

SELECT BOARD

Minutes of Meeting of January 13, 2021. The meeting took place via remote participation via Zoom Webinar pursuant to Governor Baker's March 12, 2020 Order regarding the Open Meeting Law (attached). Members of the Board present were Dawn Hill Holdgate, Jason Bridges, Matt Fee, and Kristie Ferrantella. Melissa Murphy joined the meeting later.

I. CALL TO ORDER

Chair Holdgate called the meeting to order at 5:00 PM. She read a prepared statement of how the meeting would be conducted via remote participation and the ground rules for any discussion and called roll for those present.

II. SELECT BOARD ACCEPTANCE OF AGENDA

Chair Holdgate noted that the FY 2022 Budget Presentations for the Enterprise Funds (item X. 1.) will be postponed to January 20th. The agenda was accepted as posted except for this matter.

III. ANNOUNCEMENTS

Town Manager C. Elizabeth Gibson noted the announcement as listed on the agenda; and added that Town offices will be closed on Monday, January 18th in observance of Martin Luther King, Jr. Day.

IV. COVID-19 WEEKLY UPDATE

1. Public Comment. No public comments.

2. Report(s) from Public Health Director and/or Nantucket Cottage Hospital President:

- COVID-19 Case Metrics, Including Massachusetts COVID-19 Community-Level Data Map. Public Health Director Roberto Santamaria reviewed current tests, cases, and hospitalizations, from today and to date. He reviewed trends, and other metrics state-wide and nation-wide. He said there were no positive tests, today and that we may be seeing a "lull". He reviewed recent asymptomatic test results with respect to positive tests; as well as the current positivity rate. He said that overall, with 45 days to go until the official completion of the first year of the declared pandemic, Nantucket is doing relatively well. He reviewed the sewer testing results, which he noted receipt of which has been modified to be received earlier in the week, rather than later.

- Vaccine Distribution Plan Update. Mr. Santamaria stated that with regard to local vaccinations, the Town is in Phase I, step 3 and anticipates this step to be completed by next week. He reviewed timing of other steps in Phase I. He said that a group of Town and Nantucket Cottage Hospital officials are meeting regularly to coordinate the vaccine distribution planning. He urged people who have not yet signed up for Phase I who are eligible, to do so as soon as possible. Mr. Bridges asked a question about Phase II steps and their order. Mr. Santamaria explained the state's program for Phase II.

Ms. Ferrantella commented on the test and case metrics and whether the Board of Health (BOH) will be revisiting these, as has been previously discussed. Mr. Santamaria said internal discussion on this is continuing and the BOH will likely discuss this at its meeting next week. He spoke further as to how the metrics are intended to work and be interpreted and noted the impact of outliers. Jerico Mele, Human Services Director, spoke on this as well specifically as to statistical diversions to the norm which make having one strict set of metrics for decision-making, difficult.

- COVID-19 Testing. Mr. Shaw reviewed some graphs showing the 7-day positivity rate, and other demographics as related to Nantucket Cottage Hospital (NCH) care capabilities. He said that tomorrow's positive case number will be five. He spoke about numbers of patients isolating at home which has fluctuated somewhat over the last two weeks. He said testing at both sites has slowed and agreed with Mr. Santamaria that a "lull" may be approaching. He spoke as to the "modern miracle" of the vaccinations starting so quickly.

Ms. Murphy joined the meeting at 5:16 pm.

Mr. Shaw reviewed the planning approach of the Town and NCH and said he is extremely pleased and proud of the Town's efforts and the joint approach that is on-going. He said good news is on the horizon and spoke on where people can get information on vaccinations. Dr. Howard Dickler said it is good to hear that the Town and NCH are ready for the vaccine effort. Ms. Murphy said there is concern that in late winter and early spring as to non-residents or seasonal residents coming to the island to get vaccinated. Mr. Santamaria said that the state has indicated that this type of increase in demand will be accommodated in the Phase III distribution allocation planning. He added that it should not be a concern. Mr. Shaw agreed. Ms. Ferrantella said that she heard NCH Director of Nursing Michelle Epps speak today at a different meeting and felt very reassured that the distribution is being handled very well. She asked how the state is distributing the vaccine to the island. Mr. Santamaria explained that it is primarily based on a sign-up survey with a 10% increase worked in. Ms. Ferrantella commented on upcoming travel requirements, internationally with test requirements. Ms. Ferrantella asked about home vaccinations for those who may not be able physically get to a vaccine site. Mr. Santamaria said "yes". Mr. Bridges asked about "pooled testing" for schools. Mr. Santamaria reviewed how it works and noted that it is being considered by the school, although it still requires PCR tests for each person screened if the pooled sample is positive.

- COVID-19 Task Force: Weekly Report. Mr. Mele provided an update on the Task Force's activity over the past week. He reviewed inspections, enforcement actions, requests for information and reporting procedures, daily patrols, efforts to maintain and encourage compliance. He said he believes there has been an increase in compliance. Ms. Murphy asked about the numbers of inspections being repeats. Mr. Mele responded. Mr. Mele reviewed information recently received as to a "smell test" for screening purposes. He reviewed his research on this and noted that it appears more accurate than temperature screening; however, it has not received any of the required approvals and possibly could be a research project on the island. He noted that he is awaiting an actual proposal. Mr. Bridges asked how the "smell test" actually works. Mr. Mele explained. Ms. Murphy thanked him for reviewing this information so thoroughly. Mr. Mele went on to review outreach for vaccine distribution and the sign-up system. Ms. Murphy asked if people could start signing up for Phase III, now. Mr. Mele said there are numerous complications with that, not the least of which is that there will be other sites that will be available for Phase III that do not require sign-up through the Town.

- Economic Task Force: Update. Ms. Murphy spoke on the membership of the Task Force, which was secured since the Board's meeting last week. She said the first full meeting will be next week. She noted that this is an "action" task force and the group is enthusiastic and looking forward to meeting.

- Board of Health Orders. No updates.

- Select Board Comments/Questions. Nothing further.

V. PUBLIC COMMENT FOR ITEMS NOT RELATED TO COVID-19 OR OTHER AGENDA ITEMS.

No public comments were received.

VI. NEW BUSINESS.

There was no new business.

VII. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of January 6, 2021 at 5:00 PM. Mr. Fee moved approval; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Approval of Payroll Warrant for January 10, 2021. Mr. Fee moved approval; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

3. Approval of Treasury Warrant for January 13, 2021. Mr. Fee moved approval; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Request for Waiver of Sewer Connection Permit Fee for Covenant Home Located at 5A Green Meadows Drive. Housing Director Tucker Holland explained the request and said that it complies with the Board's policy regarding sewer fee waivers. Mr. Fee said that he supports the request and disclosed that the applicant is an employee of his. Ms. Murphy moved approval; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Housing Director: Request for Letter of Support for 6 Fairgrounds Road Housing Application for Tax Credits. Mr. Holland gave an overview as to the status of this community housing project. Mr. Fee moved approval; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

3. Preservation Planner: Request for Approval and Execution of Assurances for Certified Local Government (CLG) Program Application. Preservation Planner Holly Backus provided an overview as to the Certified Local Government Program and noted that this designation if achieved would be beneficial to local historic preservation efforts. She said that she strongly supports this initiative. Mr. Fee moved approval; seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

IX. PUBLIC HEARINGS

1. Public Hearing to Consider Amending the Town of Nantucket Regulations for the Use of Town-owned Beaches and Town-owned Land Adjacent to Ponds and Pond Areas, with Respect to Activities that Might Attract Sharks to Swimmable Areas of Nantucket Beaches (Continued from December 2, 2020). Chair Holdgate re-opened the hearing. Natural Resources Director Jeff Carlson reviewed discussions with Dr. Skomal of the state Division of Marine Fisheries (DMF) regarding the proposed amendment since the Board's last meeting on this proposal. He recommended that at this point, the Town rely on the existing state regulation that already prohibits chumming for white sharks. He added that the Town has been invited

to participate in white shark research to be conducted by DMF later this year. Chair Holdgate asked for public comment. No public comment was received. Chair Holdgate closed the hearing. Mr. Fee moved to take no further action; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

X. TOWN MANAGER'S REPORT

1. FY 2022 Enterprise Fund Budget Presentations: Airport; Solid Waste; Sewer; Wannacomet Water; Siasconset Water; Our Island Home. Postponed to January 20, 2021.

2. FY 2021 Second Quarter Budget Reports: Wannacomet Water Enterprise Fund; Siasconset Water Enterprise Fund; Sewer Enterprise Fund; Solid Waste Enterprise Fund. Wannacomet Water Director Mark Willett provided the report for the Wannacomet Water Company and Sconset Water Department. He spoke on flows and revenues and other budgetary activity. He said that revenues are strong, operating expenses are somewhat down, except for repairs and maintenance. Mr. Willett also gave an overview as to the Sconset Water operation. Mr. Fee asked about a "laundry and housekeeping" line item in the Wannacomet budget. Mr. Willett said that simply covers office cleaning, nothing to do with laundry.

Sewer Director David Gray reviewed the Sewer budget report. He said revenues from permits will possibly be at a record high this year. He said expenses are somewhat down; that flows in Sconset are high – perhaps due to more people being here during the pandemic. He said permitting is way up and noted that a lot of construction is occurring in Sconset. Mr. Fee commented on the four-year look-back in the packet and noted that the Sewer salary line item is up significantly and said that this has to be monitored so that when things "slow" down this needs to be taken into consideration. Mr. Bridges asked about the current sewer lining project that is underway at various areas around the island. Mr. Gray explained the project and noted that it will result in long-term savings relating to sewer pipe replacement, with less pipe having to be replaced due to this lining program. Some discussion followed on this project.

Public Works Director Rob McNeil gave an overview of the Solid Waste budget report. He said there has been fluctuation in the types of materials coming into the facility. He noted a meeting tomorrow regarding a Request for Expressions of Interest (RFEI) that was issued recently, with responders. He said that interest shown so far is encouraging. Ms. Ferrantella asked if any waste sorts have been done recently and if results show anything with respect to the COVID pandemic. Mr. McNeil said a waste sort occurred today, but the results were not very revealing due to little material to sort through, today. He said that that last one in August was more revealing and he will forward that information. Mr. Fee commented on the RFEI response, saying that was good news.

XI. SELECT BOARD'S REPORTS/COMMENT

1. Determination as to Rescheduling 2020 Fourth of July Fireworks Show. Culture and Tourism Director Janet Schulte explained the initial recommendation to have a "double" show is being withdrawn due to continuing concerns about gatherings. Some discussion followed. Ms. Murphy asked about "repurposing" the funds for something else. Ms. Gibson suggested that the show be cancelled due to on-going concerns about gatherings of that size, even in July and the funds be re-purposed. Ms. Murphy suggested the funds be re-purposed for economic recovery efforts. Ms. Ferrantella concurred with both Ms. Gibson and Ms. Murphy. Mr. Bridges commented that he does not oppose delaying the decision until April. Chair Holdgate agreed with re-purposing the funds but would like to delay the decision. Ms. Murphy said she would not object to delaying a decision and commented that an event of this size is a concern and that most event planners are not planning for large-scale events like this, this summer. Ms. Gibson suggested that in light of

COVID related uncertainty, cancellation of other large-scale events such as the August Boston Pops event and the desire for people to know, early, one way or the other, that the 2021 fireworks be cancelled, now. Some discussion followed. Mr. Fee moved to cancel the fireworks shows from 2020 and 2021; Ms. Ferrantella seconded. So voted by roll call vote. Chair Holdgate – No; Mr. Bridges – No; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes. Some discussion followed about re-purposing the FY 22 fireworks funds.

2. Review Final Draft/Potential Adoption of 2020-21 Strategic Plan Update (Continued from December 9, 2020). Ms. Gibson reviewed the first housing goal under the Housing Strategic Focus Area that the Board agreed to further consider following discussion at its December 9, 2020 meeting. She reviewed potential modifications proposed by both Mr. Holland and Ms. Ferrantella. Discussion followed. Ms. Brooke Mohr and Ms. Mary Longacre commented on the language of this goal and the intent of this goal. Ms. Murphy moved to adopt the goal as follows:

Provide incentives that encourage homeowners who rent their secondary dwellings seasonally to instead rent them on a year-round basis.

Seconded by Ms. Ferrantella. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes. Mr. Fee moved to adopt the updated Strategic Plan as presented, with the Housing Goal modification; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

3. Committee Reports. No committee reports.

XII. ADJOURNMENT

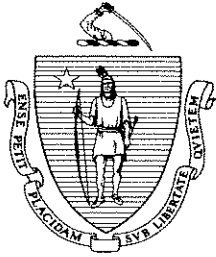
Mr. Fee moved to adjourn at 6:53 pm; seconded by Ms. Murphy. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

Approved the 20th day of January 2021.

**SELECT BOARD
JANUARY 13, 2021 – 5:00 PM
REMOTE PARTICIPATION VIA ZOOM
PURSUANT TO GOVERNOR BAKER'S MARCH 12, 2020
ORDER REGARDING OPEN MEETING LAW
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- IV. 2. Covid-19 Update presentation
- VII. 1. Draft minutes of 1/6/2021
- VIII. 1. Agenda Item Summary (AIS) re: Sewer Connection Permit Fee waiver request; Fernandes letter; deed; covenant document; Policy for Sewer Fee Waiver Requests
- VIII. 2. AIS re: 6 Fairgrounds/Ticcoma Green support; draft letter of support; 2019 letter of support
- VIII. 3. AIS re: Certified Local Government; Assurances
- IX. 1. AIS re: Beach Regulations; draft amended beach regulations; 322 CMR 6.37; memo from Natural Resources Director
- X. 1. FY 2022 Enterprise Fund Budgets for Airport, Solid Waste, Sewer, Wannacommet Water, Siasconset Water, Our Island Home
- X. 2. FY 2021 2nd Quarter budget reports for Wannacommet Water, Siasconset Water; Sewer, Solid Waste
- XI. 1. AIS re: Fireworks
- XI. 2. Strategic Plan 2020; Select Board Retreat Report Oct 2020



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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in cursive script, reading "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts