

## SELECT BOARD

Minutes of Meeting of March 3, 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, Kristie Ferrantella and Melissa Murphy.

### I. CALL TO ORDER

Chair Holdgate called the meeting to order at 5:02 PM. She read a prepared statement as to 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

The agenda was accepted without change.

### III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.

### IV. COVID-19 WEEKLY UPDATE

1. Public Comment. There was no public comment.

2. Report(s) from Public Health Director:

- COVID-19 Case Metrics, Including Massachusetts COVID-19 Community-Level Data Map. Public Health Director Roberto Santamaria reviewed metrics including number of tests, and cases to date and within the last week. He reviewed the sewer testing incidence indication and said that it is slightly higher than it was a week ago and attributed it to people returning from school vacation week. He also noted that the sewer tests indicate more people on-island than a month or so ago.

- COVID-19 Testing. No update.

- Stop the Spread Testing Program. No update.

- Vaccine Distribution Plan Update. Mr. Santamaria reviewed the status of the State's vaccination plan which changed today with the Governor moving teachers and associated workers "up" in the state's plan. Mr. Santamaria reviewed vaccinations administered to date on the island. He said the Town is receiving approximately 900 doses per week at this point.

Mr. Santamaria addressed some questions he has been receiving including mask mandates and whether masks are still required for those who have been fully vaccinated. He explained the public health threshold numbers to reach "herd immunity" which is when it would be considered safe to remove mask mandates. He noted that Massachusetts has not lifted its mask mandate. Brooke Mohr asked about specifics as to when teachers become eligible to sign up for an appointment for vaccination. Mr. Santamaria explained and noted that the information is on the Town and Nantucket Cottage Hospital websites.

- COVID19 Task Force: Weekly Report. Human Services Director Jerico Mele reviewed the numbers of violations, inspections, follow-ups and other interactions the Task Force has had with job sites and others,

to enforce the COVID 19 safety measures and requirements. He noted that seasonal landscaping will be getting underway/is getting underway and the Task Force will be focusing on that industry. Mr. Mele provided some additional specifics as to vaccination distribution, such as types of vaccine available, hours, location, scheduling. Ms. Ferrantella asked if people will be able to “choose” the type of vaccine they get. Mr. Mele said no, the vaccine that comes to the island, is what it is. He added that there may be more flexibility with choosing, in Phase 3. Ms. Ferrantella asked about the communications in different languages to capture the school teachers and staff population. Mr. Mele responded and explained communications are going out in multiple languages.

- Economic Task Force Update. Ms. Ferrantella provided an update as to a recent grant from the Town to the Chamber of Commerce; the possibility of a commuter shuttle-like service for this summer; possible parking regulations recommendations; and public outreach efforts. Ms. Gibson commented on any potential parking regulation changes and the need to understand what those may be, as soon as possible. Mr. Fee commented on parking enforcement this summer and noted that it will be very different from last summer. He added that he expects this summer to be extremely busy. Ms. Murphy asked about event capacities. Licensing Coordinator Amy Baxter explained current state requirements for restaurant occupancy, gatherings, events and certain entertainment venue, personal services, and retail stores. She noted that there are no current Board of Health orders that differ from state requirements. She noted there is a lot of information on the Town and State websites. Ms. Murphy asked about the Board of Health orders. Mr. Santamaria explained that there are still Board of Health orders in effect; however, for the most part they do not differ from what the State is currently requiring. Ms. Baxter noted there is sector specific guidance for all industries on-line. Mr. Fee emphasized that the safety measures are important to maintain. Mr. Mele agreed and said those are not likely to relax until after the summer months. Mr. Fee asked about quarantining for employees arriving for the season. Mr. Santamaria said that the State’s Travel Restrictions remain in effect and explained them. Some discussion followed about the travel restrictions and the timing of testing and quarantining.

- Board of Health Orders. No updates.

- Other. No other business regarding COVID-19 update.

- Select Board Comments/Questions. Nothing further.

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

Megan Perry noted that NCTV will be covered a hearing starting tomorrow regarding Surfside Crossing.

#### VI. NEW BUSINESS

There was no new business.

#### VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of January 17, 2019 at 9:00 AM; December 18, 2019 at 6:00 PM; March 4, 2020 at 6:00 PM; June 17, 2020 at 5:00 PM; February 11, 2021 at 9:00 AM; February 16, 2021 at 9:00 AM;

February 17, 2021 at 5:00 PM. Chair Holdgate noted an edit to the February 17, 2021 minutes requested by Ms. Ferrantella. Mr. Fee moved approval with the noted edit; 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. Approval of Payroll Warrants for February 21, 2021. 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.

3. Approval of Treasury Warrants for February 24, 2021; March 3, 2021. 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.

4. Approval of Pending Contracts for March 3, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Ferrantella moved approval; seconded by Mr. Fee. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

#### VIII. CONSENT ITEMS

1. Gift Acceptance: Fire Department; Natural Resources Department. Ms. Ferrantella moved approval and to send letters of thanks; seconded by Mr. Fee. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Notification as Required by Amendment to MGL Chapter 136, Section 6 for Sunday Change of Hours Applications from Noon to 10:00 AM for the Following Off-Premises Alcoholic Beverages License Holder (Package Store): Nantucket Meat & Fish Market, Located at 21 Old South Road. Mr. Fee recused from this item. Ms. Murphy moved approval; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

#### IX. CITIZEN/DEPARTMENTAL REQUESTS

1. NCTV 18: Request for Approval to Expand Number of Directors from Nine to a Minimum of Nine and a Maximum of 13. Dan Driscoll of NCTV explained the request. Some discussion followed. Mr. Fee moved approval; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Request for Hardship Waiver of Sewer Connection Fee and Sewer Capacity Fee for Home Destroyed by Explosion at 39 Surfside Road. Mr. Fee moved approval commenting that a hardship waiver is totally appropriate in this case; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

3. Alliance to Protect Nantucket Sound: Request to Re-affirm Nantucket as a Signatory for Letter to Senator Cyr and Representative Fernandes to Support Federal Protection for Nantucket Sound. Historic Preservation Planner Holly Backus explained the request which is also outlined in the agenda packet materials. Mr. Fee moved approval; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

4. Finance Department: Request for Approval of Sale of Bond Anticipation Notes in the Amount of \$10,250,000 for Affordable Housing Purposes. Director of Finance Brian Turbitt explained the request. Mr. Fee moved approval of the vote as contained in the Board's agenda packet dated March 3, 2021;

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.

5. Town Clerk: Request for Support to Discontinue Current Voting Tabulators/ Approve Use of Newly Purchased Voting Tabulators, Pursuant to MGL Chapter 54, Section 34. Town Clerk Nancy Holmes explained the request and said that the new tabulators are anticipated to be used beginning with the 2021 annual town election. 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. Mr. Fee noted a constituent concern that he referred to Ms. Holmes, who adeptly addressed it.

## X. REAL ESTATE ITEMS

1. Request for Approval and Execution of Documents with GG Development, LLC (Tabled from February 17, 2021): a) Acceptance of Roadway Improvements on Mill Hill Court, Pursuant to December 17, 2014 License and Planning Board Subdivision Approval; b) Acceptance of Third Amendment to Woodland Hill Subdivision Declaration of Protective Covenants Easements and Restrictions, and Non-Exclusive Pedestrian, Bike and Vehicular Easement as set forth therein; c) Acceptance of First Amendment to Woodland Hill Subdivision Grant of Right to Enforce Restrictions. Real Estate Specialist Ken Beaugrand explained each item of the request. Mr. Fee asked about roadway improvements having been inspected by the Town. Mr. Beaugrand confirmed. Mr. Fee asked about the specifics of the roadway engineering inspection and expressed concern about ensuring that the roadway is constructed to specifications. Some discussion followed on this. Mr. Fee moved approval of all items; 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.

## XI. TOWN MANAGER'S REPORT

1. Continued Review of Proposed Request for Proposals and Term Sheet for Five-year Lease Agreement (2022 – 2026) for Jetties Beach Concession, Retail Shop, Bathhouse and Beach Event Area (Continued from February 10, 2021). Town Manager Gibson introduced the item and turned the item over to Mr. Turbitt and Town Counsel John Giorgio for further explanation. Mr. Giorgio reviewed further due diligence undertaken by Town Administration staff with respect to issues that arose at the Board's prior meeting on this matter. Mr. Giorgio reviewed issues regarding the awning at the concession which was the focus of extensive discussion by the Board at its prior meeting. He noted the awning is in fact owned by the lessee and reviewed some liability and procurement issues. Mr. Giorgio reviewed cost issues with the awning, specifically with respect to repairs and a new one. He proceeded to review options available to the Town subject to the Board's approval. He also reviewed a recommendation to establish a revolving fund at the 2022 annual town meeting into which the rental proceeds from this and/or the other concessions could be deposited, and the funds used for maintenance and repairs to the facility(s). He added an additional recommendation for a work group to review the future of this facility taking into consideration use, coastal resiliency issues, costs. Chair Holdgate supported "Option 2" as outlined in the recommendation memo in the agenda packet. She supported the revolving fund and the work group recommendation. Mr. Fee said that the Town should not have paid to ever repair the awning. He said he supports the revolving fund and putting a review group together. Mr. Fee said that between grant funds and tax credits a renovation of the Jetties facility could be done with very little taxpayer funds. Ms. Ferrantella said she supports a revolving fund for all the concessions. Mr. Fee commented again about the Town not having anything to do with an awning and said he understands that might mean less revenue coming in. Chair Holdgate said she disagrees and believes the facility should be maintained by the Town, including the awning. Ms. Murphy agreed with Chair Holdgate and said that the awning is a benefit to the public. She thanked Town staff for

the analysis in the packet. Mr. Bridges concurred with "Option 2" noting that replacement of the awning is "too big" for a tenant to take on but that perhaps there could be some cost sharing with repairs before this summer. He added that he supports the work group idea as well. Some discussion followed as to the status of the awning and what would happen with it upon expiration of the current lease. Mr. Giorgio said it may be something that gets resolved depending on who the next lessee is. He recommended that the "awning issue" be addressed now one way or the other. Mr. Fee spoke again about turning the awning responsibility over to the tenant. Ms. Ferrantella asked about a prior expenditure on the awning and whether that changes its ownership status or not. Mr. Turbitt noted those repairs were actually covered by an insurance claim. Mr. Giorgio stated that he did not think ownership status is changed due to that. Ms. Ferrantella said she is somewhat concerned about putting the burden of repairs onto the tenant, now, since it has been unclear up until now that it is or is not their responsibility. Mr. Fee stated that the lease is clear as to the ownership. Chair Holdgate stated that the Town should proceed with repairs before summer. Discussion continued on this matter, as well as specifics as to cost-sharing and procurement requirements. Mr. Fee spoke on ways the facility could be expanded. Mr. Fee moved not to take on the awning either currently or in the future; and to support a work group and a revolving fund. The motion died for lack of a second. Chair Holdgate asked for a motion on the awning. Ms. Murphy moved approval of "Option 2", with a revolving fund to cover all of three of the concessions; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – No; Ms. Ferrantella – Yes; Ms. Murphy – Yes. Hillary Rayport of the Nantucket Historical Commission spoke on the historical value of the building. She spoke about the potential for a grant from the Massachusetts Historical Commission. Rick Atherton expressed concern as to lease terms and who does and does not benefit. Ms. Murphy reiterated support for the Option 2 as in the packet and expressed support for the type of grant Ms. Rayport described. Mr. Fee spoke about what things were like in the 1970's at the Jetties concession and expressed support for preserving the existing building. Mr. Beaugrand explained how Community Preservation funds could potentially be utilized for the facility. Mr. Fee asked if the Board wants to keep mobile food trucks in the Request for Proposals (RFP) or not and spoke against the food trucks. He mentioned an additional concern about hours of operation. Ms. Baxter noted that the hours can be controlled through entertainment, liquor and other licensing. Discussion continued about food trucks. Mr. Fee spoke on the history of the Jetties concession bidding. He cautioned about setting expectations with what activities will be allowed. He said the hours should end at 10:00 PM. Chair Holdgate agreed. Discussion continued about the services provided currently. Ms. Murphy expressed skepticism about food trucks. Mr. Fee commented on a fee that is to be capped for the Hospital to use the beach for its annual Boston Pops concert and said he thinks that event should be free of charge to the Hospital. Discussion followed on this. Further discussion then continued about food trucks and ensuring that the wording does not convey any sort of expectation that a lessee will be allowed a food truck. Mr. Giorgio suggested wording that a food truck is not allowed, without approval by the Board in its sole discretion. Mr. Atherton questioned the community benefit of additional food trucks. General consensus of the Board was to approve the issuance of the RFP with adjustments made to the wording to accommodate "Option 2"; to limit hours of operation not to exceed 10:00 pm, daily; and not to allow food trucks without the express approval of the Board. Mr. Fee was opposed.

