, or otherwise diminish, any of the rights, privileges, responsibilities or powers of the Airport Commission as are necessary to exercise the custody, care and management of the Airport or to perform the terms, conditions, and assurances in this Grant, previous grants and future grants from the Aeronautics Division without the prior written approval of the Aeronautics Division. The Airport Commission will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;
- i. the Airport Commission shall not sell, encumber, other than leasing, or otherwise transfer or dispose of the title to or interests in the physical assets and real property located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld;
- j. the Airport Commission shall not eliminate all or any portion of the physical assets and real property previously purchased through a Aeronautics Division grant, located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld; and
- k. the Airport Commission has authorized the Chair of the Airport Commission to execute the Grants and the Grant Assurances on behalf of the Airport Commission and has attached hereto a copy of the Airport Commission meeting minutes, certified by the Secretary of the Airport Commission to be a true copy of said minutes, documenting such authorization.

E. Certification of the Chair of the Board of Selectmen of Nantucket.

- 1. Notwithstanding any powers that may be granted to the Board of Selectmen of Nantucket the Town agrees not to attempt to reorganize the Airport Commission, or in

any way to interfere with the autonomy and authority of the Airport Commission as created under Chapter 90, Section 51E of the General Laws, without the express approval of the Aeronautics Division.

2. The Town assures and certifies that it will take no actions that would interfere with the Airport Commission's ability to comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.

3. The Town hereby assures, certifies and acknowledges that:
 - a. notwithstanding any powers, authority of responsibility that may be granted to the Town, it agrees not to interfere unlawfully with the powers, authority and responsibilities granted to the Airport Commission by Chapter 90, Section 51 E of the General Laws; provided, however, that this provision shall not preclude the establishment of a management agreement or agreements between the Airport Commission and the Town to contract for services, resources and skills of the Town offices or any department of the Town; provided further that each such agreement shall not take effect until approved by the Aeronautics Division in writing;
 - b. the state funds from the Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;
 - c. The Airport Commission has the legal authority to apply for and accept this Grant and the understandings and assurances contained therein;
 - d. The Airport Commission has the legal authority to oversee the performance of all the obligations imposed upon the Airport Commission and the Town by this Grant; and
 - e. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project.

4. The Town hereby assures and certifies that:
 - a. the Town shall not take or permit any action which would dissolve the Airport Commission or deprive the Airport Commission of any of the rights, privileges,

responsibilities or powers of the Airport Commission as are necessary for it to exercise the custody, care and management of the Airport or to perform any or all of the terms, conditions, and assurances in the Grant, previous grants and future grants from the Aeronautics Division without the prior written approval of the Aeronautics Division, and the Town will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;

- b. the Town shall not take any actions which would have the effect of modifying or terminating any of the obligations and responsibilities imposed upon and accepted by the Airport Commission pursuant to this Grant without the prior written approval of the Aeronautics Division; and
 - c. the Town shall not take any action which would have the effect of altering, modifying, expanding, or eliminating all or any portion of the physical assets and real property located at the Airport without the prior written approval of the Aeronautics Division.
5. The Board of Selectmen hereby assures and certifies that it has authorized their Chair to execute these Grant Assurances on behalf of the Town and has attached hereto a copy of the meeting minutes, certified by the Secretary to be a true copy of said minutes, documenting such authorization.

F. Accounting System, Audit and Record Keeping Requirements.

- 1. The Airport Commission hereby covenants and agrees to:
 - a. deposit all funds received for this Project into an Airport Commission segregated account and to disburse said funds solely for the purposes for which they were paid;
 - b. keep all Project accounts and records which fully disclose: i) the total cost of the Project. ii) the amount and disposition by the Airport Commission of the proceeds of all grants and other funds received by the Airport Commission for this Project. iii) the amount and nature of the funds supplied by each source for this Project. and, iv) such other financial records as are pertinent to the Project;
 - c. keep all Project accounts and records in accordance with an accounting system that will facilitate an effective financial audit of the Project; and
 - d. upon request, make available to the Aeronautics Division or its designated representative for the purpose of audit and examination, any books, documents, papers, and records of the Airport Commission or Town that is pertinent to the Project.

G. Conformity to Plans, Specifications and Aeronautics Division Approvals.

1. The Airport Commission shall execute the Project subject to the plans, specifications, budgets and schedules reviewed and approved by the Aeronautics Division and such other guidance as the Aeronautics Division deems appropriate. All modifications to the approved plans, specifications, budgets and schedules shall also be subject to the review and approval of the Aeronautics Division.
2. The Airport Commission shall provide and maintain competent technical and administrative supervision throughout the duration of the Project to ensure the Project is completed in accordance with the terms of the Grant, these Assurances, the approved plans, specifications, budgets and schedules.

H. Airport Operation and Maintenance.

1. The Airport Commission shall operate the Airport for:
 - a. the aeronautical benefit of the public using the Airport;
 - b. the uses intended by the Aeronautics Division in the approval of the Airport Certificate;
 - c. the uses intended by the Aeronautics Division in the award of this funding grant; and
 - d. such non-aeronautical uses as are explicitly approved in writing by the FAA and the Aeronautics Division.
2. The Airport Commission shall suitably operate and maintain the Airport and all facilities located thereon or connected therewith with due regard to climatic and flood conditions. The Airport and all facilities which are necessary to serve the aeronautical users of the Airport, other than facilities owned and controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by federal or state agencies for airport maintenance and operation.
3. Except as provided for in Section H(5) below, the Airport Commission shall not cease to operate, abandon, or dispose of the Airport, or any part thereof, without the prior written consent of the Aeronautics Division.
4. The Airport Commission or the Board of Selectmen of the Town shall not close the Airport or restrict the use of the Airport or any of the facilities located thereon or connected therewith without the prior written permission of the Aeronautics Division.

5. The Airport Commission, the Airport Manager or, in the absence of the Airport Manager, the Assistant Airport Manager, may suspend the operation of the Airport for aeronautical use only during temporary periods when a climatic condition or other condition identified as a reason for suspension of airport operations in applicable federal or state aeronautical laws, rules, regulations, advisories, or orders, interferes with the safe operation and maintenance of the Airport. The Airport Commission, the Airport Manager or, in the absence of the Airport Manager, the Assistant Airport Manager, shall comply with all applicable federal or state aeronautical laws, rules, regulations, advisories, or orders governing said suspension of operations.
6. The obligation to operate the Airport as prescribed above shall run for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission from the Aeronautics Division.

I. Compatible Land Use.

1. The Airport Commission and the Town shall take appropriate action to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

J. Economic Nondiscrimination.

1. The Airport Commission and the Board of Selectmen of the Town shall make the Airport available as an airport for public use on fair and reasonable terms and without unjust discrimination, to all types, kinds and classes of aeronautical use.
2. Every agreement, contract, lease or other arrangement under which a right or a privilege is granted to any person, firm, or corporation to conduct or engage in any activity at the Airport, shall require such person, firm, or corporation to conduct or engage in their respective activity(ies) in a fair, reasonable and not unjustly discriminatory manner.
3. Each person, firm, or corporation operating at the Airport shall be subject to the same rates, fees, rentals and other charges as are uniformly applicable to all other persons, firms, or corporations making the same or similar uses of the Airport and utilizing the same or similar facilities.
4. The Airport Commission and Board of Selectmen of the Town shall not exercise or grant any exclusive right or privilege which operates to prevent any person, firm or corporation from providing the same or similar service at the Airport.
5. Subject to the prior written approval of the Aeronautics Division, the Airport Commission may prohibit or limit any given type, kind or class of aeronautical use of the Airport if

such action is necessary for the safe operation of the Airport or necessary to serve the civil aviation needs of the public.

6. The Airport Commission shall establish such fair, equal and not unjustly discriminatory conditions to be met by all users of the Airport as may be necessary for the safe and efficient operation of the Airport.

K. Airport Revenues.

1. The Airport Commission shall maintain a fee and rental structure for all Airport property, facilities and services. Said fee and rental structure shall be constructed so as to make the Airport as self-sustaining as possible under the circumstances existing at the Airport. A copy of said fee and rental structure and any future amendments thereto shall be provided to the Aeronautics Division, upon request.
2. All revenues generated at the Airport and payable to the Airport Commission plus any local taxes on aircraft fuel established after December 30, 1987, shall be deposited in an Airport Commission segregated account and expended by the Airport Commission for the capital or operating costs of the Airport.

L. Reports and Inspections.

1. The Airport Commission shall, upon reasonable request:
 - a. submit to the Aeronautics Division such annual or special financial and operations reports to the Aeronautics Division;
 - b. make available to the public at reasonable times and places a report of the airport budget in a format satisfactory to the Aeronautics Division;
 - c. make all Airport and Airport Commission records and documents affecting the Airport, including deeds, leases, operation and use agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Aeronautics Division; and
 - d. in a format prescribed by the Aeronautics Division, provide to the Aeronautics Division and make available to the public, not later than one hundred and twenty (120) days following each of its fiscal years, an annual report listing in detail:
 - i. all amounts paid by the Airport to any other unit of government and the purposes for which each such payment was made; and
 - ii. all service and property provided by the Airport to other units of government and the amount of compensation received for providing each such service and property.

M. Airport Layout Plan.

1. The Airport Commission shall maintain an up-to-date Airport Layout Plan (ALP) of the Airport which shall show:
 - a. the boundaries of the Airport and all proposed additions thereto or deletions therefrom, together with the boundaries of all offsite areas owned or controlled by the Airport Commission for Airport purposes and any proposed additions thereto or deletions therefrom;
 - b. the location and nature of all existing and proposed Airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars, other buildings and structures, and roads) including all proposed extensions and reductions of existing airport facilities; and
 - c. the location and nature of all existing and proposed non-aviation areas at the Airport and of all existing or proposed improvements located thereon.
2. The ALP, and each amendment, revision or modification thereof, shall be subject to the approval of the Aeronautics Division, which approval shall be evidenced by the signature of a duly authorized representative of the Aeronautics Division on the face of the ALP.
3. The Airport Commission and/or Board of Selectmen shall not make or permit any changes or alterations in the Airport or any of the facilities at the Airport thereby causing non-conformity with the ALP as approved by the Aeronautics Division and which might, in the opinion of the Aeronautics Division, adversely affect the safety, utility or efficiency of the Airport. If a change or alteration of the Airport or the facilities is made which the Aeronautics Division subsequently determines adversely affects the safety, utility or efficiency of the Airport, the Airport Commission and the Board of Selectmen shall, if requested by the Aeronautics Division:
 - a. eliminate such adverse effect in a manner approved by the Aeronautics Division; or,
 - b. bear all costs of relocating such property (or replacement thereof) to the level of safety, utility, efficiency and cost of operation existing prior to the unapproved change in the Airport or its facilities.

N. Civil Rights.

1. The Owner and their respective agents, employees and representatives, shall comply with applicable federal, state, and local laws, regulations, rules and orders to assure that no person shall, based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including

Vietnam-Era Veterans), be excluded from participating in any activity conducted with or benefiting from funds received from this Grant.

O. Disposal of Land and Airport Facilities.

1. The Airport Commission and Board of Selectmen shall not sell or otherwise transfer or dispose of the title to or interests in the Airport, its facilities, real property or personal property without the prior approval of the Aeronautics Division, which will not be unduly withheld.

P. Foreign Market Restrictions.

1. The Airport Commission and Board of Selectmen shall not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

Q. Future Grants.

1. This Grant is being awarded in the expectation that the Airport Commission will complete the scope of work associated with this Project.
2. The Airport Commission and Board of Selectmen (collectively referred to here as "the local entities") and the Aeronautics Division jointly and severally acknowledge and agree that this Grant is awarded and accepted on the explicit understanding that this Grant and any future grant or grants, anticipated to fund further development of the Airport will have included in its (their) terms a guarantee by the local entities that no part of the assets or income of the Airport, whether presently existing or to be created pursuant to these grants, will be diverted to non-airport uses without the express prior written approval of the Aeronautics Division, the granting of such approval being universally recognized to be considered as highly unlikely.

R. Successors.

1. This Grant, as amended by these Assurances, shall be binding upon and shall inure to the benefit of the successors of the parties hereto.

IN WITNESS WHEREOF, the Airport Commission and the Town of Nantucket certify that the information contained herein and attached hereto is accurate and complete and that we agree with the assurances herein, as represented by the signatures of the persons below:

<p>Nantucket Airport Commission</p> <p>By: <u>Arthur Gasbarro</u></p> <p>Title: Chair</p> <p>Date: <u>06/18/2025</u></p>	<p>I hereby certify that <u>Arthur Gasbarro</u> is the Chair of the Nantucket Airport Commission and was authorized to execute these Grant Assurances on behalf of the Nantucket Airport Commission by a vote taken on <u>06/17/2025</u>, a copy of which is attached and made a part hereof.</p> <p><u>Vilina di Liova</u></p> <p>Reporting Secretary</p>
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<p>Chair of the Board of Selectmen, Town of Nantucket</p> <p>By: _____</p> <p>Date: _____</p>	<p>I hereby certify that _____ is the Chair of the Board of Selectmen for the Town of Nantucket and has been authorized to execute these Grant Assurances on behalf of the Town of Nantucket on this day _____, 20____.</p> <p>_____ Town Clerk, Town of Nantucket</p>
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Maura Healey, Governor
Kimberly Driscoll, Lieutenant Governor
Monica Tibbitts-Nutt, Secretary & CEO
Denise Garcia, Acting Administrator



GRANT ASSURANCES

Nantucket Memorial Airport

Purchase Aircraft Tug

Project Number: ASMP-2025-ACK-33

MMARS Number: 77ST25ACK33ACKPURTUG

Project Authorization Date: 05/22/2025

A. Definitions.

1. "Aeronautics Division" shall mean the Massachusetts Department of Transportation (MassDOT) Aeronautics Division.
2. "Airport" shall mean the Nantucket Memorial Airport and all appurtenant areas and facilities which are used, or intended for use, for airport buildings, airport facilities, or rights-of-way, together with all buildings and facilities located thereon.
3. "Airport Commission" shall mean the Nantucket Airport Commission with members appointed by the Board of Selectmen, as appropriate pursuant to Section 51 E of Chapter 90 of the General Laws.
4. "Town" shall mean the Town of Nantucket.
5. "FAA" shall mean the Federal Aviation Administration.
6. "Grant" shall mean the Grant referenced above, including the Grant Application, finance plan, and related materials supplied by the Applicant and on which the Aeronautics Division relies in awarding the Grant, all as amended by these Grant Assurances.
7. "Grant Assurances" shall mean the assurances and certifications contained herein and made by the Airport Commission for the purpose of securing the Aeronautics Division's approval and award of the Grant.
8. "Program" shall mean the investigation and analysis, engineering, consulting, planning, design and construction of the subject project.
9. "Project" shall mean the project referenced above by project title and project number and related work included as additional efforts in the Program at the sole discretion of the Aeronautics Division.
10. The project will be conducted upon Airport property as well as outside the Airport boundaries with funding from the Airport Commission, and the Aeronautics Division.

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B. General.

1. These Grant Assurances shall be complied with in the performance of the obligations imposed upon the Airport Commission, the Town and its respective successors pursuant to the Grant.
2. Upon acceptance of the Grant by the Airport Commission and the execution of the Grant by the Airport Commission, the Town and the Aeronautics Division, these Grant Assurances shall be incorporated in and become a part of the Grant without further reference.

C. Duration.

1. The terms and conditions of these Grant Assurances shall take full force and effect on the date the Grant is executed by the Aeronautics Division and shall remain in full force and effect for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission or from the Aeronautics Division, whichever occurs later.

D. Certifications by the Airport Commission

1. The Airport Commission hereby assures and certifies that it will comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.
2. The Airport Commission hereby assures and certifies that:
 - a. oversight of the Airport is exclusively held by the Airport Commission and that the Airport Commission has sole custody and control of the Airport pursuant to Chapter 90, Section 51 E of the General Laws;
 - b. the state funds from previous grants from the Aeronautics Division, and the physical assets they produced, were sought by the Airport Commission on the basis that they would ensure the continued fiscal and operational stability of the Airport;
 - c. the state funds from this Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;

- d. the Airport Commission has the legal authority to apply for, accept, and be bound by this Grant and the understandings and assurances contained therein;
- e. the Airport Commission has the legal authority to oversee the performance of all of the obligations imposed upon the Airport Commission and the Town by this Grant;
- f. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project;
- g. the Airport Commission shall submit within thirty (30) days of the date the Aeronautics Division executes this Grant a finance plan with details as to the total cost to design and construct the subject project and the sources and amounts of funds the Airport Commission has available to it to pay those costs;
- h. the Airport Commission shall not take any action which would deprive the Airport Commission of, or otherwise diminish, any of the rights, privileges, responsibilities or powers of the Airport Commission as are necessary to exercise the custody, care and management of the Airport or to perform the terms, conditions, and assurances in this Grant, previous grants and future grants from the Aeronautics Division without the prior written approval of the Aeronautics Division. The Airport Commission will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;
- i. the Airport Commission shall not sell, encumber, other than leasing, or otherwise transfer or dispose of the title to or interests in the physical assets and real property located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld;
- j. the Airport Commission shall not eliminate all or any portion of the physical assets and real property previously purchased through a Aeronautics Division grant, located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld; and
- k. the Airport Commission has authorized the Chair of the Airport Commission to execute the Grants and the Grant Assurances on behalf of the Airport Commission and has attached hereto a copy of the Airport Commission meeting minutes, certified by the Secretary of the Airport Commission to be a true copy of said minutes, documenting such authorization.

E. Certification of the Chair of the Board of Selectmen of Nantucket.

- 1. Notwithstanding any powers that may be granted to the Board of Selectmen of Nantucket the Town agrees not to attempt to reorganize the Airport Commission, or in

any way to interfere with the autonomy and authority of the Airport Commission as created under Chapter 90, Section 51E of the General Laws, without the express approval of the Aeronautics Division.

2. The Town assures and certifies that it will take no actions that would interfere with the Airport Commission's ability to comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.

3. The Town hereby assures, certifies and acknowledges that:
 - a. notwithstanding any powers, authority of responsibility that may be granted to the Town, it agrees not to interfere unlawfully with the powers, authority and responsibilities granted to the Airport Commission by Chapter 90, Section 51 E of the General Laws; provided, however, that this provision shall not preclude the establishment of a management agreement or agreements between the Airport Commission and the Town to contract for services, resources and skills of the Town offices or any department of the Town; provided further that each such agreement shall not take effect until approved by the Aeronautics Division in writing;
 - b. the state funds from the Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;
 - c. The Airport Commission has the legal authority to apply for and accept this Grant and the understandings and assurances contained therein;
 - d. The Airport Commission has the legal authority to oversee the performance of all the obligations imposed upon the Airport Commission and the Town by this Grant; and
 - e. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project.

4. The Town hereby assures and certifies that:
 - a. the Town shall not take or permit any action which would dissolve the Airport Commission or deprive the Airport Commission of any of the rights, privileges,

responsibilities or powers of the Airport Commission as are necessary for it to exercise the custody, care and management of the Airport or to perform any or all of the terms, conditions, and assurances in the Grant, previous grants and future grants from the Aeronautics Division without the prior written approval of the Aeronautics Division, and the Town will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;

- b. the Town shall not take any actions which would have the effect of modifying or terminating any of the obligations and responsibilities imposed upon and accepted by the Airport Commission pursuant to this Grant without the prior written approval of the Aeronautics Division; and
 - c. the Town shall not take any action which would have the effect of altering, modifying, expanding, or eliminating all or any portion of the physical assets and real property located at the Airport without the prior written approval of the Aeronautics Division.
5. The Board of Selectmen hereby assures and certifies that it has authorized their Chair to execute these Grant Assurances on behalf of the Town and has attached hereto a copy of the meeting minutes, certified by the Secretary to be a true copy of said minutes, documenting such authorization.

F. Accounting System, Audit and Record Keeping Requirements.

- 1. The Airport Commission hereby covenants and agrees to:
 - a. deposit all funds received for this Project into an Airport Commission segregated account and to disburse said funds solely for the purposes for which they were paid;
 - b. keep all Project accounts and records which fully disclose: i) the total cost of the Project. ii) the amount and disposition by the Airport Commission of the proceeds of all grants and other funds received by the Airport Commission for this Project. iii) the amount and nature of the funds supplied by each source for this Project. and, iv) such other financial records as are pertinent to the Project;
 - c. keep all Project accounts and records in accordance with an accounting system that will facilitate an effective financial audit of the Project; and
 - d. upon request, make available to the Aeronautics Division or its designated representative for the purpose of audit and examination, any books, documents, papers, and records of the Airport Commission or Town that is pertinent to the Project.

G. Conformity to Plans, Specifications and Aeronautics Division Approvals.

1. The Airport Commission shall execute the Project subject to the plans, specifications, budgets and schedules reviewed and approved by the Aeronautics Division and such other guidance as the Aeronautics Division deems appropriate. All modifications to the approved plans, specifications, budgets and schedules shall also be subject to the review and approval of the Aeronautics Division.
2. The Airport Commission shall provide and maintain competent technical and administrative supervision throughout the duration of the Project to ensure the Project is completed in accordance with the terms of the Grant, these Assurances, the approved plans, specifications, budgets and schedules.

H. Airport Operation and Maintenance.

1. The Airport Commission shall operate the Airport for:
 - a. the aeronautical benefit of the public using the Airport;
 - b. the uses intended by the Aeronautics Division in the approval of the Airport Certificate;
 - c. the uses intended by the Aeronautics Division in the award of this funding grant; and
 - d. such non-aeronautical uses as are explicitly approved in writing by the FAA and the Aeronautics Division.
2. The Airport Commission shall suitably operate and maintain the Airport and all facilities located thereon or connected therewith with due regard to climatic and flood conditions. The Airport and all facilities which are necessary to serve the aeronautical users of the Airport, other than facilities owned and controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by federal or state agencies for airport maintenance and operation.
3. Except as provided for in Section I (5) below, the Airport Commission shall not cease to operate, abandon, or dispose of the Airport, or any part thereof, without the prior written consent of the Aeronautics Division.
4. The Airport Commission or the Board of Selectmen of the Town shall not close the Airport or restrict the use of the Airport or any of the facilities located thereon or connected therewith without the prior written permission of the Aeronautics Division.

5. The Airport Commission, the Airport Manager or, in the absence of the Airport Manager, the Assistant Airport Manager, may suspend the operation of the Airport for aeronautical use only during temporary periods when a climatic condition or other condition identified as a reason for suspension of airport operations in applicable federal or state aeronautical laws, rules, regulations, advisories, or orders, interferes with the safe operation and maintenance of the Airport. The Airport Commission, the Airport Manager or, in the absence of the Airport Manager, the Assistant Airport Manager, shall comply with all applicable federal or state aeronautical laws, rules, regulations, advisories, or orders governing said suspension of operations.
6. The obligation to operate the Airport as prescribed above shall run for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission from the Aeronautics Division.

I. Compatible Land Use.

1. The Airport Commission and the Town shall take appropriate action to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

J. Economic Nondiscrimination.

1. The Airport Commission and the Board of Selectmen of the Town shall make the Airport available as an airport for public use on fair and reasonable terms and without unjust discrimination, to all types, kinds and classes of aeronautical use.
2. Every agreement, contract, lease or other arrangement under which a right or a privilege is granted to any person, firm, or corporation to conduct or engage in any activity at the Airport, shall require such person, firm, or corporation to conduct or engage in their respective activity(ies) in a fair, reasonable and not unjustly discriminatory manner.
3. Each person, firm, or corporation operating at the Airport shall be subject to the same rates, fees, rentals and other charges as are uniformly applicable to all other persons, firms, or corporations making the same or similar uses of the Airport and utilizing the same or similar facilities.
4. The Airport Commission and Board of Selectmen of the Town shall not exercise or grant any exclusive right or privilege which operates to prevent any person, firm or corporation from providing the same or similar service at the Airport.
5. Subject to the prior written approval of the Aeronautics Division, the Airport Commission may prohibit or limit any given type, kind or class of aeronautical use of the Airport if

such action is necessary for the safe operation of the Airport or necessary to serve the civil aviation needs of the public.

6. The Airport Commission shall establish such fair, equal and not unjustly discriminatory conditions to be met by all users of the Airport as may be necessary for the safe and efficient operation of the Airport.

K. Airport Revenues.

1. The Airport Commission shall maintain a fee and rental structure for all Airport property, facilities and services. Said fee and rental structure shall be constructed so as to make the Airport as self-sustaining as possible under the circumstances existing at the Airport. A copy of said fee and rental structure and any future amendments thereto shall be provided to the Aeronautics Division, upon request.
2. All revenues generated at the Airport and payable to the Airport Commission plus any local taxes on aircraft fuel established after December 30, 1987, shall be deposited in an Airport Commission segregated account and expended by the Airport Commission for the capital or operating costs of the Airport.

L. Reports and Inspections.

1. The Airport Commission shall, upon reasonable request:
 - a. submit to the Aeronautics Division such annual or special financial and operations reports to the Aeronautics Division;
 - b. make available to the public at reasonable times and places a report of the airport budget in a format satisfactory to the Aeronautics Division;
 - c. make all Airport and Airport Commission records and documents affecting the Airport, including deeds, leases, operation and use agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Aeronautics Division; and
 - d. in a format prescribed by the Aeronautics Division, provide to the Aeronautics Division and make available to the public, not later than one hundred and twenty (120) days following each of its fiscal years, an annual report listing in detail:
 - i. all amounts paid by the Airport to any other unit of government and the purposes for which each such payment was made; and
 - ii. all service and property provided by the Airport to other units of government and the amount of compensation received for providing each such service and property.

M. Airport Layout Plan.

1. The Airport Commission shall maintain an up-to-date Airport Layout Plan (ALP) of the Airport which shall show:
 - a. the boundaries of the Airport and all proposed additions thereto or deletions therefrom, together with the boundaries of all offsite areas owned or controlled by the Airport Commission for Airport purposes and any proposed additions thereto or deletions therefrom;
 - b. the location and nature of all existing and proposed Airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars, other buildings and structures, and roads) including all proposed extensions and reductions of existing airport facilities; and
 - c. the location and nature of all existing and proposed non-aviation areas at the Airport and of all existing or proposed improvements located thereon.
2. The ALP, and each amendment, revision or modification thereof, shall be subject to the approval of the Aeronautics Division, which approval shall be evidenced by the signature of a duly authorized representative of the Aeronautics Division on the face of the ALP.
3. The Airport Commission and/or Board of Selectmen shall not make or permit any changes or alterations in the Airport or any of the facilities at the Airport thereby causing non-conformity with the ALP as approved by the Aeronautics Division and which might, in the opinion of the Aeronautics Division, adversely affect the safety, utility or efficiency of the Airport. If a change or alteration of the Airport or the facilities is made which the Aeronautics Division subsequently determines adversely affects the safety, utility or efficiency of the Airport, the Airport Commission and the Board of Selectmen shall, if requested by the Aeronautics Division:
 - a. eliminate such adverse effect in a manner approved by the Aeronautics Division; or,
 - b. bear all costs of relocating such property (or replacement thereof) to the level of safety, utility, efficiency and cost of operation existing prior to the unapproved change in the Airport or its facilities.

N. Civil Rights.

1. The Owner and their respective agents, employees and representatives, shall comply with applicable federal, state, and local laws, regulations, rules and orders to assure that no person shall, based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including

Vietnam-Era Veterans), be excluded from participating in any activity conducted with or benefiting from funds received from this Grant.

O. Disposal of Land and Airport Facilities.

1. The Airport Commission and Board of Selectmen shall not sell or otherwise transfer or dispose of the title to or interests in the Airport, its facilities, real property or personal property without the prior approval of the Aeronautics Division, which will not be unduly withheld.

P. Foreign Market Restrictions.

1. The Airport Commission and Board of Selectmen shall not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

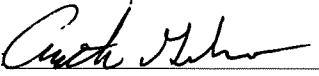
Q. Future Grants.

1. This Grant is being awarded in the expectation that the Airport Commission will complete the scope of work associated with this Project.
2. The Airport Commission and Board of Selectmen (collectively referred to here as "the local entities") and the Aeronautics Division jointly and severally acknowledge and agree that this Grant is awarded and accepted on the explicit understanding that this Grant and any future grant or grants, anticipated to fund further development of the Airport will have included in its (their) terms a guarantee by the local entities that no part of the assets or income of the Airport, whether presently existing or to be created pursuant to these grants, will be diverted to non-airport uses without the express prior written approval of the Aeronautics Division, the granting of such approval being universally recognized to be considered as highly unlikely.

R. Successors.

1. This Grant, as amended by these Assurances, shall be binding upon and shall inure to the benefit of the successors of the parties hereto.

IN WITNESS WHEREOF, the Airport Commission and the Town of Nantucket certify that the information contained herein and attached hereto is accurate and complete and that we agree with the assurances herein, as represented by the signatures of the persons below:

Nantucket Airport Commission By: <u></u> Title: Chair Date: <u>9/20/25</u>	I hereby certify that <u>Arthur Gasbarro</u> is the Chair of the Nantucket Airport Commission and was authorized to execute these Grant Assurances on behalf of the Nantucket Airport Commission by a vote taken on <u>06/17/2025</u> a copy of which is attached and made a part hereof. <u>Vilina D. Ilieva</u> Reporting Secretary
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Chair of the Board of Selectmen, Town of Nantucket By: _____ Date: _____	I hereby certify that _____ is the Chair of the Board of Selectmen for the Town of Nantucket and has been authorized to execute these Grant Assurances on behalf of the Town of Nantucket on this day _____, 20____. _____ Town Clerk, Town of Nantucket
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MassDOT will provide funding for this project if there is funding available at the close of SFY 2024; there is no guarantee that we will be able to fund the project, and reimbursement will be based upon the availability of funds. If no funding is provided, these grant assurances will not be in force or effect.



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbits-Nutt, Secretary & CEO
Denise Garcia, Acting Administrator



GRANT ASSURANCES
Nantucket Memorial Airport
Apron Drainage
Project Number: AIP No. 3-25-0033-087-2024
MMARS Number: 76F33872024ACKADRAIN
Project Authorization Date: 06/03/2025

A. Definitions.

1. "Aeronautics Division" shall mean the Massachusetts Department of Transportation (MassDOT) Aeronautics Division.
2. "Airport" shall mean the Nantucket Memorial Airport and all appurtenant areas and facilities which are used, or intended for use, for airport buildings, airport facilities, or rights-of-way, together with all buildings and facilities located thereon.
3. "Airport Commission" shall mean the Nantucket Airport Commission with members appointed by the Board of Selectmen, as appropriate pursuant to Section 51 E of Chapter 90 of the General Laws.
4. "Town" shall mean the Town of Nantucket.
5. "FAA" shall mean the Federal Aviation Administration.
6. "Grant" shall mean the Grant referenced above, including the Grant Application, finance plan, and related materials supplied by the Applicant and on which the Aeronautics Division relies in awarding the Grant, all as amended by these Grant Assurances.
7. "Grant Assurances" shall mean the assurances and certifications contained herein and made by the Airport Commission for the purpose of securing the Aeronautics Division's approval and award of the Grant.
8. "Program" shall mean the investigation and analysis, engineering, consulting, planning, design and construction of the subject project.
9. "Project" shall mean the project referenced above by project title and project number and related work included as additional efforts in the Program at the sole discretion of the Aeronautics Division.
10. The project will be conducted upon Airport property as well as outside the Airport boundaries with funding from the Airport Commission, FAA, and the Aeronautics Division.

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B. General.

1. These Grant Assurances shall be complied with in the performance of the obligations imposed upon the Airport Commission, the Town and its respective successors pursuant to the Grant.
2. Upon acceptance of the Grant by the Airport Commission and the execution of the Grant by the Airport Commission, the Town and the Aeronautics Division, these Grant Assurances shall be incorporated in and become a part of the Grant without further reference.

C. Duration.

1. The terms and conditions of these Grant Assurances shall take full force and effect on the date the Grant is executed by the Aeronautics Division and shall remain in full force and effect for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission or from the Aeronautics Division, whichever occurs later.

D. Certifications by the Airport Commission

1. The Airport Commission hereby assures and certifies that it will comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.
2. The Airport Commission hereby assures and certifies that:
 - a. oversight of the Airport is exclusively held by the Airport Commission and that the Airport Commission has sole custody and control of the Airport pursuant to Chapter 90, Section 51 E of the General Laws;
 - b. the state funds from previous grants from the Aeronautics Division, and the physical assets they produced, were sought by the Airport Commission on the basis that they would ensure the continued fiscal and operational stability of the Airport;
 - c. the state funds from this Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;

- d. the Airport Commission has the legal authority to apply for, accept, and be bound by this Grant and the understandings and assurances contained therein;
- e. the Airport Commission has the legal authority to oversee the performance of all of the obligations imposed upon the Airport Commission and the Town by this Grant;
- f. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project;
- g. the Airport Commission shall submit within thirty (30) days of the date the Aeronautics Division executes this Grant a finance plan with details as to the total cost to design and construct the subject project and the sources and amounts of funds the Airport Commission has available to it to pay those costs;
- h. the Airport Commission shall not take any action which would deprive the Airport Commission of, or otherwise diminish, any of the rights, privileges, responsibilities or powers of the Airport Commission as are necessary to exercise the custody, care and management of the Airport or to perform the terms, conditions, and assurances in this Grant, previous grants and future grants from the Aeronautics Division without the prior written approval of the Aeronautics Division. The Airport Commission will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;
- i. the Airport Commission shall not sell, encumber, other than leasing, or otherwise transfer or dispose of the title to or interests in the physical assets and real property located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld;
- j. the Airport Commission shall not eliminate all or any portion of the physical assets and real property previously purchased through a Aeronautics Division grant, located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld; and
- k. the Airport Commission has authorized the Chair of the Airport Commission to execute the Grants and the Grant Assurances on behalf of the Airport Commission and has attached hereto a copy of the Airport Commission meeting minutes, certified by the Secretary of the Airport Commission to be a true copy of said minutes, documenting such authorization.

E. Certification of the Chair of the Board of Selectmen of Nantucket.

- 1. Notwithstanding any powers that may be granted to the Board of Selectmen of Nantucket the Town agrees not to attempt to reorganize the Airport Commission, or in

any way to interfere with the autonomy and authority of the Airport Commission as created under Chapter 90, Section 51E of the General Laws, without the express approval of the Aeronautics Division.

2. The Town assures and certifies that it will take no actions that would interfere with the Airport Commission's ability to comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.

3. The Town hereby assures, certifies and acknowledges that:
 - a. notwithstanding any powers, authority of responsibility that may be granted to the Town, it agrees not to interfere unlawfully with the powers, authority and responsibilities granted to the Airport Commission by Chapter 90, Section 51 E of the General Laws; provided, however, that this provision shall not preclude the establishment of a management agreement or agreements between the Airport Commission and the Town to contract for services, resources and skills of the Town offices or any department of the Town; provided further that each such agreement shall not take effect until approved by the Aeronautics Division in writing;
 - b. the state funds from the Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;
 - c. The Airport Commission has the legal authority to apply for and accept this Grant and the understandings and assurances contained therein;
 - d. The Airport Commission has the legal authority to oversee the performance of all the obligations imposed upon the Airport Commission and the Town by this Grant; and
 - e. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project.

4. The Town hereby assures and certifies that:
 - a. the Town shall not take or permit any action which would dissolve the Airport Commission or deprive the Airport Commission of any of the rights, privileges,

responsibilities or powers of the Airport Commission as are necessary for it to exercise the custody, care and management of the Airport or to perform any or all of the terms, conditions, and assurances in the Grant, previous grants and future grants from the Aeronautics Division without the prior written approval of the Aeronautics Division, and the Town will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;

- b. the Town shall not take any actions which would have the effect of modifying or terminating any of the obligations and responsibilities imposed upon and accepted by the Airport Commission pursuant to this Grant without the prior written approval of the Aeronautics Division; and
 - c. the Town shall not take any action which would have the effect of altering, modifying, expanding, or eliminating all or any portion of the physical assets and real property located at the Airport without the prior written approval of the Aeronautics Division.
5. The Board of Selectmen hereby assures and certifies that it has authorized their Chair to execute these Grant Assurances on behalf of the Town and has attached hereto a copy of the meeting minutes, certified by the Secretary to be a true copy of said minutes, documenting such authorization.

F. Accounting System, Audit and Record Keeping Requirements.

1. The Airport Commission hereby covenants and agrees to:
- a. deposit all funds received for this Project into an Airport Commission segregated account and to disburse said funds solely for the purposes for which they were paid;
 - b. keep all Project accounts and records which fully disclose: i) the total cost of the Project. ii) the amount and disposition by the Airport Commission of the proceeds of all grants and other funds received by the Airport Commission for this Project. iii) the amount and nature of the funds supplied by each source for this Project. and, iv) such other financial records as are pertinent to the Project;
 - c. keep all Project accounts and records in accordance with an accounting system that will facilitate an effective financial audit of the Project; and
 - d. upon request, make available to the Aeronautics Division or its designated representative for the purpose of audit and examination, any books, documents, papers, and records of the Airport Commission or Town that is pertinent to the Project.

G. Conformity to Plans, Specifications and Aeronautics Division Approvals.

1. The Airport Commission shall execute the Project subject to the plans, specifications, budgets and schedules reviewed and approved by the Aeronautics Division and such other guidance as the Aeronautics Division deems appropriate. All modifications to the approved plans, specifications, budgets and schedules shall also be subject to the review and approval of the Aeronautics Division.
2. The Airport Commission shall provide and maintain competent technical and administrative supervision throughout the duration of the Project to ensure the Project is completed in accordance with the terms of the Grant, these Assurances, the approved plans, specifications, budgets and schedules.

H. Airport Operation and Maintenance.

1. The Airport Commission shall operate the Airport for:
 - a. the aeronautical benefit of the public using the Airport;
 - b. the uses intended by the Aeronautics Division in the approval of the Airport Certificate;
 - c. the uses intended by the Aeronautics Division in the award of this funding grant; and
 - d. such non-aeronautical uses as are explicitly approved in writing by the FAA and the Aeronautics Division.
2. The Airport Commission shall suitably operate and maintain the Airport and all facilities located thereon or connected therewith with due regard to climatic and flood conditions. The Airport and all facilities which are necessary to serve the aeronautical users of the Airport, other than facilities owned and controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by federal or state agencies for airport maintenance and operation.
3. Except as provided for in Section H(5) below, the Airport Commission shall not cease to operate, abandon, or dispose of the Airport, or any part thereof, without the prior written consent of the Aeronautics Division.
4. The Airport Commission or the Board of Selectmen of the Town shall not close the Airport or restrict the use of the Airport or any of the facilities located thereon or connected therewith without the prior written permission of the Aeronautics Division.

5. The Airport Commission, the Airport Manager or, in the absence of the Airport Manager, the Assistant Airport Manager, may suspend the operation of the Airport for aeronautical use only during temporary periods when a climatic condition or other condition identified as a reason for suspension of airport operations in applicable federal or state aeronautical laws, rules, regulations, advisories, or orders, interferes with the safe operation and maintenance of the Airport. The Airport Commission, the Airport Manager or, in the absence of the Airport Manager, the Assistant Airport Manager, shall comply with all applicable federal or state aeronautical laws, rules, regulations, advisories, or orders governing said suspension of operations.
6. The obligation to operate the Airport as prescribed above shall run for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission from the Aeronautics Division.

I. Compatible Land Use.

1. The Airport Commission and the Town shall take appropriate action to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

J. Economic Nondiscrimination.

1. The Airport Commission and the Board of Selectmen of the Town shall make the Airport available as an airport for public use on fair and reasonable terms and without unjust discrimination, to all types, kinds and classes of aeronautical use.
2. Every agreement, contract, lease or other arrangement under which a right or a privilege is granted to any person, firm, or corporation to conduct or engage in any activity at the Airport, shall require such person, firm, or corporation to conduct or engage in their respective activity(ies) in a fair, reasonable and not unjustly discriminatory manner.
3. Each person, firm, or corporation operating at the Airport shall be subject to the same rates, fees, rentals and other charges as are uniformly applicable to all other persons, firms, or corporations making the same or similar uses of the Airport and utilizing the same or similar facilities.
4. The Airport Commission and Board of Selectmen of the Town shall not exercise or grant any exclusive right or privilege which operates to prevent any person, firm or corporation from providing the same or similar service at the Airport.
5. Subject to the prior written approval of the Aeronautics Division, the Airport Commission may prohibit or limit any given type, kind or class of aeronautical use of the Airport if

such action is necessary for the safe operation of the Airport or necessary to serve the civil aviation needs of the public.

6. The Airport Commission shall establish such fair, equal and not unjustly discriminatory conditions to be met by all users of the Airport as may be necessary for the safe and efficient operation of the Airport.

K. Airport Revenues.

1. The Airport Commission shall maintain a fee and rental structure for all Airport property, facilities and services. Said fee and rental structure shall be constructed so as to make the Airport as self-sustaining as possible under the circumstances existing at the Airport. A copy of said fee and rental structure and any future amendments thereto shall be provided to the Aeronautics Division, upon request.
2. All revenues generated at the Airport and payable to the Airport Commission plus any local taxes on aircraft fuel established after December 30, 1987, shall be deposited in an Airport Commission segregated account and expended by the Airport Commission for the capital or operating costs of the Airport.

L. Reports and Inspections.

1. The Airport Commission shall, upon reasonable request:
 - a. submit to the Aeronautics Division such annual or special financial and operations reports to the Aeronautics Division;
 - b. make available to the public at reasonable times and places a report of the airport budget in a format satisfactory to the Aeronautics Division;
 - c. make all Airport and Airport Commission records and documents affecting the Airport, including deeds, leases, operation and use agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Aeronautics Division; and
 - d. in a format prescribed by the Aeronautics Division, provide to the Aeronautics Division and make available to the public, not later than one hundred and twenty (120) days following each of its fiscal years, an annual report listing in detail:
 - i. all amounts paid by the Airport to any other unit of government and the purposes for which each such payment was made; and
 - ii. all service and property provided by the Airport to other units of government and the amount of compensation received for providing each such service and property.

M. Airport Layout Plan.

1. The Airport Commission shall maintain an up-to-date Airport Layout Plan (ALP) of the Airport which shall show:
 - a. the boundaries of the Airport and all proposed additions thereto or deletions therefrom, together with the boundaries of all offsite areas owned or controlled by the Airport Commission for Airport purposes and any proposed additions thereto or deletions therefrom;
 - b. the location and nature of all existing and proposed Airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars, other buildings and structures, and roads) including all proposed extensions and reductions of existing airport facilities; and
 - c. the location and nature of all existing and proposed non-aviation areas at the Airport and of all existing or proposed improvements located thereon.
2. The ALP, and each amendment, revision or modification thereof, shall be subject to the approval of the Aeronautics Division, which approval shall be evidenced by the signature of a duly authorized representative of the Aeronautics Division on the face of the ALP.
3. The Airport Commission and/or Board of Selectmen shall not make or permit any changes or alterations in the Airport or any of the facilities at the Airport thereby causing non-conformity with the ALP as approved by the Aeronautics Division and which might, in the opinion of the Aeronautics Division, adversely affect the safety, utility or efficiency of the Airport. If a change or alteration of the Airport or the facilities is made which the Aeronautics Division subsequently determines adversely affects the safety, utility or efficiency of the Airport, the Airport Commission and the Board of Selectmen shall, if requested by the Aeronautics Division:
 - a. eliminate such adverse effect in a manner approved by the Aeronautics Division; or,
 - b. bear all costs of relocating such property (or replacement thereof) to the level of safety, utility, efficiency and cost of operation existing prior to the unapproved change in the Airport or its facilities.

N. Civil Rights.

1. The Owner and their respective agents, employees and representatives, shall comply with applicable federal, state, and local laws, regulations, rules and orders to assure that no person shall, based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including

Vietnam-Era Veterans), be excluded from participating in any activity conducted with or benefiting from funds received from this Grant.

O. Disposal of Land and Airport Facilities.

1. The Airport Commission and Board of Selectmen shall not sell or otherwise transfer or dispose of the title to or interests in the Airport, its facilities, real property or personal property without the prior approval of the Aeronautics Division, which will not be unduly withheld.

P. Foreign Market Restrictions.

1. The Airport Commission and Board of Selectmen shall not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

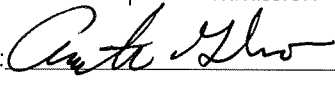
Q. Future Grants.

1. This Grant is being awarded in the expectation that the Airport Commission will complete the scope of work associated with this Project.
2. The Airport Commission and Board of Selectmen (collectively referred to here as "the local entities") and the Aeronautics Division jointly and severally acknowledge and agree that this Grant is awarded and accepted on the explicit understanding that this Grant and any future grant or grants, anticipated to fund further development of the Airport will have included in its (their) terms a guarantee by the local entities that no part of the assets or income of the Airport, whether presently existing or to be created pursuant to these grants, will be diverted to non-airport uses without the express prior written approval of the Aeronautics Division, the granting of such approval being universally recognized to be considered as highly unlikely.

R. Successors.

1. This Grant, as amended by these Assurances, shall be binding upon and shall inure to the benefit of the successors of the parties hereto.

IN WITNESS WHEREOF, the Airport Commission and the Town of Nantucket certify that the information contained herein and attached hereto is accurate and complete and that we agree with the assurances herein, as represented by the signatures of the persons below:

<p>Nantucket Airport Commission</p> <p>By: <u></u></p> <p>Title: Chair</p> <p>Date: <u>6/20/25</u></p>	<p>I hereby certify that <u>Arthur Gasbarro</u> is the Chair of the Nantucket Airport Commission and was authorized to execute these Grant Assurances on behalf of the Nantucket Airport Commission by a vote taken on <u>06/17/2025</u>, a copy of which is attached and made a part hereof.</p> <p><u>Vilina L. Ilieva</u> Reporting Secretary</p>
---	--

<p>Chair of the Board of Selectmen, Town of Nantucket</p> <p>By: _____</p> <p>Date: _____</p>	<p>I hereby certify that _____ is the Chair of the Board of Selectmen for the Town of Nantucket and has been authorized to execute these Grant Assurances on behalf of the Town of Nantucket on this day _____, 20____.</p> <p>_____ Town Clerk, Town of Nantucket</p>
---	--

CONSENT AGENDA ITEMS FOR 4/15/2026 SELECT BOARD MEETING

1. Gift Acceptances

Recommend the acceptance of the following gifts/donations to Town agencies:

- Fire Department:
 - Gift donation of two battery-operated saws, a miter saw and a table saw, valued at approximately \$2,300 from The Island Lumber Company for training and emergency response

- Planning and Land Use Services (PLUS):
 - Gift donation of \$10,000 from Maury Bayberry, LLC for pedestrian and infrastructure improvements in connection with the Rear Lot Subdivision special permit at 16 Bayberry Lane.

Recommended Motion: To accept all gifts/donations for their designated purposes, with thanks to the donors.

Town Administration will ensure that letters of thanks are sent.



NANTUCKET FIRE DEPARTMENT

4 Fairgrounds Road
Nantucket, MA 02554
508-228-2323 or 508-228-2324
Michael Cranson, Chief
Tim Vamosi, Deputy Chief
Nicholas Esposito, Deputy Chief



Date: March 30, 2026

To: Erika Mooney
Nantucket Select Board
Town of Nantucket
16 Broad Street
Nantucket, MA 02554

Subject: Request for Approval to Accept Gift from The Island Lumber Company

Dear Members of the Select Board,

On behalf of the Nantucket Fire Department, I respectfully request the Board's approval to accept a generous gift from The Island Lumber Company, consisting of a donation of two battery operated saws, a miter saw and a table saw, valued at nearly \$2300. This equipment will enhance our ability to train effectively and respond safely to a variety of emergency situations. Equipment of this quality makes a meaningful difference in our preparedness and overall capability.

We are grateful for the support of The Island Lumber Company and hope to move forward with this gift pending your approval.

Thank you for your consideration of this request.

Sincerely,
Michael Cranson
Fire Chief
Nantucket Fire Department



Planning and Land Use Services

Building ▪ Historic District Commission ▪ Planning Board ▪ Zoning Board of Appeals

Memo

To: Nantucket Select Board
From: William Saad, Land Use Specialist
cc: Erika Mooney, Operations Administrator
Date: April 3, 2026
Re: Gift Acceptance – 16 Bayberry Lane

To Members of the Select Board:

Please accept a check in the amount of \$10,000 from Maury Bayberry LLC, as a gift to the Town of Nantucket to be utilized for pedestrian and infrastructure improvements. This contribution is being made in connection with the Rear Lot Subdivision special permit at 16 Bayberry Lane, Planning Board #PLSP-2025-10-0391, granted by the Board on December 8, 2025.

Thank you,

William Saad
Land Use Specialist
PLUS-Town of Nantucket

Agenda

- Introduction
- Technical Impediments to Remote Participation
- Legal Impediments to Remote Participation
- Next Steps

Electronic Voting at Wayland Open Town Meeting

- ~10,000 registered voters
 - Annual Town Meeting averages 600 voters
 - Town Elections average 2100 voters
- Began on-premises electronic voting in 2011
- Objectives: privacy, accuracy, and speed
- Security
 - All messages are encrypted
 - Nothing is connected to the Internet
 - Moderator can initiate a real-time audit
- Results
 - Voters make decisions on the merits, without concern for consequences from family, friends, neighbors, co-workers, employees, or employers
 - Town Meeting is more relaxed, deliberate, and methodical; decisions made in this environment are better, to the benefit of every Wayland resident
 - Annual Town Meetings are shortened by an average of 3 hours
 - ~70 Massachusetts towns now use Electronic Voting in their Town Meetings



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 - ~70 Massachusetts towns now use Electronic Voting in their Town Meetings



Why Enable Remote Participation?

- Some voters
 - have disabilities
 - unable to drive at night
 - unable to hear the proceedings
 - struggle to obtain childcare on school nights
 - are care-givers
 - travel for work
- Some towns can't accommodate all interested voters
 - insufficient meeting space
 - insufficient parking

For years, Wayland voters have been asking

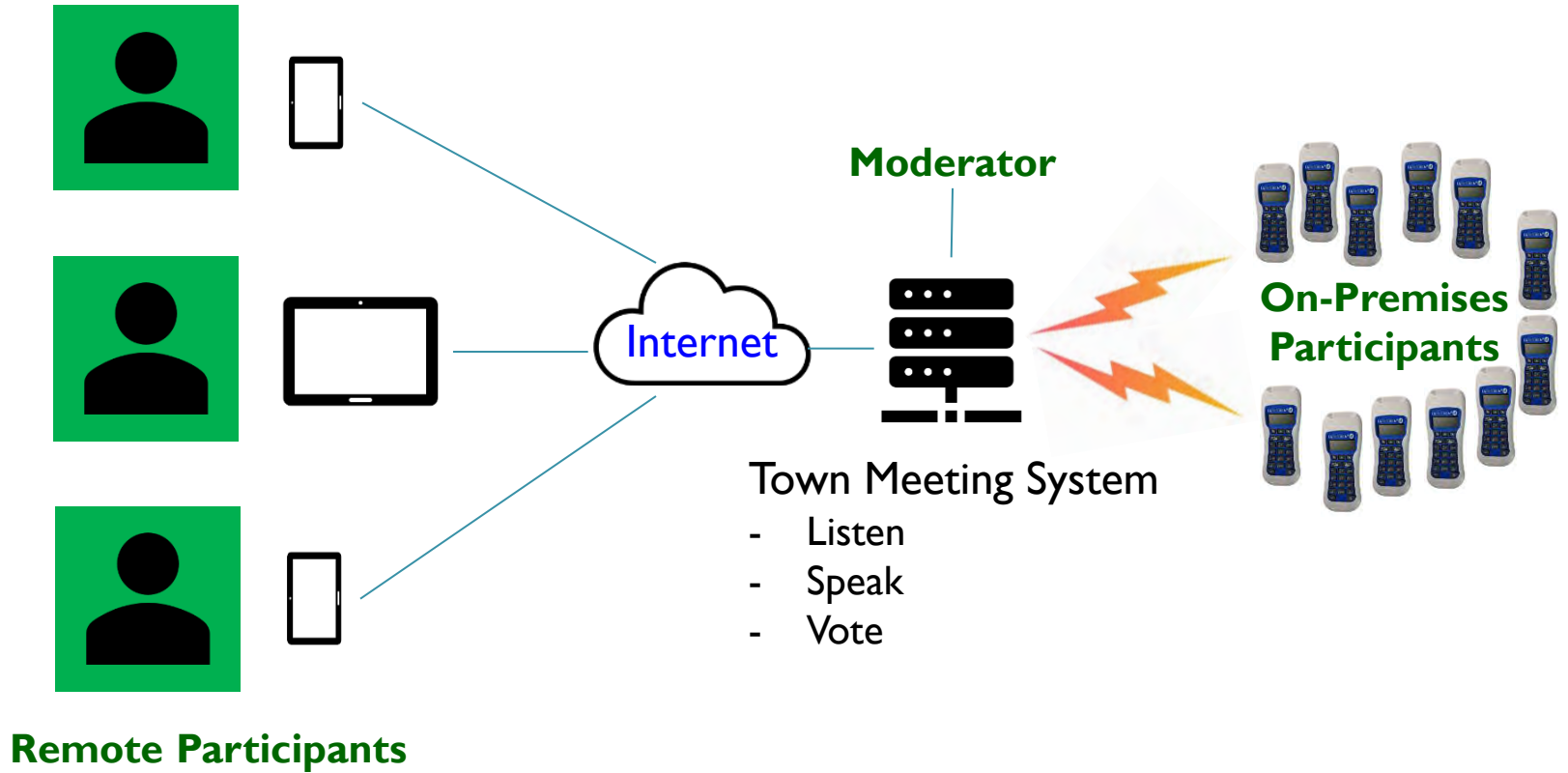
“We can shop and bank via the Internet, why can't we participate in Town Meeting via the Internet?”

Remote Participation will increase participation in Town Meeting

Electronic Voting at Wayland Town Meeting



Electronic Voting with Remote Participation



Technical Impediments to Remote Participation

- How to make Remote Participation simple?
- How to detect a widespread Internet outage?
- How to secure votes cast via the Internet?
- How to detect and deter proxy voting (one person casting votes on behalf of another)?

How to Make Remote Participation Simple?

- Each remote participant uses their own smartphone or tablet
 - Desktop computers are not appliances
 - Desktop computers may not have a microphone and video camera
 - Sharing devices would create time pressure when voting
 - Smartphones or tablets can be provided to participants who do not own one
- Register with Town Clerk to participate remotely
 - Receive printed [Voter Code](#), Password, and [Audit Code](#) - with instructions
 - Use an online reservation system to avoid a last minute rush
- Remote Participation only requires logging in to a web page
 - Downloading and installing an application is not required
 - Same URL for everyone
 - One button for each activity
 - Check In (using [Voter Code](#) and Password issued by Town Clerk)
 - Request to Speak
 - Vote
 - Audit Vote
 - Obtain Help
 - Leave

How to Make Remote Participation Simple?

The image shows a stylized mobile application interface for a "Wayland Town Meeting". The interface is contained within a rounded rectangular frame with a thick black border. At the top, the title "Wayland Town Meeting" is displayed in a bold, green, sans-serif font. Below the title, there are two input fields: "Voter Code:" followed by a red-outlined rectangular box, and "Password:" followed by another red-outlined rectangular box. At the bottom of the interface, there are three blue buttons with white text: "Check-in" on the left, and "Leave" and "Help!" on the right.

for illustrative purposes only

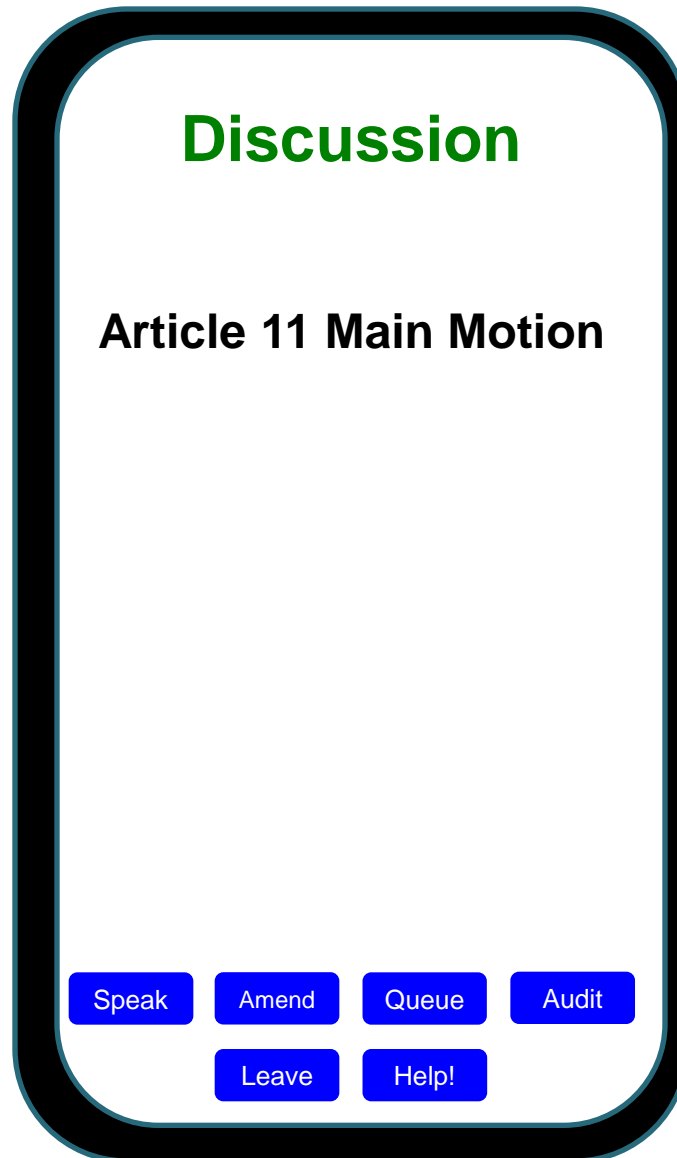
How to Make Remote Participation Simple?



Town Meeting System captures a still image and retains it for the duration of the session, after which it is expunged

for illustrative purposes only

How to Make Remote Participation Simple?



for illustrative purposes only

How to Make Remote Participation Simple?

Discussion

Article 11 Main Motion

Robert Smith speaking

Madame Moderator, I
move you that thirty
thousand dollars be
allocated to improve the

Speak

Amend

Queue

Audit

Leave

Help!

← Real-time transcription

for illustrative purposes only

How to Make Remote Participation Simple?

Discussion

Article 11 Main Motion

Robert Smith speaking

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Speak

Amend

Queue

Audit

Leave

Help!

for illustrative purposes only

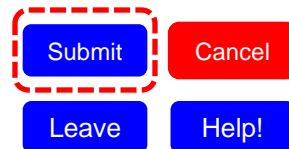
How to Make Remote Participation Simple?

Discussion

Article 11 Main Motion

Center the text of your amendment and then click the Submit button

IN SECTION 2, REDUCE
WAITING TIME TO 10 DAYS



for illustrative purposes only

How to Make Remote Participation Simple?

Discussion

Article 11 Main Motion

Robert Smith speaking

and furthermore, this
will make it both easier
and more efficient to

Speak

Amend

Queue

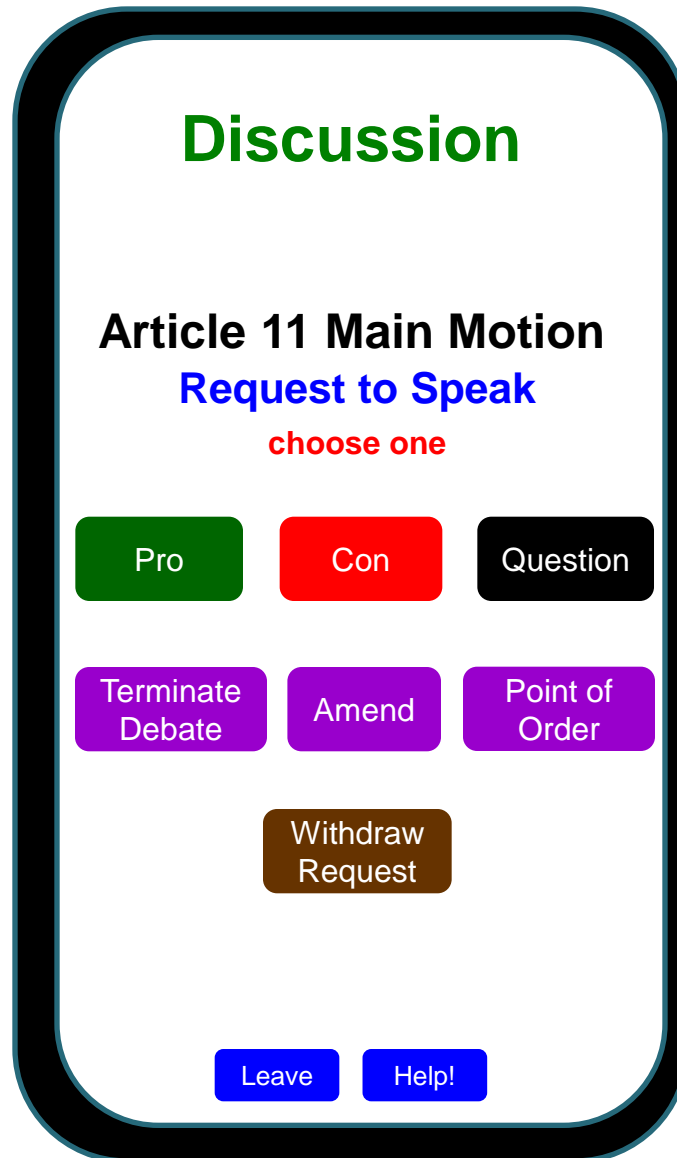
Audit

Leave

Help!

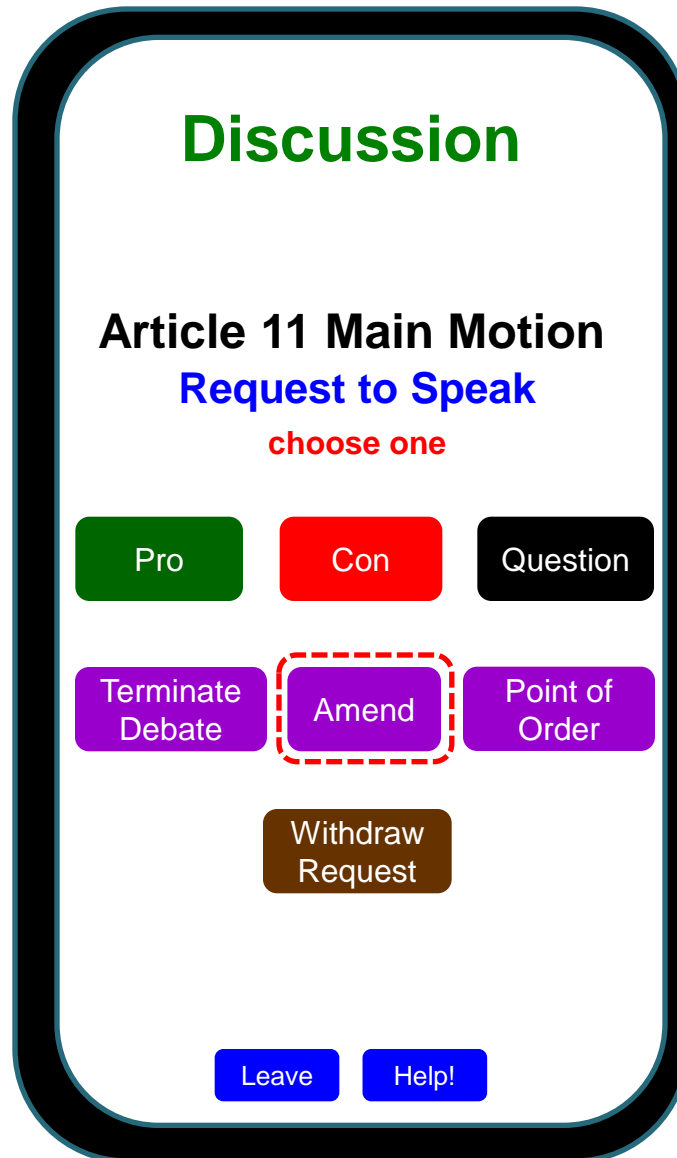
for illustrative purposes only

How to Make Remote Participation Simple?



for illustrative purposes only

How to Make Remote Participation Simple?



for illustrative purposes only

How to Make Remote Participation Simple?

Discussion

Article 11 Main Motion

Your Request to Amend
Awaits Moderator
Recognition

Withdraw
Request

Speak

Amend

Queue

Audit

Leave

Help!

for illustrative purposes only

Moderator's Display: Speaker Queue

Article 11 Speaker Requests

Points of Order: none

Call Question: none

- | | | |
|--------------------|--------|----------|
| 1. Boris Johnson | local | Con |
| 2. Emmanuel Macron | local | Pro |
| 3. Angela Merkel | remote | Amend |
| 4. Scott Morrison | remote | Con |
| 5. Jacinda Ardern | local | Question |

Articles

Speakers

Mute

Vote

Help!

Moderator's Display: Speaker Queue

Article 11 Speaker Requests

Points of Order: none

Call Question: none

- | | | |
|--------------------|--------|----------|
| 1. Boris Johnson | local | Con |
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Articles

Speakers

Mute

Vote

Help!

How to Make Remote Participation Simple?

Discussion

Article 11 Main Motion

Offer your Amendment
by Speaking into Your
Device's Microphone

75 seconds remaining

Leave

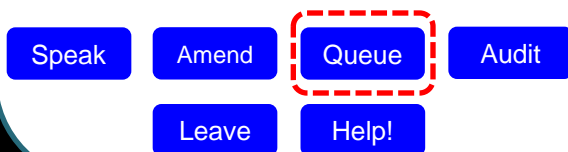
Help!

for illustrative purposes only

How to Make Remote Participation Simple?

Discussion

Article 11 Main Motion



for illustrative purposes only

How to Make Remote Participation Simple?

Discussion

Article 11 Main Motion

Speaker Queue

Boris Johnson	L	Con
Emmanuel Macron	L	Pro
Angela Merkel	R	Amend
Scott Morrison	R	Con
Jacinda Ardern	L	Question

Speak

Amend

Return

Audit

Leave

Help!

for illustrative purposes only

Moderator's Display: Current Article

Article 11 Main Motion

Update Personnel Bylaws

Proposed by: Select Board

Quantum of Vote: Majority

To determine whether the Town will vote to amend the Code of the Town of Wayland...

Articles

Speakers

Mute

Vote

Help!

Moderator's Display: Current Article

Article 11 Main Motion

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Proposed by: Select Board

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Articles

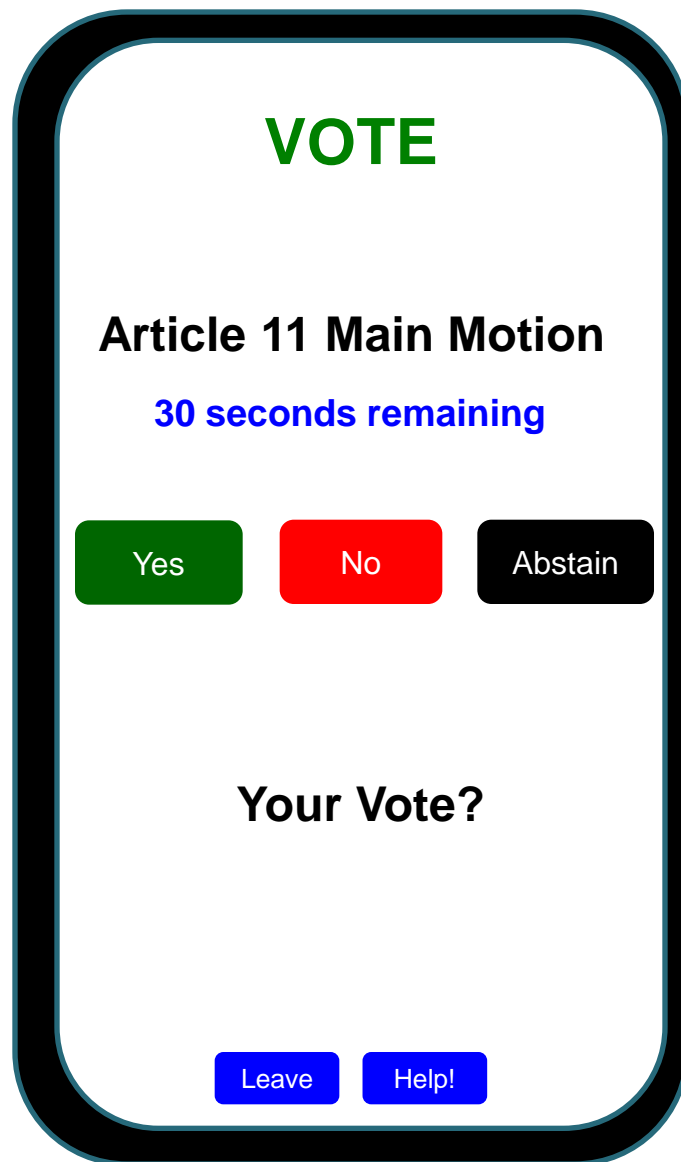
Speakers

Mute

Vote

Help!

How to Make Remote Participation Simple?



for illustrative purposes only

How to Make Remote Participation Simple?



for illustrative purposes only

How to Detect a Widespread Internet Outage?

- Causes of widespread outages
 - Power failure
 - Internet Service Provider failure (e.g. Comcast, Verizon)
 - Denial-of-Service attack by an adversary
- Design the Remote Participation web page so that each connected participant's device sends an "I'm here" message to the Town Meeting System at frequent intervals
- Design the Town Meeting System to
 - Continuously track the number of connected participants
 - Check-ins
 - Departures
 - Inform the Moderator if the number of connected participants suddenly drops
- Each Town's "Continuation Policy" should be publicized by the Moderator before the first Session

How to Secure Votes Cast via the Internet?

- Encrypt all messages
- After each vote, display each vote received on a public web page by **Audit Code**, and enable voters to report discrepancies

Audit Code	Vote	Yes	No	Abstain
AYOTLEMUSTORACTA	yes	1	0	0
DFULTYRABACUOUSE	no	1	1	0
EADAVITYPORESTAU	yes	2	1	0
LINACTITICHORA	yes	3	1	0
NTIMUMPREURYARENT	abstain	3	1	1
OCATBROPEFISLUKD	no	3	2	1
REDICEFURYSTRADR	no	3	3	1
STATHOESERNEXTED	no	3	4	1
Total	8	3	4	1

- Totals should match announced **Remote** vote
- Inform the Moderator of discrepancy reports

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OCATBROPEFISLUKD	no	3	2	1
REDICEFURYSTRADR	no	3	3	1
STATHOESERNEXTED	no	3	4	1
Total	8	3	4	1

Designated Auditors

- Recruited by Moderator
- Audit every vote
- Report discrepancies via text message to Moderator smartphone

- Totals should match announced **Remote** vote
- Inform the Moderator of discrepancy reports

Auditing Your Last Vote



for illustrative purposes only

Auditing Your Last Vote

Audit

Audit Code	Vote	Yes	No	Abstain
AYOTLEMUSTORACTA	yes	1	0	0
DFULTYRABACUOUSE	no	1	1	0
EADAVITYPORESTAU	yes	2	1	0
LINACTITICHORA	yes	3	1	0
NTIMUMPREURYARENT	abstain	3	1	1
OCATBROPEFISLUKD	no	3	2	1
REDICEFURYSTRADR	no	3	3	1
STATHOESERNEXTED	no	3	4	1

Report Discrepancy

Speak

Amend

Queue

Audit

Leave

Help!

for illustrative purposes only

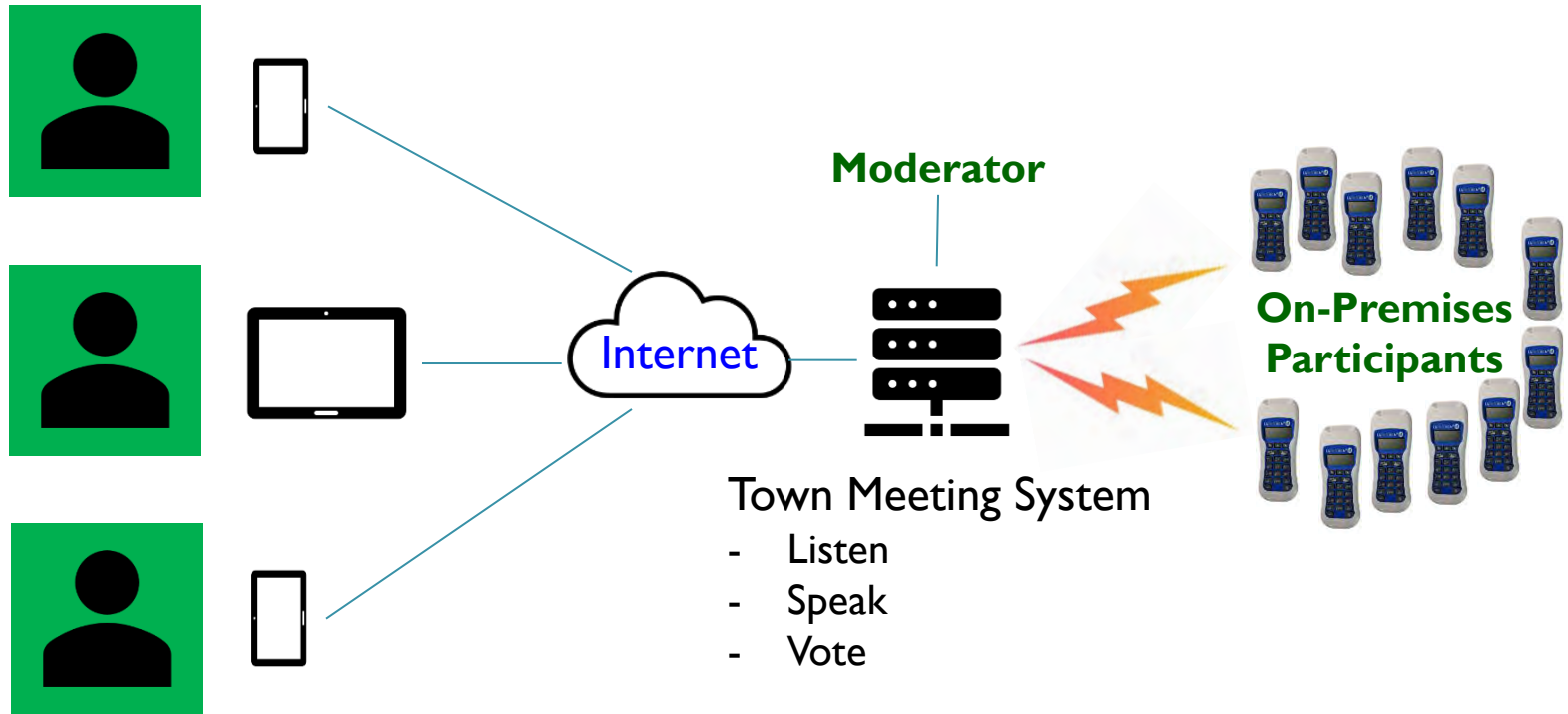
How to Detect and Deter Proxy Voting?

- Why?
 - Wayland voters were concerned that on-premises Electronic Voting would enable proxy voting from Town Meeting floor
 - Remote participation enables proxy voting on a broader scale, e.g. hundreds of “borrowed” devices used to pass a re-zoning Article
- To detect proxy voting
 - Enable Town Staff to employ an audio-video connection to confirm each voter’s name and address when they check in to a Town Meeting Session, capturing a still image of each voter
 - Throughout the Session, enable Town Staff to employ an audio-video connection to reconfirm the name and address of randomly chosen voters while viewing the still image captured at check-in
 - Images captured at check-in are expunged at the end of each session

Technical Solutions for Remote Participation



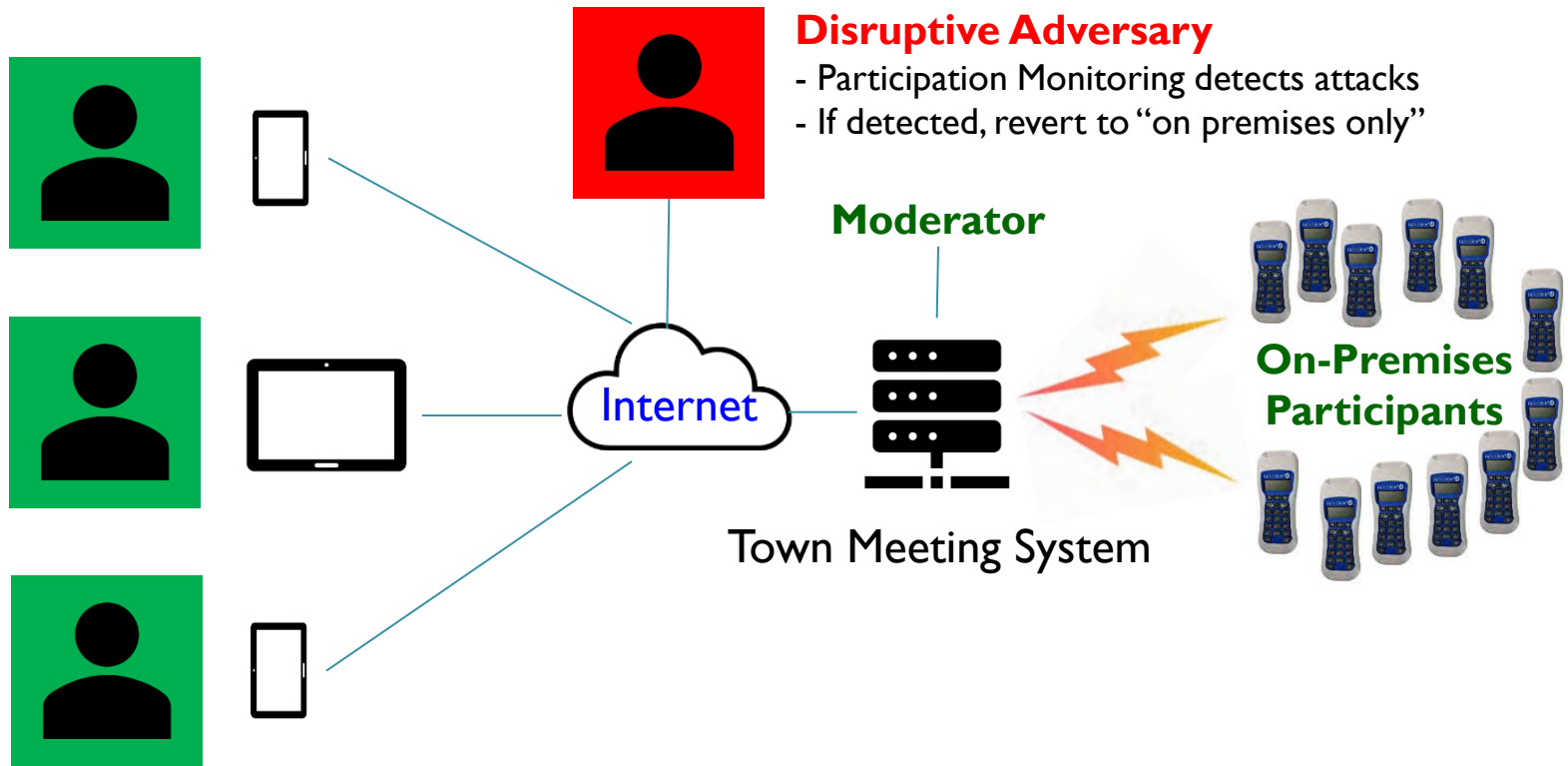
Technical Solutions for Remote Participation



Remote Participants

- Friction-free user experience

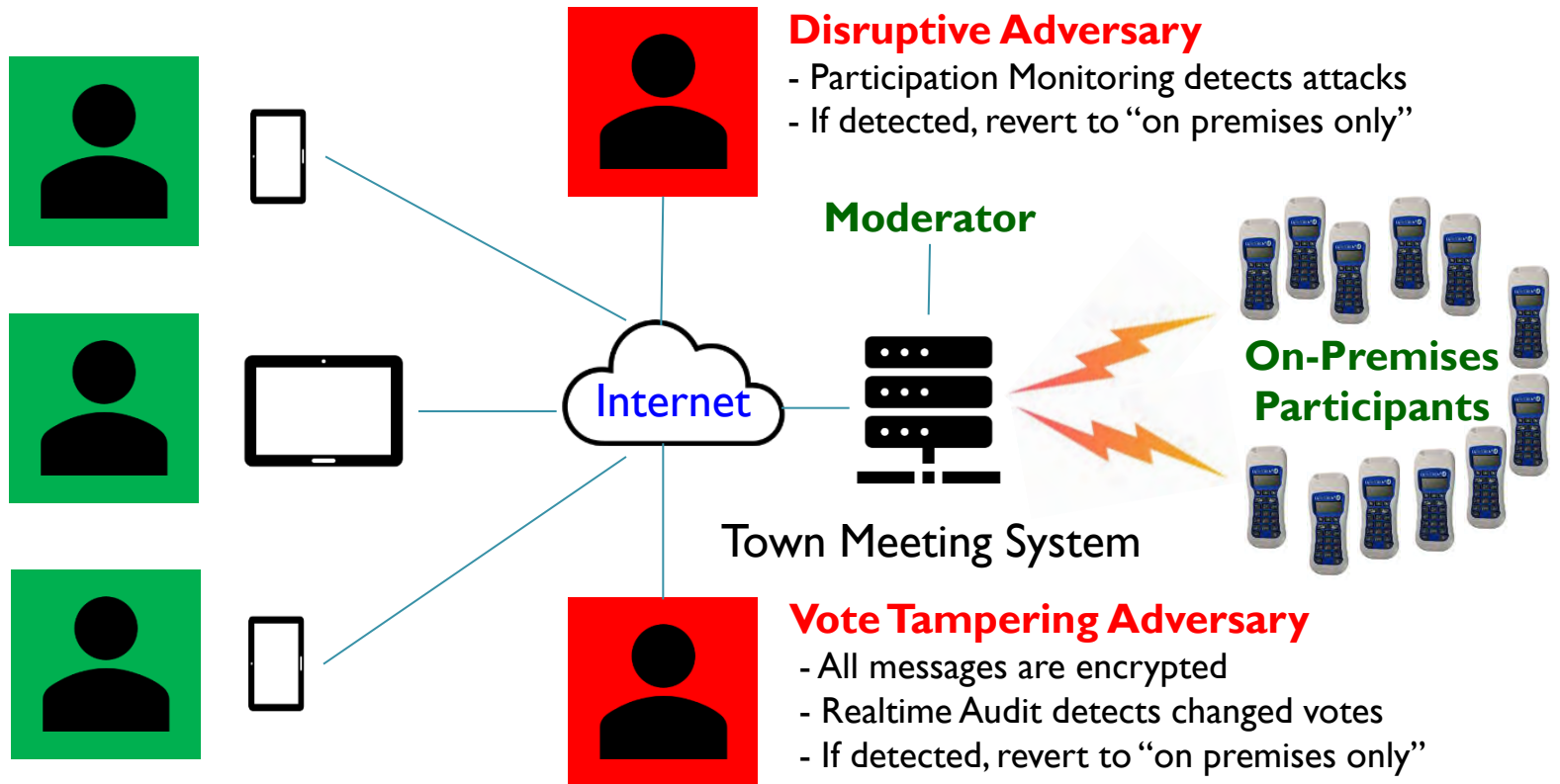
Technical Solutions for Remote Participation



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Technical Solutions for Remote Participation

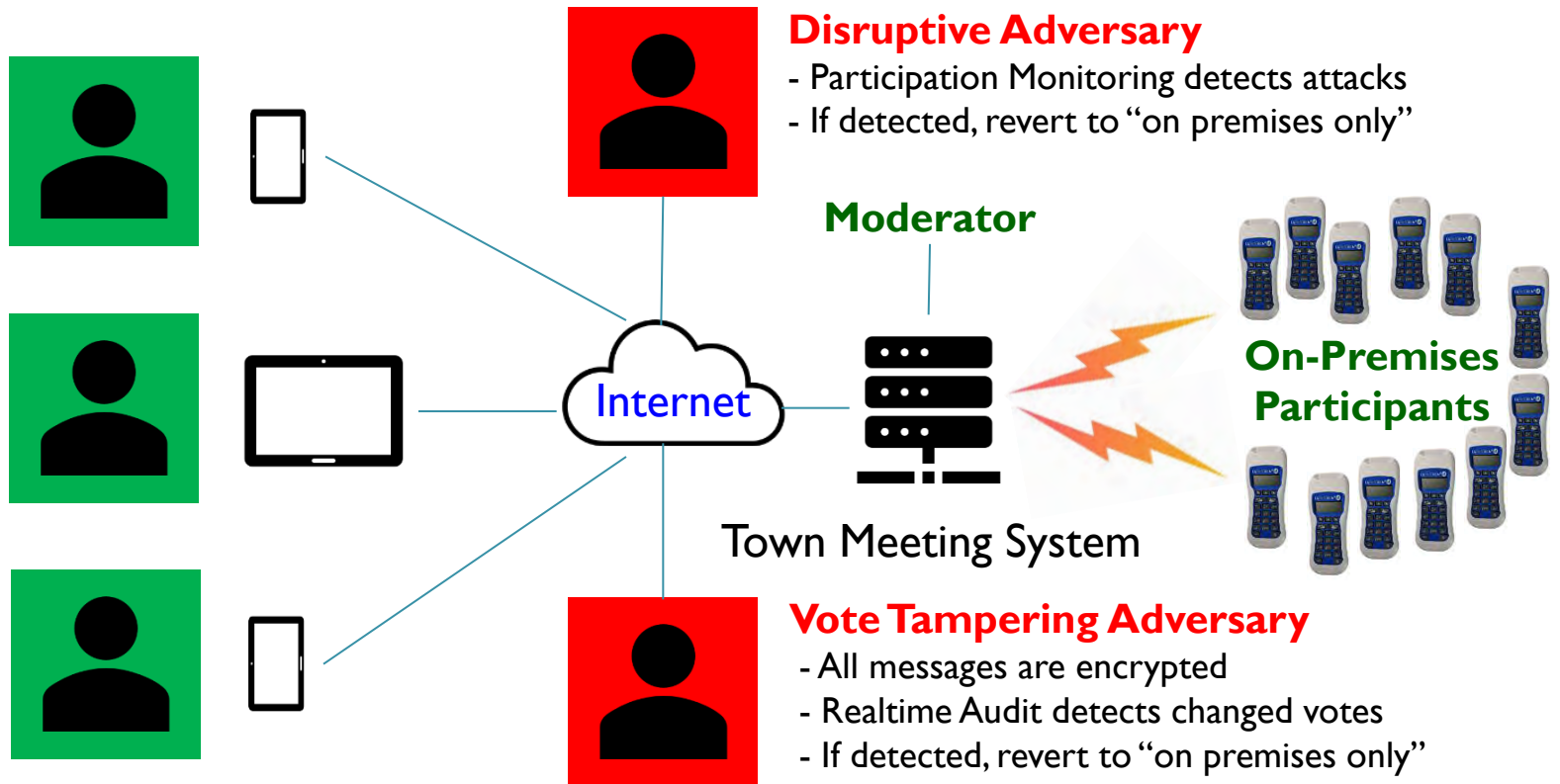


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STATHOESERNEXTED	no	3	4	1

Technical Solutions for Remote Participation



Remote Participants

- Friction-free user experience
- **Deter Proxy Voting**
 - Audio-Video connection detects proxy voters

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AYOTLEMUSTORACTA	yes	1	0	0
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REDICEFURYSTRADR	no	3	3	1
STATHOESERNEXTED	no	3	4	1

Legal Impediments to Remote Participation

- Remote Participation in Representative Town Meeting has been made legal
- Remote Participation in Open Town Meeting is not legal

Next Steps

- Legalize Remote Participation in Open Town Meetings
 - If that's not possible, legalize Remote Participation in Wayland Town Meetings and encourage at least two other towns to petition the Legislature to make remote participation legal in their Town Meetings
- Identify voting system providers that can implement Remote Participation, and convince at least one to do so
- Test the implementation of Remote Participation
- Use Remote Participation in Wayland Town Meetings

Legalizing Remote Participation: Rationale

1. Remote Participation will end the disenfranchisement of citizens who are disabled, struggle to obtain childcare on school nights, serve as care-givers, or travel for work
2. Remote participants will be able to fully participate in Town Meeting deliberation
 - Listen to other speakers – both those on-premises and those participating remotely
 - Speak to all of Town Meeting
 - Vote
3. Real-time auditing of each vote will assure that any tampering will immediately be detected
4. Random re-check-ins of remote participants during each session will deter proxy voting
5. Moderators will be provided with tools that support the effective management of larger meetings with many participants that aren't physically present

Next Steps

- Legalize Remote Participation in Open Town Meetings
 - If that's not possible, legalize Remote Participation in Wayland Town Meetings and encourage at least two other towns to petition the Legislature to make remote participation legal in their Town Meetings
- Identify voting system providers that can implement Remote Participation, and convince at least one to do so
- Test the implementation of Remote Participation
- Use Remote Participation in Wayland Town Meetings

Legalizing Remote Participation in Wayland

- Article 16 of Wayland's May 2021 Annual Town Meeting, authorized its Select Board to submit a home rule petition to the Legislature that would legalize remote participation.
- Wayland's Petition was submitted to the 192nd Session of the Legislature in July 2022, but was not brought to a vote before the legislative session ended.
- Wayland's Petition was submitted to the 193rd Session in January 2023, and affirmed by Article 19 at Wayland's May 2023 Town Meeting, but was not brought to a vote before the legislative session ended.
- Several bills that would legalize remote participation state-wide were submitted to the 193rd Session, but none were brought to a vote.

Identify Other Interested Towns

- Have presented Remote Participation to personnel from
 1. Acton
 2. Andover
 3. Barre
 4. Boxborough
 5. Carlisle
 6. Concord
 7. Groton
 8. Lincoln
 9. Longmeadow
 10. Nantucket
 11. Rockport
 12. Sharon
 13. Westborough
 14. Westford
 15. Weston
- Each of the above towns are monitoring Wayland's progress with the Massachusetts Legislature

Legalizing Remote Participation: Status

- Bills submitted to the 194th Legislative Session
 - Referred to the Municipalities and Regional Government Committee
 - [H.2272](#) - Wayland Town Meetings - Rep. Gentile, Rep. Linsky, Sen. Eldridge
 - [H.2274](#) - State-wide Town Meetings - Rep. Gentile with 11 co-sponsors, endorsed by
 - Massachusetts Municipal Association
 - League of Women's Voters
 - Metropolitan Area Planning Council (MAPC)
 - Wayland Select Board
 - [SD3114](#) - State-wide Town Meetings – Sen. Barrett
 - Referred to the House Steering Policy and Scheduling Committee (third reading!)
 - [H.4552](#) - Concord Town Meetings - Rep. Cataldo, Rep. Gentile
 - Referred to the Senate Ways and Means Committee
 - [H.3342](#) - State-wide Public and Town Meetings - Rep. Gregoire, with 16 co-sponsors
 - [S.2197](#) - State-wide Public and Town Meetings - Sen. Oliviera, with 10 co-sponsors
 - [S.2129](#) - State-wide Public and Town Meetings - Sen. Durant

Legalizing Remote Participation: Status

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 - [S.2129](#) - State-wide Public and Town Meetings - Sen. Durant
- “Referred for Study”

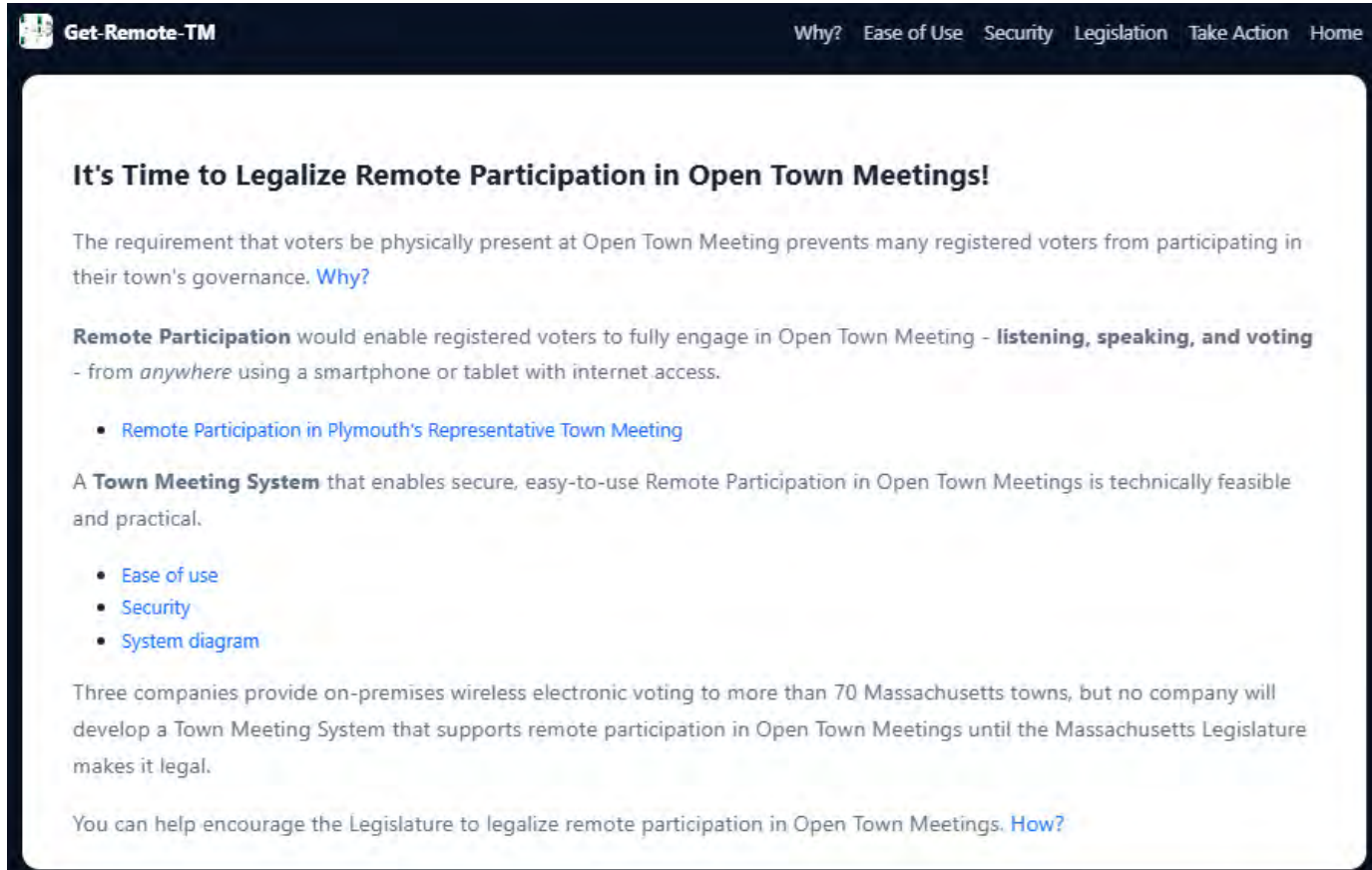
Legalizing Remote Participation: Strategy

1. Forge a Compromise in the Ways and Means Committee
 - Authorize Remote Participation in 5 “pilot” towns
 - Wayland
 - Concord
 - The next 3 towns whose Select Boards or Town Meetings authorize remote participation
 - Legislative Champion: Sen. Eldridge

2. Offer an “Outside Section” amendment to the budget
 - Authorize Remote Participation in 5 “pilot” towns
 - Wayland
 - Concord
 - The next 3 towns whose Select Boards or Town Meetings authorize remote participation
 - Legislative Champion Rep. Gentile

Grass Roots Campaign

- Get-Remote-TM Web Site

A screenshot of the Get-Remote-TM website. The page has a dark blue header with the logo on the left and navigation links: Why?, Ease of Use, Security, Legislation, Take Action, and Home. The main content area is white with a dark blue border. The title is "It's Time to Legalize Remote Participation in Open Town Meetings!". The text explains that the current requirement for physical presence prevents many voters from participating. It defines "Remote Participation" as listening, speaking, and voting from anywhere using a smartphone or tablet. A list of links includes "Remote Participation in Plymouth's Representative Town Meeting". It states that a "Town Meeting System" is technically feasible and practical, with links for "Ease of use", "Security", and "System diagram". It notes that while three companies provide wireless electronic voting in 70 Massachusetts towns, none support remote participation until the legislature makes it legal. A final link "How?" is provided to encourage legislative action.

Get-Remote-TM Why? Ease of Use Security Legislation Take Action Home

It's Time to Legalize Remote Participation in Open Town Meetings!

The requirement that voters be physically present at Open Town Meeting prevents many registered voters from participating in their town's governance. [Why?](#)

Remote Participation would enable registered voters to fully engage in Open Town Meeting - **listening, speaking, and voting** - from *anywhere* using a smartphone or tablet with internet access.


- [Remote Participation in Plymouth's Representative Town Meeting](#)

A **Town Meeting System** that enables secure, easy-to-use Remote Participation in Open Town Meetings is technically feasible and practical.

- [Ease of use](#)
- [Security](#)
- [System diagram](#)

Three companies provide on-premises wireless electronic voting to more than 70 Massachusetts towns, but no company will develop a Town Meeting System that supports remote participation in Open Town Meetings until the Massachusetts Legislature makes it legal.

You can help encourage the Legislature to legalize remote participation in Open Town Meetings. [How?](#)

- Video of Remote Participation presentation
- Social Media 
- Email

Next Steps

- Legalize Remote Participation in Open Town Meetings
 - If that's not possible, legalize Remote Participation in Wayland Town Meetings and encourage at least two other towns to petition the Legislature to make remote participation legal in their Town Meetings
- Identify voting system providers that can implement Remote Participation, and convince at least one to do so
- Test the implementation of Remote Participation
- Use Remote Participation in Wayland Town Meetings

Identify Voting System Providers

- On Premises Town Meeting Electronic Voting Providers

- IML
- Meridia
- Options Technologies
- Qwizdom
- ubiQus

- Online Voting System Providers

- Assembly Voting
- Audience Alive
- Avante International Technology
- BallotReady
- Benel Solutions
- BigPulse
- Clear Ballot
- CLICKAPAD
- Democracy Live
- Dominion Voting Systems
- EasyQuorum
- eBallot
- ElectionBuddy
- Election Runner
- Ezvote
- Hart InterCivic
- Insightrix Research
- nVotes
- OpenMeeting Technologies
- Padgett Communications
- PollEverywhere
- POLYAS
- SimplyVoting
- Skypunch Technology
- Smartmatic
- Survey & Ballot Systems
- Votebox
- Votem Corp

Identify Voting System Providers

- Options Technologies, Wayland's Electronic Voting System provider, has informally reviewed the "Technical Impediments" section of this presentation
- Develop a Technical Requirements document
- Conduct an RFP
 - No up-front development fee
 - Establish cost per voter

Next Steps

- Legalize Remote Participation in Open Town Meetings
 - If that's not possible, legalize Remote Participation in Wayland Town Meetings and encourage at least two other towns to petition the Legislature to make remote participation legal in their Town Meetings
- Identify voting system providers that can implement Remote Participation, and convince at least one to do so
- **Test the implementation of Remote Participation**
- Use Remote Participation in Wayland Town Meetings

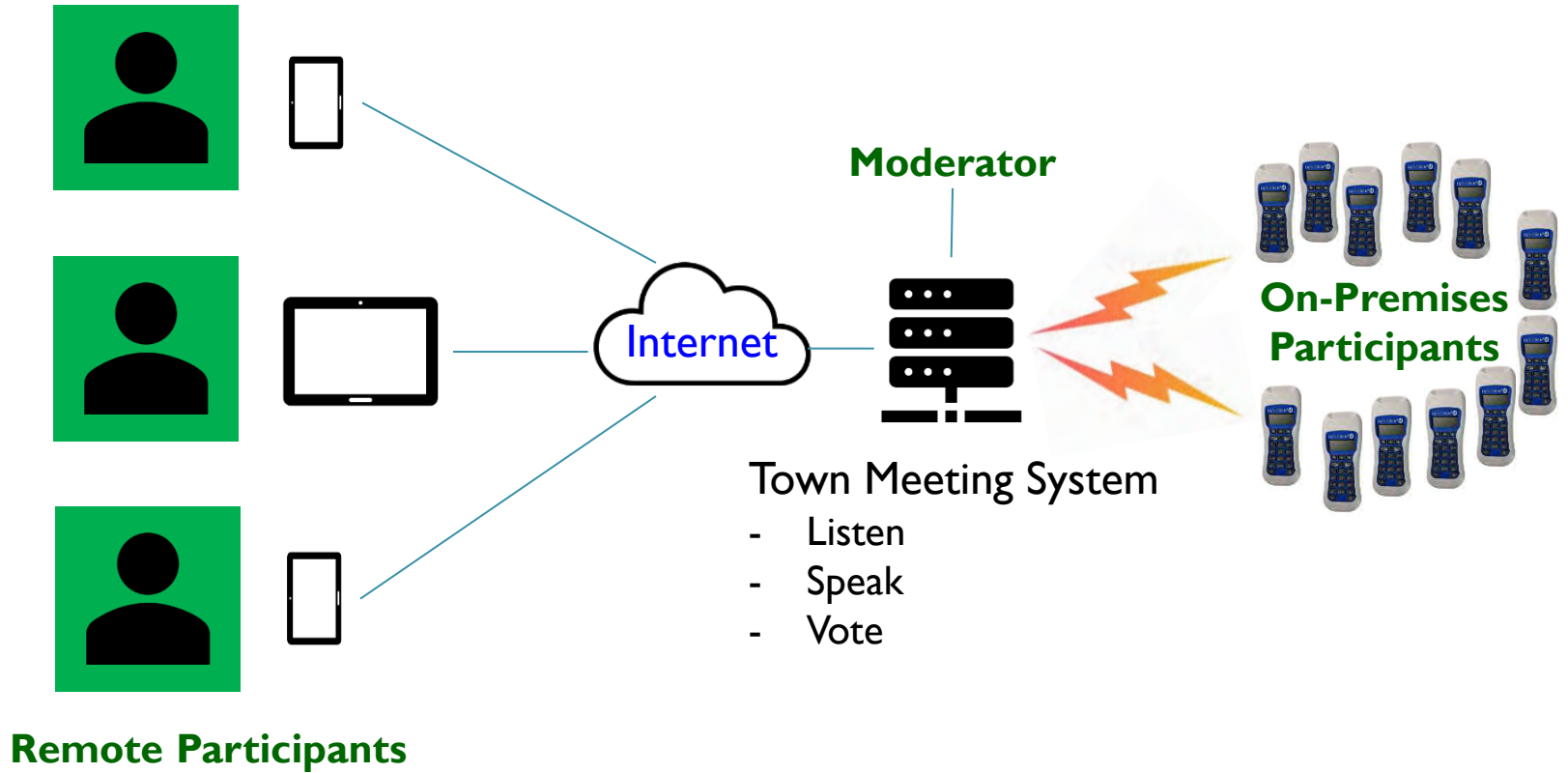
Test the Implementation of Remote Participation

- Conduct mock Town Meetings with on-premises voters and increasing numbers of remote participants, e.g. high school students, senior citizens
- Test with increasing numbers of mock remote participants during real Town Meetings

Next Steps

- Legalize Remote Participation in Open Town Meetings
 - If that's not possible, legalize Remote Participation in Wayland Town Meetings and encourage at least two other towns to petition the Legislature to make remote participation legal in their Town Meetings
- Identify voting system providers that can implement Remote Participation, and convince at least one to do so
- Test the implementation of Remote Participation
- **Use Remote Participation in actual Town Meetings**

Electronic Voting with Remote Participation



Agenda

- Introduction
- Technical Impediments to Remote Participation
- Legal Impediments to Remote Participation
- Next Steps



Agenda Item Summary

Agenda Item #	IX. 3.
Date	4/15/2026

Staff

Erika D. Mooney, Operations Administrator

Subject

Request for Review and Potential Approval of Amendments to Select Board Committee Appointment Process

Executive Summary

The Select Board adopted its Committee Appointment Process in 2021. The process includes rigid deadlines and advertising requirements. Upon drafting this year’s Committee Appointments Timeline, staff felt the process needed to be updated to give more flexibility. The two proposed amendments include:

1. Change the advertising of the openings from a “local newspaper” to “any print and/or electronic media, having general circulation within the Town of Nantucket”. This change brings the advertising requirement in line with Town Bylaw Chapter 2, Administrative Procedures, § 2-1(A), Public hearing required; manner of notice, which was updated pursuant to the vote on Article 85 of the 2025 Annual Town Meeting.
2. Update the date when the Select Board makes its appointments, from its last meeting in June to “at a June meeting...” This will allow new appointees more time to be sworn in, do Open Meeting and Conflict of Interest Law trainings, and connect with their committees to understand meeting schedules.

Staff Recommendation

Approve the recommended amendments/

Background/Discussion

N/A

Impact: Environmental Fiscal Community Other

N/A

Board/Commission Recommendation

N/A

Public Outreach

N/A



Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

N/A

Attachments

Committee Appointment Process -redlined



NANTUCKET SELECT BOARD

Policy Statement and Procedures for Appointments to Committees, Commissions, Boards Adopted: May 19, 2021

BASIC GOAL

To encourage active citizen participation and involvement in local government affairs by encouraging local residents with expertise, skills, interest, and energy to seek appointment to the Town's Committees, Boards and Commissions. And, to expand the Town's outreach to its citizens to ensure that we engage as many diverse perspectives as possible to build and encourage awareness, understanding and appreciation through a lens of diversity, equity and inclusion.

POLICIES IN SUPPORT OF THE BASIC GOAL

- A. The Town will maintain a recruiting system, known as the Volunteer Talent Bank (Talent Bank), to find and appoint interested local residents who are best qualified by education, training and experience to contribute effectively to the work of the committee, commission or board. To the extent practical, the Select Board shall announce its intention to meet candidates for appointment and allow them to introduce themselves and review their applications no less than two weeks in advance of appointments.
- B. When an announcement is made by the Board regarding any vacancies, the Board will require that applicants file a Committee Appointment application. Following a public meeting with the applicant(s) at which the Board may ask questions, and/or the applicant may ask questions, a candidate shall be selected in accordance with the following procedure:

RECOMMENDED VOTING PROCEDURES FOR ANNUAL APPOINTMENTS

1. The Board reviews a list of openings for annual appointments with a committee appointment timeline in early April.
2. In mid-April, members of committees, commissions, boards whose terms are expiring are notified and asked if they would like to apply for reappointment. Incumbent Committee Interest Forms are mailed to all of these members and they are asked to respond in writing to indicate if they request re-appointment, or not. Incumbents need to meet the same deadlines as listed on the committee appointment timeline.
3. Annual committee openings are advertised in ~~the local~~ [any print](#) newspaper [and/or electronic media, having general circulation within the Town of Nantucket](#) for four weeks, as well as on the Town website. Additionally, the openings are announced at the Board's weekly meetings starting in mid-April through the end of May.
4. Applications will be accepted only by the deadlines outlined in the annual Committee

Appointments Timeline for all committees, commission and boards.

5. The Select Board holds two meetings to allow applicants to address the Board and review their applications.
6. Committee appointments are made at ~~the last~~ the last ~~June~~ June Select Board meeting ~~of June~~, which date shall be at least one week after the names and applications of all applicants have been made public.
 - a. At this meeting, the Select Board may appoint, by majority vote, a candidate to fill any seat. Or, the Select Board, at its discretion, may elect to use a paper ballot voting procedure, or vote by e-mail if the Select Board meeting is held virtually.
 - b. The Chair shall ask Board members to submit their written choices for appointment (or to e-mail their choices for appointment to Town Administration in real time if meeting virtually). Each Board member writes their own name on a slip of paper, and then writes down their vote for the applicant(s) and passes their paper ballot directly to the Chair without other members viewing the ballot.
 - c. The Chair reads the paper ballot votes and notes which Board member cast the votes. If meeting virtually, Town Administration staff will read the results into the record, and after announcing how each Board member votes, staff will ask that Board members verbally confirm their votes.
 - d. The candidate(s) with the majority of votes will be appointed.
 - e. Any committee seats not filled will continue to be posted on the Town website and routinely advertised as vacant.

At its discretion, the Select Board may appoint a candidate to any Commission, Committee or Board even if the candidate is not present for the meeting.

RECOMMENDED VOTING PROCEDURES FOR VACANCIES THROUGHOUT THE YEAR

The Board's intent to fill vacancies will be noted on its regular meeting agenda for at least two weeks and applications of prospective candidates will be included in the Board's agenda packet to allow the Board and the public to review the prospective candidates' credentials. The vacancy will also be advertised in the Inquirer & Mirror for a minimum of two weeks as well as on the Town's website. Applications will be accepted only by a certain deadline for all committees, commission and boards.

1. Immediately following a meeting with candidates for appointment, the Select Board may appoint, by majority vote, a candidate to fill any vacancy. Or, the Select Board, at its discretion, may elect to use a paper ballot voting procedure, or vote by e-mail if the Select Board meeting is held virtually.

2. Immediately following a meeting with candidates for appointment, the Chair shall ask Board members to submit their written choices for appointment (or to e-mail their choices for appointment to Town Administration in real time if meeting virtually). Each Board member writes their own name on a slip of paper, and then writes down their vote for the applicant(s) and passes their paper ballot directly to the Chair without other members viewing the ballot.
3. The Chair reads the paper ballot votes and notes which Board member cast the votes. If meeting virtually, Town Administration staff will read the results into the record, and after announcing how each Board member votes, staff will ask that Board members verbally confirm their votes.
4. The candidate(s) with the majority of votes will be appointed.

At its discretion, the Select Board may appoint a candidate to any Commission, Committee or Board even if the candidate is not present for the meeting.

ADMINISTRATION OF THE VOLUNTEER TALENT BANK

The Town Administration office shall be responsible for the Talent Bank data and all administrative materials, records and processes.

PUBLIC INPUT REGARDING CANDIDATES FOR APPOINTMENT

Any citizen may convey their support or objection of an individual's appointment/ reappointment through written notice to the Town Manager's Office. Town Administration shall forward any written comments concerning appointments/reappointments to the Select Board and to the person cited.

This policy may be amended by the Select Board at any time.

3. Revised Project Cost & Borrowing Comparison

Item	2025 ATM Project Cost	2026 ATM Project Cost
New OIH Building – Construction Total	\$89,100,227	\$94,321,571
Housing Component - Construction Cost & Future Purchase Cost Total	\$13,537,950	\$14,326,030
Designer, OPM, Survey, Geotech, Testing & Other Misc. Costs Total	\$12,507,300	\$12,814,842
Medical Equipment, FFE, Information Technology & Other Misc. Costs	\$3,085,000	\$3,771,183
Total Contingency Cost	\$10,122,025	\$6,036,681
Sherburne Commons Site Allowance	\$6,040,000	\$6,040,000
Project Cost	\$134,392,502	\$137,310,307
Prior Appropriation (Article 11, ATM 2022)	(\$8,500,000)	(\$8,500,000)
Proposed Borrowing Offsets (OIH Retained Earnings/Sewer Revolver)	(\$7,500,000)	(\$10,200,000)
Estimated Borrowing Requirement	\$118,892,502	\$118,610,307
Proposed Borrowing	\$119,000,000	\$119,000,000



Agenda Item Summary

Agenda Item #	X. 2.
Date	4/15/26

Staff

C. Elizabeth Gibson, Town Manager
Vincent Murphy, Sustainability Programs Manager

Subject

Scoset Beach Preservation Fund – Town of Nantucket License Term Sheet

Executive Summary

SBPF and the Town have conceptually agreed, subject to a Town Meeting vote of authorization, to a license for the use of Town property along Baxter Road for an erosion control project below 41 to 119 Baxter Road. The Town Code, Chapter 67 1 E requires a Town Meeting vote for the use of Town property for coastal erosion structures. Article 73 of the 2026 Annual Town Meeting warrant seeks to authorize the Select Board to enter into a license or lease for the erosion control project that has been approved by the Conservation Commission, although that approval has been appealed to DEP. License terms were reviewed by the Select Board on April 1. Based on input and feedback received at that meeting, the terms were modified and are herein for the Board's potential endorsement. It has been generally agreed that a term sheet should be agreed to by SBPF and the Town prior to a vote on Article 73.

Staff Recommendation

Recommend approval of the License Terms.

Background/Discussion

Extensive discussion and review has occurred on this project over at least the past 20 years. The most recent action is described in the Executive Summary, above. At the Select Board's April 1 meeting, the following feedback was provided by Board members and the public and language has been developed with Town Counsel, the April 1 License Terms modified and provided to SBPF for its review. The document in the Board's April 15th agenda packet reflects these modifications:

- add language as to the conditions that must be satisfied prior to final execution of the License
- stronger language requiring escrow agreements to be in place prior to construction of the project
- an additional escrow agreement for repairs to roads impacted by sand deliveries
- annual review and reporting requirement to the Select Board
- easements that SBPF is responsible for obtaining must run with the land and be recorded



Impact: Environmental Fiscal Community Other

Board/Commission Recommendation

n/a

Public Outreach

Select Board Meeting – April 1, 2026

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

Baxter Road Long Term Planning memo, October 20, 2021. Also known as Baxter Road Engineering Feasibility Study.

<https://www.nantucket-ma.gov/DocumentCenter/View/40516/Baxter-Road-Long-Term-Planning-Final-Memo-October-20-2021-PDF>

Nantucket Coastal Resilience Plan 2021.

Attachments

Redlined version of modified April 1, 2026 License Terms

Letter from Nantucket Land & Water Council



TOWN/Sconset Beach Preservation Fund (SBPF) LICENSE TERMS FOR USE OF TOWN PROPERTY AT BAXTER ROAD FOR EROSION CONTROL PROJECT

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DATE OF DRAFT: ~~3/27/26~~ 4/13/26

DRAFT License ~~terms~~Terms:

(Subject to Select Board approval; approval of Article 73 at 2026 ATM)

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The License Agreement between SBPF and the Town shall include the following terms and will not be executed by the parties and be in effect until the following conditions have been satisfied by SBPF:

- Approval of Article 73 by 2026 Annual Town Meeting or by a subsequent Annual or Special Town Meeting;
- Appeals of all litigation have been decided;
- SBPF has obtained all permits and approvals necessary for the Project;
- A neighborhood association or similar entity of the Baxter Road Benefitted Owners has been formed by SBPF;
- SBPF has obtained the necessary waivers, approvals and easements from the Baxter Road Benefitted Owners for the Town's Alternative Access Plan(AAP).
- SBPF has obtained the necessary waivers, approvals and easements from the Baxter Road Owners located within the emergency zone designated by the Town for the preparation of the Town's emergency plan in the event of a breach in Baxter Road.

1. SBPF shall undertake the responsible use of Town property, under Town supervision. SBPF shall strictly adhere to the terms of the Conservation Commission and Massachusetts Department of Environmental Protection (DEP) Orders of Conditions and all other applicable permits, licenses or authorizations.
2. SBPF shall fund all of the construction, monitoring and maintenance of the geotube project (the "Project") as per the approved Orders of Conditions and all other applicable permits, licenses or authorizations.
3. ~~The~~Prior to construction, the Town of Nantucket shall prepare an escrow agreement (subject to the approval of the Town Counsel and/or Finance Director), in an amount determined by the Town that SBPF shall provide to the Town, so that the Town can undertake removal of the system, should SBPF not be in a position to

undertake removal. SBPF shall also have funds in escrow with the Town of Nantucket to undertake 1 year of sand nourishment for the Phase 1 area.

- a. The Town of Nantucket shall undertake an annual review to determine if sufficient funds are in place for removal and for 1 year of nourishment sand, and if additional funds as required through inflation, changes in sand costs, or other associated construction cost changes.
 - i. The projected cost in early 2026 to remove the Phase 1 Project area is \$2,437,000, and is the initial amount required by the Town.
 - ii. The projected cost in early 2026 of the 1 year of sand nourishment for the Phase 1 project is \$6,077,161.
 - iii. In the event that SBPF is unable to undertake the removal of the geotubes, SBPF also agrees to assign to the Town its sand contract obtained pursuant to the Order of Conditions.
- b. SBPF shall fund any increases required annually, or be reimbursed should removal costs or sand nourishment costs decrease.
- c. The escrow shall follow the phases of the Project. The escrow shall have sufficient funds to undertake removal of the Phase 1 area. Once SBPF is positioned to begin work on the Phase 2 area, the number will be increased accordingly to cover the increased removal costs associated with the additional structures. Phase 2 shall be an additional assessment outside of the annual review, and subject to all annual reviews from the commencement of Phase 2 construction.
- d. An additional escrow shall be held by the Town to fund 1 year of sand nourishment for the Phase 1 Project area. The sole purpose is to allow 1 year to plan, contract and undertake removal, following the terms of the Order of Conditions in that removal planning year. Once SBPF is positioned to begin work on the Phase 2 area, the escrow will be increased or decreased accordingly to cover the increased removal costs associated with the additional structures. Phase 2 shall be an additional assessment outside of the annual review, and subject to all annual reviews from the commencement of Phase 2 construction.
- e. If SBPF removes the project at its sole cost and the Town is noticed and affirms removal has been completed, then the full escrow shall be refunded to SBPF within 30 days.
- f. If SBPF elects to voluntarily obtain approval from the ConCom to remove the geotubes and comply with the removal order in accordance with the approval, including sand mitigation compliance, SBPF shall be entitled to full sand mitigation and removal escrow refund within 30 days following

completion of removal. The Town may notify SBPF if the Town seeks or elects to retain the geotubes, in such instance the mitigation sand escrow shall be fully refunded within 30 days of Town notification of Town retaining the geotubes which shall also include providing any sand mitigation. In such circumstances, any cost-based increase to the geotube removal escrow will be terminated and if the Town removes the geotubes, any funds remaining shall be refunded to SBPF. There shall be no co-mingling of escrows.

4. The Order of Conditions (section 54) requires a removal plan to be filed with the Conservation Commission. The Select Board requires that authorization to submit the removal plan be obtained from the Board, not to be unreasonably withheld, before being submitted to the Conservation Commission. SBPF shall be responsible for securing the assent of all impacted property owners, of the removal plan.
5. Activation of a removal plan with an approved Order of Conditions or Enforcement Order can be undertaken by either party independently, following 90 days written notice to the non-moving party, should:
 - a. SBPF cease as an organization; or
 - b. Should the Project be deemed in failure by the Conservation Commission and all rights to cure have been exhausted subject to a final order by the Conservation Commission; or
 - c. Should SBPF breach the terms of this license and SBPF has not cured said breach within 30 days.
6. SBPF shall file all required reports with the Town Manager, Sustainability Programs Manager or future designee for review 2 weeks before submission to the Conservation Commission or Mass DEP.
7. The term length of this ~~license~~License is to be concurrent with the term of the final Order of Conditions for the structure, including amendments, extensions and continuing conditions associated with Certificates of Compliance. The Select Board will annually review SBPF's compliance with the License. In preparation for the annual review, SBPF shall prepare and deliver to the Select Board an annual report on its performance and compliance with the License. Also SBPF shall attend an annual meeting with the Select Board to review the annual report.

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8. The Town of Nantucket may revoke this ~~license~~License should terms in this ~~license~~License be breached, following 90 ~~days~~days' written notice with the right to cure during those 90 days.
9. Any amendment or modification to the Project or Order shall be agreed to by both the Town and SBPF in writing prior to the request being filed.
10. SBPF shall be financially responsible for any damage to the public roadways, and public utilities within the route related to this Project and associated sand delivery. SBPF, at its own expense, shall prepare an assessment and send photo documentation of the roadway(s) documenting the pre-construction condition (the "Pre-Construction Report") through an agreed and mapped and designated truck route. SBPF shall include the Town's consultants, if any, and DPW Director to review and comment on the Pre-Construction Report and shall incorporate such input into the Pre-Construction Report. The Pre-Construction Report shall be completed and signed off ~~by~~ by the Town Manager and SBPF no less than fifteen (15) days prior to construction commencement. ~~In the event of any damage SBPF agrees to roadways, SBPF shall provide initially put into escrow the amount of \$500,000.00 to be held by the Town for the~~ funding to repair the ~~public roadways and public utilities~~ in accordance with Town specifications ~~in the event of any damage. If the initial escrow amount is not sufficient to pay for the repairs for the first year, SBPF agrees to pay the remainder of the repair costs within 60 days-- of the Town's written notice of the shortfall. If the initial escrow amount is not sufficient, then SBPF and the Town shall agree upon an increased amount to be placed in the escrow yearly to cover the repair costs for future years.~~
11. SBPF shall require that all contractors adhere to established speed limits.
12. SBPF shall provide the Town with a copy of its annual IRS Form 990 filing and will provide all reports since 2021.
13. SBPF shall not apply to activate Phase 2 without notifying the Town with documentation that the conditions required in the Commission's Order of Conditions ("OOC") for proceeding to Phase 2 have been met.
14. To provide increased public access to the beach below the bluff, SBPF shall develop and submit to the Town for approval full designs for public access stairs in a Notice of Intent to the Conservation Commission. SBPF shall construct the stairs

within 1 year of the Order of Conditions approving the Project. SBPF will select the location of the beach access stairs and will also prepare plans for public seating benches on top of the bluff on SBPF property in a location determined by SBPF, at or north of 85 Baxter Road.

15. SBPF will grant a permanent easement to the Town of Nantucket for the public use of these beach access stairs to the public beach, consistent with the Town One Big Beach easement. The easement will include indemnification language for public use over SBPF property and proper insurance coverage, consistent with the Town One Big Beach easement.
16. SBPF will have a closure mechanism at the top of the stairs that is only to be used when work or maintenance activities are being undertaken on the erosion control structures; and, shall be used off season for safety. The Town will be provided notice 48 hours prior to these closures, excluding emergency work, with immediate notice to the Town.
17. The Sconset Bluff walk shall remain open in its current form to 65 Baxter Road. SBPF shall utilize its properties at 85, 87 and 99 Baxter Road for public amenities and use such as “pocket park” for recreation.
18. A written drainage assessment of the public road and ways from 41 to 119 Baxter Road will be funded by SBPF. This is to ensure no adverse runoff towards the bluff face, and that the drainage condition above the work area is correctly accounted for.
19. SBPF shall obtain from all of the Benefitted Property Owners (the “Benefitted Owners”) identified in the Town’s Baxter Road Alternative Access Plan (the “AAP”), the following executed documents including but not limited to: springing easement(s) over the identified properties, escrow agreements, waivers of damages, agreements to betterment assessments and releases of any future challenges to betterment assessments in recordable form and in compliance with the applicable Massachusetts General Laws. [The In accordance with the Escrow Agreement, a memorandum of easements shall run with the land and be recorded with the Nantucket Registry of Deeds or Nantucket Registry District of the Land Court.](#) The Town and SBPF shall work cooperatively to identify the Benefitted Owners or any homeowners’ association or similar entity which shall be responsible for the payment of the assessed betterments to the Benefitted Owners.

Furthermore the Benefitted Owners shall agree to pay the betterment assessment for the AAP and not to contest the validity of the betterment to be assessed upon each of the Baxter Road Benefitted Properties for the AAP; not to contest the validity of any re-assessment of the betterments for the balance(s) due of the betterments for any Baxter Road Benefitted Property whose home is no longer habitable due to erosion to be shared equally among the remaining Benefitted Owners; and not to seek an abatement of the assessment which amount shall be acknowledged to be proportionate to the benefit or advantage that such lots will obtain from the AAP. In the event that not all Benefitted Owners agree to the execution of the requisite documents and terms set forth herein this Paragraph, then the Town reserves the right to undertake the takings by eminent domain pursuant to G.L. c. 79, as deemed solely by the Town, as being necessary for the completion of the AAP. SBPF shall not be permitted to start any construction on the expansion project until SBPF has provided to the Town, to the Town's reasonable satisfaction, for which approval shall not be unreasonably withheld, conditioned or delayed, an agreement by the property owners affected by the AAP of their obligations as set forth in this Paragraph.

20. The ~~Alternative Access Plan~~AAP shall be triggered by (1) road failure or near failure, as certified by a Massachusetts licensed Professional Engineer chosen by the Town Manager, or (2) SBPF dissolving as an entity, or (3) enforcement orders from the Conservation Commission or other applicable agencies requiring removal of the geotubes, with 90 ~~days~~days' notice and a right to cure within those 90 days.
21. SBPF shall indemnify and hold the Town harmless from any and all claims, rights or causes of action of any and all nature arising from or in any way related to the implementation of the ~~Alternative Access Plan~~AAP, including related construction activities, and all claims related to the geotubes expansion project, including but not limited to attorney's fees and costs of defense. The Town's entering into this ~~license agreement~~License Agreement is not evidence of any admission of liability on the part of the Town in its actions or inactions with respect to the actual or potential erosion of Baxter Road and surrounding properties ("Erosion Related Claims"), and the Benefitted Owners' waiver of any rights to sue the Town for Erosion Related Claims which may have accrued or arisen prior to execution of this License.
22. The Notice of Intent application contemplates offshore sand applications and permits in connection with the Project and Phase 2. Upon review and approval of

the offshore sand and permitting applications by the Town, the Town shall be supportive and provide its best efforts through the application and permitting process for this Project.

DRAFT



Nantucket Land & Water Council

Six Ash Lane, PO Box 502, Nantucket, MA 02554
508.228.2818 | www.nantucketlandwater.org

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April 10, 2026

Dawn Hill, Chair
Nantucket Select Board
18 Broad Street
Nantucket, MA 02554

Re: Draft Baxter Road License Terms

Dear Chair Hill and Members of the Select Board,

I am writing to provide, in writing, comments that I made at your meeting on April 1, 2026, regarding the *Draft License Terms For Use of Town Property at Baxter Road for Erosion Control Project*. We appreciate the Town's effort to negotiate terms that address the best interests of the Town regarding a project with so many moving parts and unresolved questions. We do have several concerns that we wanted to raise with you before you vote to agree to these terms and sign the license.

1. First, Paragraph 3 requires the creation of an escrow to ensure that funds remain available should the Town need to undertake removal of the system, and/or to provide adequate mitigation sand for up to a year. Section (f) of this Paragraph then goes on to stipulate that in the event the Town seeks to retain the geotubes in the future (which will clearly require significant funding to maintain) the escrow for mitigation sand shall still be fully refunded to SBPF.

This is extremely puzzling because if the geotubes are not to be removed but are to be managed and maintained by the Town, they will presumably still be benefiting SBPF and their members, and the cost to the Town and community will be significant. **Why would the Town agree to surrender this important funding when it is needed most?** This should be amended to allow the town to retain the single years' worth of mitigation if they should ever choose to take over management of the structure.

2. Second, Paragraph 19 seeks "to obtain" several items that are important to the success of the Town's Baxter Road Alternative Access Plan. Included in this list are "springing easements" over identified properties that will be impacted by the alternative access. These springing easements, to the best of our knowledge, were requirements of the Town's MOU with SBPF in 2013, and again in 2022 along with hold harmless agreements. These were all to be held in escrow until the Conservation Commission approved the expansion project.

The Conservation Commission has long since approved the expansion project, and so these should have been released from escrow. The question is, **why does the new license seek "to obtain" springing easements which were a requirement of prior MOUs? Has this past requirement not been met?**



We Pay Attention • We Raise Awareness • We Take Action



3. Paragraph 22 opens up a proverbial can of worms and leaves the public with many questions. What does it mean for the Town to be “supportive and provide its best efforts” in the event of an application for the mining of offshore sand? We have no information about where this may take place, what the environmental, financial, or logistical implications would be for the island and community.

This matter would be better addressed at a future time when there is more information available. **We would request that the Select Board strike Paragraph 22 in its entirety before signing this license.**

4. Finally, before considering the signing of a new license with SBPF, we formally request an accounting of the requirements from prior legal agreements (MOUs) with SBPF from Town Counsel with an understanding of whether they have been properly adhered to. **We are looking for further transparency around SBPF’s accountability for their past agreements with the Town before entering into yet another. If prior conditions have not been met, they should be required prior to signing a new license.**

Thank you for your time.

Sincerely,



Emily Molden
Executive Director



Agenda Item Summary

Agenda Item #	XI. 1.
Date	04/15/2026

Staff

Drew Patnode, DPW Director
Mike Burns, Transportation Program Manager

Subject

Traffic Safety Recommendations

Executive Summary

Traffic Safety staff have made three recommendations that require Select Board approve:

1. 13 West Chester Street – Remove one (1) 2-hour parking space at 13 W Chester St. Applicant must relocate existing fire hydrant to the west side of the proposed driveway and east of the utility pole.
2. Washington Street at Salem Street – Designate three (3) on-street parking spaces along Washington Street at Salem Street for Tour Vans Only (spaces accommodate two tour vans).
3. 10 York Street – remove one (1) on-street parking space across from driveway at 10 York Street. Removing the on-street parking space results in a net gain of parking.
4. 2 Cabot Lane – remove one (1) on-street parking space in front of 2 Cabot Lane to improve access to driveway.
5. Summer Street – remove six (6) on-street parking spaces between Pleasant Street and Pine Street to accommodate emergency response vehicles and relocate one (1) Accessible Parking space to the north side of Summer Street between Traders Lane and Pine Street.

Staff Recommendation

Approve recommended changes.

Background/Discussion

Traffic Safety staff has reviewed six issues from the community and other departments and has provided recommendations that require Select Board approval.

Impact: Environmental Fiscal Community Other

Address issues with parking and traffic safety.

Board/Commission Recommendation

N/A

Public Outreach

Requests were submitted by various members of the community or other departments.



Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

Traffic Safety Action Plan

Attachments

Memorandum and maps of recommended changes.

Portion of Select Board 12/3/2025 minutes re: Traffic Safety recommendations





MEMORANDUM

TO: C. Elizabeth Gibson
Town Manager

FROM: Mike Burns, AICP
Transportation Program Manager

DATE: March 31, 2026

RE: Traffic Safety Work Group - Recommendations Requiring Select Board Action

Traffic Safety has recommended the following that may require Select Board approval:

1. 13 West Chester Street – Remove one (1) 2-hour parking space at 13 W Chester St. Applicant must relocate existing fire hydrant to the west side of the proposed driveway and east of the utility pole. Removing the on-street parking space results in a net gain of parking.
2. Washington Street at Salem Street – Designate three (3) on-street parking spaces along Washington Street at Salem Street for Tour Vans Only (spaces accommodate two tour vans). This was previously approved for the 2025 summer season.
3. 10 York Street – remove one (1) on-street parking space across from driveway at 10 York Street. Removing the on-street parking space results in a net gain of parking. This matter was continued by the Select Board's at its December 3, 2025 meeting.
4. 2 Cabot Lane – remove one (1) on-street parking space in front of 2 Cabot Lane to improve access to driveway. This matter was continued by the Select Board's at its December 3, 2025 meeting.
5. Summer Street – remove six (6) on-street parking spaces between Pleasant Street and Pine Street to accommodate emergency response vehicles and relocate one (1) Accessible Parking space to the north side of Summer Street between Traders Lane and Pine Street, as shown in Option 2. Senior Pastor Derek Worthington of the Summer Street Church requests these six (6) on-street spaces be designated as "2 Hour Parking on Sundays Only". Traffic Safety does not support the request. This matter was continued by the Select Board's at its December 3, 2025 meeting.

Thank you.

13 West Chester Street - Remove One (1) 2-Hour On-Street Parking Space for Driveway Curb Cut

Parking Restrictions

Enforcement Times

- 15 Minute
- 20 Minute
- 30 Minute
- 1 Hour
- 2 Hour
- Accessible Parking
- Restricted
- parking polygon



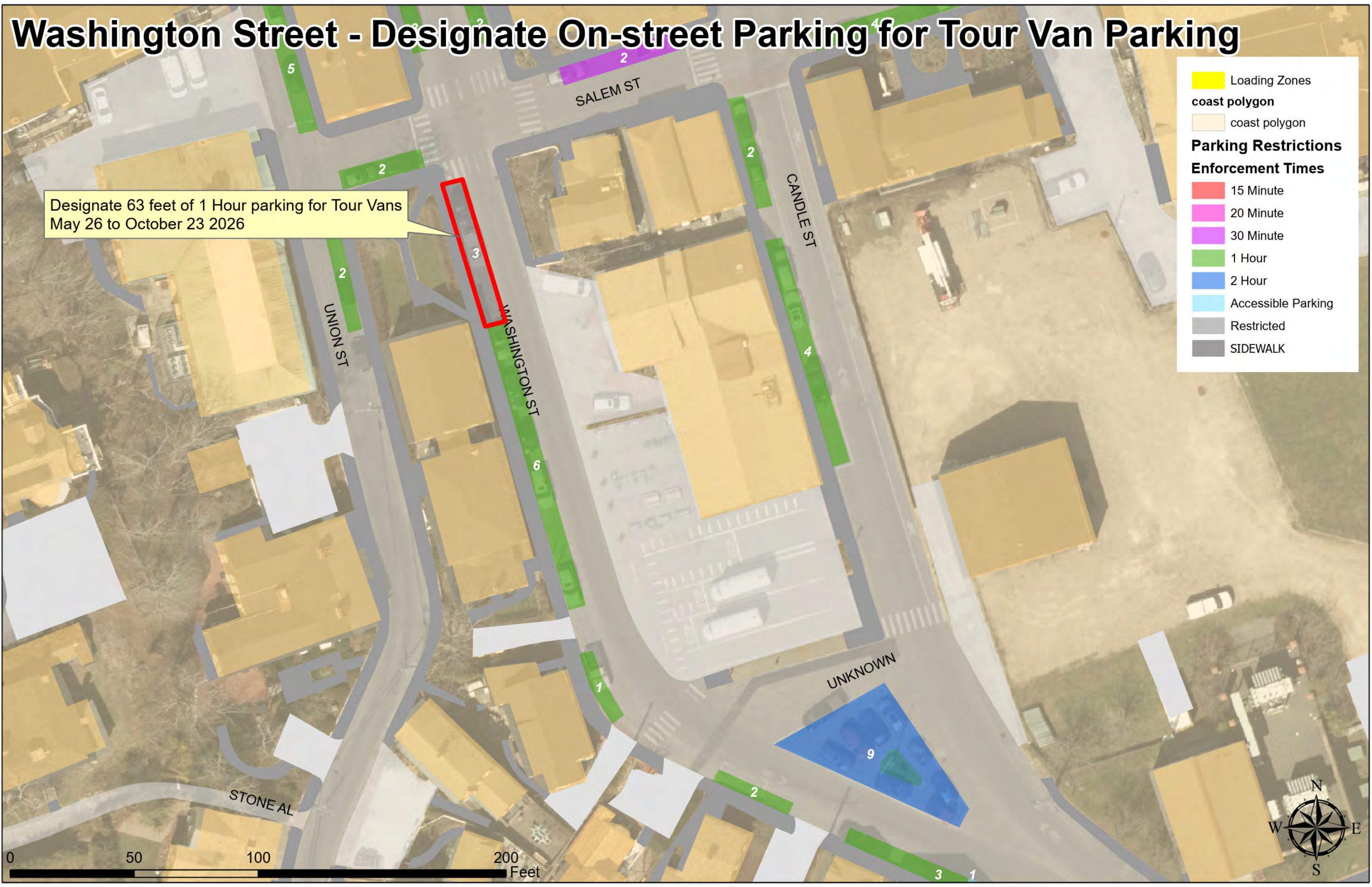
Remove one (1) on-street parking space for driveway with capacity of two (2) parking spaces

A compass rose showing cardinal directions (N, S, E, W) and a scale bar in feet, ranging from 0 to 60 feet.

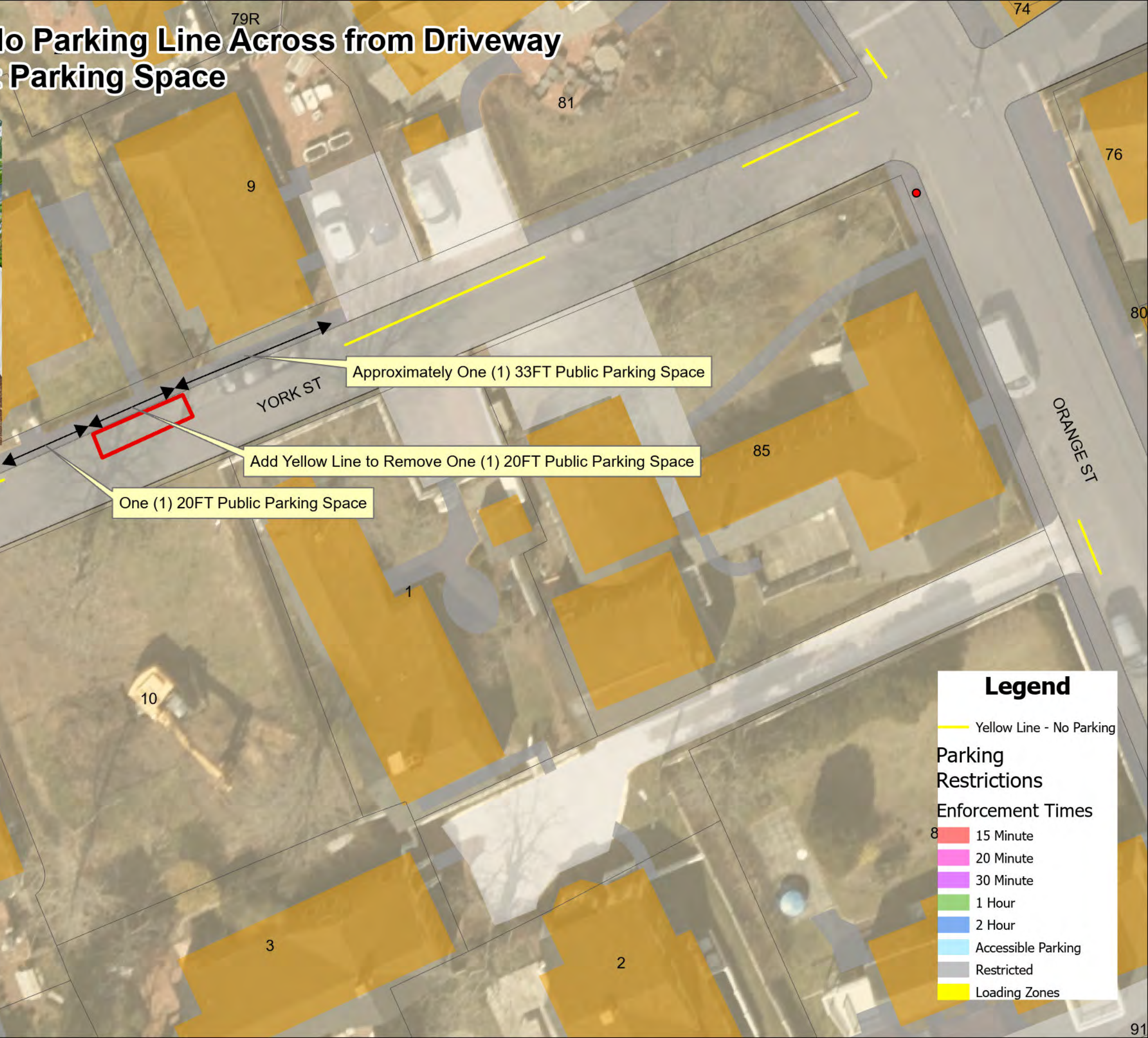
Washington Street - Designate On-street Parking⁴ for Tour Van Parking

Designate 63 feet of 1 Hour parking for Tour Vans
May 26 to October 23 2026

- Loading Zones
- coast polygon
- coast polygon
- Parking Restrictions**
- Enforcement Times**
- 15 Minute
- 20 Minute
- 30 Minute
- 1 Hour
- 2 Hour
- Accessible Parking
- Restricted
- SIDEWALK



10 York Street - Add Yellow No Parking Line Across From Driveway to Remove One (1) On-Street Parking Space



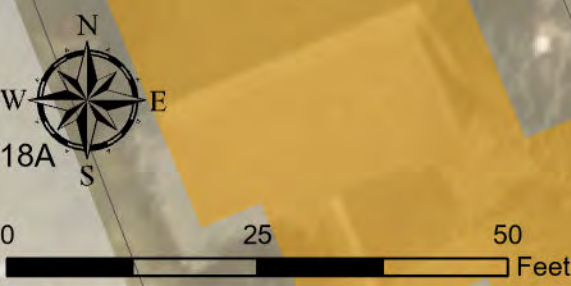
Approximately One (1) 33FT Public Parking Space

Add Yellow Line to Remove One (1) 20FT Public Parking Space

One (1) 20FT Public Parking Space

Legend

- Yellow Line - No Parking
- Parking Restrictions**
- Enforcement Times**
- 15 Minute
- 20 Minute
- 30 Minute
- 1 Hour
- 2 Hour
- Accessible Parking
- Restricted
- Loading Zones



2 Cabot Lane - Remove One (1) On-Street Parking Space

62

- Yellow Line - No Parking
- hydrants

Parking Restrictions

Enforcement Times

- 15 Minute
- 20 Minute
- 30 Minute
- 1 Hour
- 2 Hour
- Accessible Parking
- Restricted
- parking polygon

Remove one (1) on-street parking space for driveway access at 2 Cabot Lane



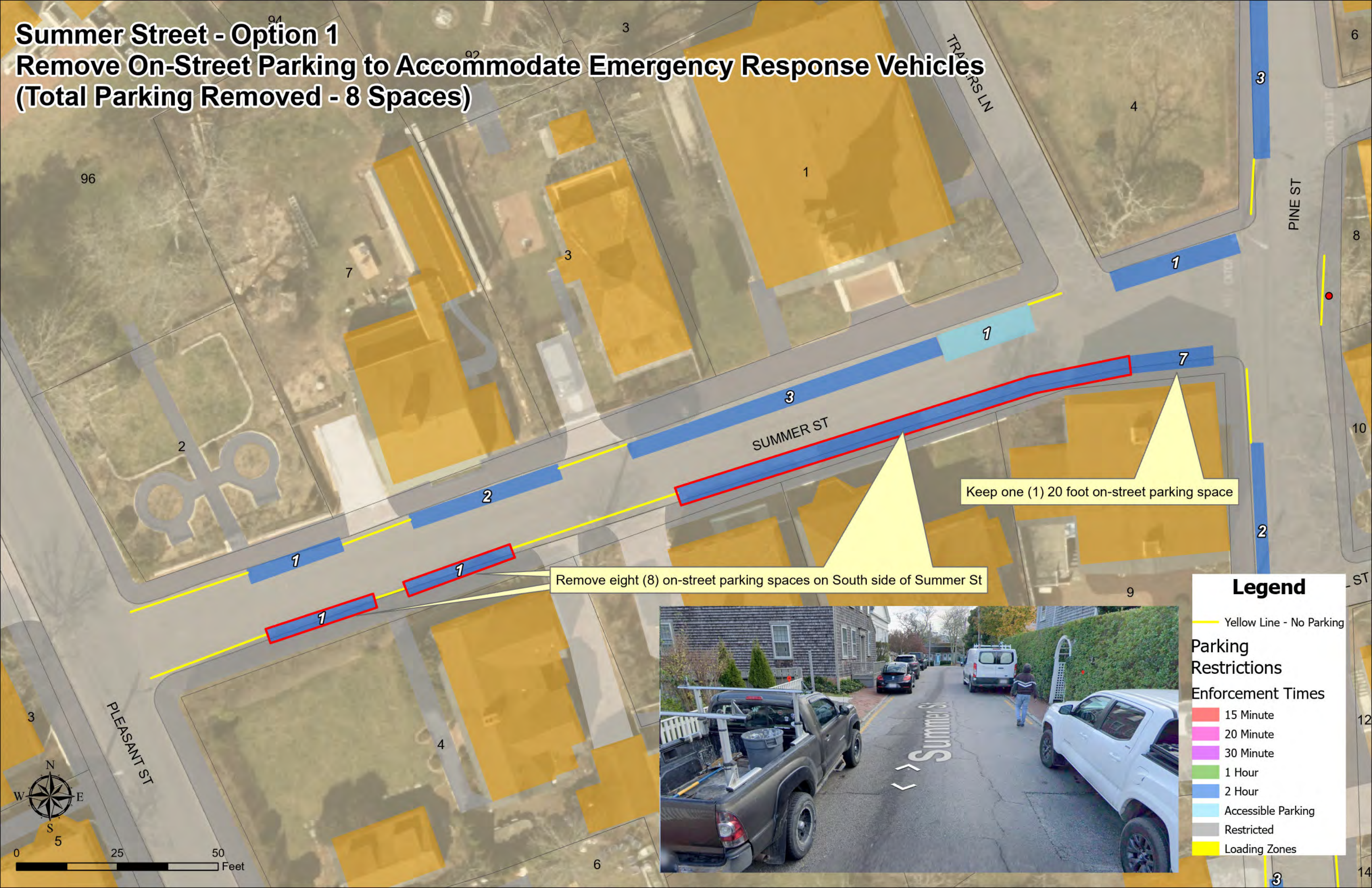
0 30 60 Feet

85

Summer Street - Option 1

Remove On-Street Parking to Accommodate Emergency Response Vehicles

(Total Parking Removed - 8 Spaces)



Remove eight (8) on-street parking spaces on South side of Summer St

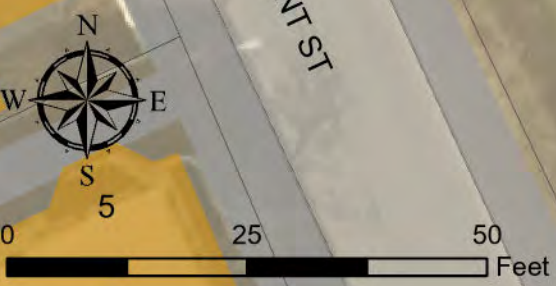
Keep one (1) 20 foot on-street parking space

Legend

- Yellow Line - No Parking

Parking Restrictions

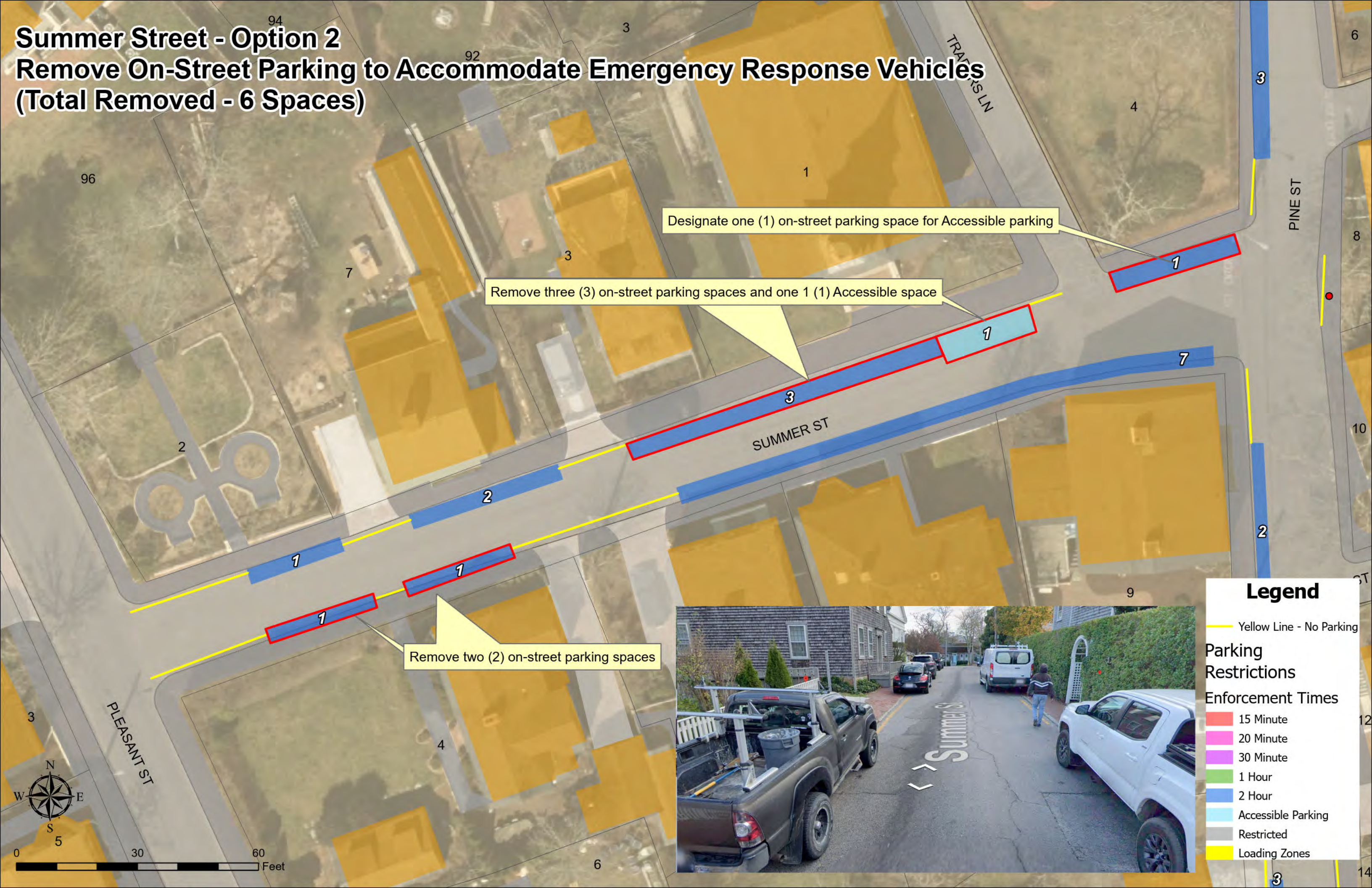
- 15 Minute
- 20 Minute
- 30 Minute
- 1 Hour
- 2 Hour
- Accessible Parking
- Restricted
- Loading Zones



Summer Street - Option 2

Remove On-Street Parking to Accommodate Emergency Response Vehicles

(Total Removed - 6 Spaces)



Designate one (1) on-street parking space for Accessible parking

Remove three (3) on-street parking spaces and one 1 (1) Accessible space

Remove two (2) on-street parking spaces

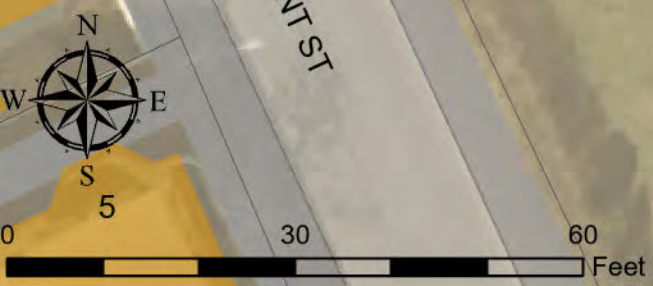
Legend

- Yellow Line - No Parking

Parking Restrictions

Enforcement Times

- 15 Minute
- 20 Minute
- 30 Minute
- 1 Hour
- 2 Hour
- Accessible Parking
- Restricted
- Loading Zones



is very clear to her that if the Town does not construct a new facility, it will have to ultimately close the facility. She said she might be able to support another effort at the 2026 annual town meeting if it is made clear to the voters that if it fails, closure is the next step. Chair Hill said she supports going back to town meeting because of the 2025 successful ballot vote. She said she agreed with Ms. Mohr that a "no" vote means closure. Mr. Fee concurred with Mr. Dixon and commented on the future of health care costs. He said he might be able to support one last try at town meeting. Mr. Fee asked if there is a staff recommendation. Ms. Gibson stated that she concurs it is a difficult decision and from a Town Administration perspective, it does not make financial sense. Discussion followed as to how to proceed, including timing of bid results. Mr. Sears suggested engaging a professional pro forma analysis of a smaller facility to provide cost projections in out years. Some discussion followed. Chair Hill suggested continuing this discussion at next week's meeting. Ms. Mohr moved to re-agenda this matter to next week; seconded by Mr. Dixon; all in favor, so voted. Mr. Giorgio suggested including wording on next week's agenda to indicate a potential vote for closure.

Ms. Mohr left the table at 9:04 PM.

3. Traffic Safety Recommendations. Transportation Program Manager Mike Burns reviewed the following Traffic Safety recommendations as outlined in the Board's agenda packet:

- Center Street (Sconset) – relocate one (1) on-street accessible parking space in front of 20 Center Street to a space in front of 10 Center Street. Mr. Fee moved approval; seconded by Dr. MacNab; so voted 4-0.

Ms. Mohr returned at 9:08 PM.

- Easton Street at Beach Street – remove six (6) on-street parking spaces on the south side of Easton Street between 76 Easton Street to the intersection of South Beach Street, to remove the existing traffic bottleneck created by the substandard width in this section of Easton Street to accommodate two-way traffic flow and two parking lanes. Mr. Fee said that certain streets should have restrictions about the size of cars. Dr. MacNab moved approval; seconded by Ms. Mohr; all in favor, so voted.

- Waitt Drive – add No Parking yellow lines along both sides of Waitt Drive between Amelia Drive and Ticcoma Way, except along the 52-space section of current head-in parking on the northwest side of the roadway. Ms. Mohr moved approval; seconded by Mr. Fee. Mr. Fee spoke on changing the design of the parking along this street. On the motion, all in favor, so voted.

- 15 Hussey Street – designate one (1) on-street parking space in front of 15 Hussey Street as an accessible parking space. Mr. Fee moved approval; seconded by Mr. Dixon; all in favor, so voted.

- 10 York Street – remove one (1) on-street parking space across from driveway at 10 York Street. Mr. Fee spoke on cars parking on the sidewalk. Ms. Mohr asked if the driveway is new. Mr. Burns responded affirmatively. Ms. Mohr commented that a public space is being removed and replaced with a private space(s). Some discussion followed. It was agreed to defer this item to a future meeting.

- H Street (Madaket) – designate the southwest side of H Street as No Parking and designate both sides of H Street as No Parking within 24 feet of Madaket Road. Ms. Mohr moved approval; seconded by Mr. Fee; all in favor, so voted.

- Fayette Street – remove one (1) on-street accessible parking space and designate as No Parking across from driveway to 42 Union Street. Mr. Fee moved approval; seconded by Ms. Mohr; all in favor, so voted.

- Summer Street – remove six (6) on-street parking spaces between Pleasant Street and Pine Street to accommodate emergency response vehicles and relocate one (1) accessible parking space to the north side of Summer Street between Traders Lane and Pine Street, as shown in Option 2. Susan Killion spoke generally in favor of the proposal but expressed some confusion about the recommended configuration. Derek Worthington, Pastor at Summer Street Church, spoke against the proposal and asked for more time to evaluate different configurations. Mr. Fee moved to table this matter until Mr. Burns can meet with the abutters; seconded by Dr. MacNab; all in favor, so voted.

- 11 Orange Street – designate one (1) on-street parking space in front of the Unitarian Church as an accessible parking space. This would provide two (2) total accessible parking spaces in front of the church. Some discussion followed as to whether the spot could be available for Sundays only. Mr. Fee moved approval, with the understanding that signage for Sundays only would be evaluated; seconded by Ms. Mohr; all in favor, so voted.

- 77 Easton Street – designate one (1) on-street parking space on the north side of Easton St and west of the exit curb cut for 77 Easton Street (Nantucket Hotel) as an accessible parking space. This space is next to the elevator lift to the hotel's entrance for user convenience. Mr. Fee moved approval; seconded by Dr. MacNab; all in favor, so voted.

- 2 Cabot Lane – remove one (1) on-street parking space in front of 2 Cabot Lane to improve access to driveway. Unanimously deferred.

~~4. Request for Modification of Mission/Name of Roads and Right of Way Committee (RROW) to Public Access and Transportation Planning Advisory Committee (PATPAC). Ms. Gibson introduced the item and explained the Town Administration recommendation. Mr. Burns spoke on the NPEDC recommendation. Lee Saperstein, Chair of the Roads and Right of Way Committee, spoke on that committee's recommendation. Mr. Fee said he hopes a former member of the former Bike and Pedestrian Advisory Committee will be appointed and said he supports the appointments to be made by the Town Manager. Ms. Mohr suggested the NPEDC recommendation of membership be adopted as outlined in the memo in the packet and the name to be Transportation and Public Access Advisory Committee (TPAC). Phil Smith spoke on this committee being a group where Chapter 91 license review can be considered and asked to add that to the mission. The Board was in general agreement with Mr. Smith's suggestion. Mr. Mohr moved approved as recommended with the additional Chapter 91 language; seconded by Mr. Fee; all in favor, so voted.~~

~~5. Continued Review of Town Sponsored Warrant Articles for 2026 Annual Town Meeting; Preliminary Review of Citizen Warrant Articles. Ms. Gibson reviewed "outline # 5" of potential Town-sponsored warrant articles, using the document in the Board's packet. Mr. Metsch-Ampel reviewed the Good Landlord Tax Exemption (GLTE) and potential financial implications to the Town, if it were adopted. Some discussion followed. Attorney John Giorgio of Town Counsel's office reviewed his comments on the nine citizen warrant articles submitted.~~