2. Update Regarding Long-term Solid Waste Planning (Select Board Strategic Plan Focus Area – Environmental Leadership; Goal 1). Ms. Gibson introduced the matter and turned the item over to DPW Director Rob McNeil, Recycling Coordinator Graeme Durovich and George Aronson, the Town's solid waste consultant for further explanation. Mr. McNeil reviewed the Board's Focus Area, Aspirational Statement and Goal from its Strategic Plan relating to this matter. Mr. Aronson updated the Board with respect to a process reviewed with the Board last fall and undertaken over the winter, to issue a "Request for Expressions of Interest" for potential vendors to operate all or parts of the solid waste facility. Mr.

Aronson reviewed the responses, said the responses are very encouraging and there is a lot to follow up on. Mr. McNeil said that an internal team will be reviewing each submittal over the next few weeks and to bring in other departments as needed and bring back recommendations to the Board. Mr. Bridges asked about the timing. Mr. McNeil said the current Waste Services Agreement expires in 2025 but a plan needs to be in place well before then.

## XII. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports. Ms. Ferrantella spoke on a March 2, 2021 meeting of the Affordable Housing Trust.

## XIII. ADJOURNMENT

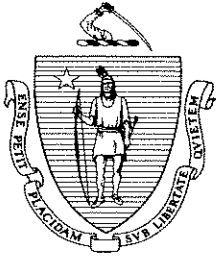
Mr. Fee moved to adjourn at 7:24 PM; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

Approved the 10<sup>th</sup> day of March 2021.

**SELECT BOARD**  
**MARCH 3, 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 and Vaccine Update presentation
- VII. 1. Draft minutes 1/17/2019; 12/18/2019; 3/4/2020; 6/17/2020; 2/11/2021; 2/16/2021; 2/17/2021
- VII. 4. Pending contracts spreadsheet
- VIII. 1. Gift summary & recommended motion; Fire Dept gift; Natural Resources Dept gift
- VIII. 2. AIS re: Nantucket Meat & Fish Market; Notification of change of Sunday hours; Current liquor license; ABCC Advisory
- IX. 1. AIS re: NCTV 18 re: expansion of board of directors; NCTV 18 letter
- IX. 2. AIS re: Sewer Fee Waiver Request; Waiver request letter; Sewer fee calculations; Support of Housing Director; Select Board Policy for Sewer Fee Waiver Requests
- IX. 3. AIS re: Request for support for Federal Protection of Nantucket Sound; Letter to Sen. Cyr & Rep. Fernandes
- IX. 4. AIS re: Sale of BANs for affordable housing purposes; Vote of Select Board
- IX. 5. AIS re: voting tabulators; MGL Ch. 54, s. 34; Letter to State Elections Division
- X. 1. AIS re: GG Development/Mill Hill; 12/17/2014 License between Town and GG Development; Plans (2); Planning Board Woodland Hills Subdivision approval
- X. 1a. Gift of Roadway Improvements; Select Board Acceptance; Roadway improvements plan
- X. 1b. Third Amendment – FINAL; Select Board Acceptance; Exhibit A
- X. 1c. First Amendment; Select Board Acceptance
- XI. 1. Memo from Finance Director re: Jetties awning & RFP discussion; 2/10/2021 AIS re: Jetties Concession; Draft RFP; Exhibit A - Term Sheet; Exhibit B - Bid Form; Exhibit C - Beach Event Form; Exhibit D - Beach Event Detail; Exhibit E - Incident Report Form; Exhibit F - Concession Lease Area; Exhibit G - Asset List Statement; Exhibit H - Disclosure Statement; Town Concession Actuals
- XI. 2. Select Board Strategic Plan: Environmental Leadership; Memo from George Aronson re: Request for Expressions of Interest in Solid Waste Management



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE • BOSTON, MA 02133  
(617) 725-4000

**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.

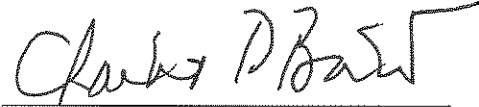
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts