



MEETING POSTING

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NANTUCKET TOWN CLERK
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TOWN OF NANTUCKET
Pursuant to MGL Chapter 30A, § 18-25
All meeting **notices and agenda** must be filed and time stamped with the
Town Clerk's Office and posted at least 48 hours prior to the meeting
(excluding Saturdays, Sundays and Holidays)

Committee/Board/s	SELECT BOARD
Day, Date, and Time	WEDNESDAY, JANUARY 27, 2021 AT 5:00 PM
Location / Address	REMOTE PARTICIPATION VIA ZOOM WEBINAR Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law (Attached) Information on viewing the meeting can be found at https://www.nantucket-ma.gov/138/Boards-Commissions-Committees
Signature of Chair or Authorized Person	ERIKA MOONEY

WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

YOU TUBE LINK:

<https://youtu.be/k0ul1LP-4qo>

- I. CALL TO ORDER**
- II. SELECT BOARD ACCEPTANCE OF AGENDA**
- III. ANNOUNCEMENTS**
 - 1. The Select Board Meeting is Being Audio/Video Recorded.
 - 2. Nantucket Coastal Resilience Plan Community Open House to be Held Thursday, January 28, 2021 at 5:30 PM; Register at <https://nantucketcoastalresilienceopenhouse.eventbrite.com/>.
- IV. COVID-19 WEEKLY UPDATE**
 - 1. Public Comment.
 - 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

- COVID-19 Testing
- Stop the Spread Testing Program
- Vaccine Distribution Plan Update
- COVID19 Task Force: Weekly Report
- Economic Task Force Update
- Board of Health Orders
- Other
- Select Board Comments/Questions

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

VI. NEW BUSINESS*

VII. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of January 20, 2021 at 5:00 PM.
2. Approval of Payroll Warrants for January 24, 2021.
3. Approval of Treasury Warrants for January 27, 2021.

VIII. PRESENTATIONS

1. NCTV18 Annual PEG (Public, Educational and Government) Access Channel Report.
2. Capital Program Committee: FY 2022 Capital Project Recommendations.

IX. REAL ESTATE MATTERS

1. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcels Known as Parcel 1, Quaril Street and Parcel 4, Hancock Street as Shown on Plan of Land Entitled "Plan of Taking for the Town of Nantucket in Nantucket, Mass.," Dated October 13, 2020, Prepared by Earle & Sullivan, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2020-57, Pursuant to Vote on Article 97 of 2014 Annual Town Meeting.
2. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcels Known as Parcel 2 and Parcel 3, Quaril Avenue and Parcel 5, Hancock Street as Shown on Plan of Land Entitled "Plan of Taking for the Town of Nantucket in Nantucket, Mass.," Dated October 13, 2020, Prepared by Earle & Sullivan, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2020-57, Pursuant to Vote on Article 97 of 2014 Annual Town Meeting.
3. Request for Approval and Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcels Known as Parcel 6 and Parcel 7, Hancock Street as Shown on Plan of Land Entitled "Plan of Taking for the Town of Nantucket in Nantucket, Mass.," Dated October 13, 2020, Prepared by Earle & Sullivan, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2020-57, Pursuant to Vote on Article 97 of 2014 Annual Town Meeting.

4. Request for Approval and Execution of License Agreement with Richmond Great Point Development, LLC for Access over a Portion of Ironwood Road, Formerly Known as Nancy Ann Lane to the Portion of Ironwood Road Owned by Richmond for Access to Old South Road.
5. Request for Approval and Execution of Discharge of Housing Rehabilitation Loan Program Promissory Note for Roni N. and Andrew Roberts for 16 Allens Lane.
6. Request for Approval and Execution of Discharge of Housing Rehabilitation Loan Program Promissory Note for Mary P. Lockley for 7 Meadow View Drive.

X. PUBLIC HEARINGS I

1. Public Hearing to Consider the Taking of All or Any Portions of Paper Streets for Public Access, Open Space, Recreational Use Purposes and/or General Municipal Purposes and for the Purpose of Conveyance of Fee Title or Lesser Interests, Together with any Public and Private Rights of Passage, as Authorized by MGL Chapter 79 and Vote on Article 83 of 2012 Annual Town Meeting:
 - a) Portion of School Street, Laurel Street and Shawaukema Avenue Shown as Easement Area E-1 and Easement Area E-2 on Plan of Land Entitled "Roadway Acquisition Plan @ #3 Gladlands Ave, Nantucket, MA," Dated September 10, 2020, Prepared by Earle & Sullivan, Inc. (Continued from October 7, 2020; October 28, 2020; November 18, 2020; December 16, 2020).
2. Public Hearing to Consider the Taking of Portion of Maclean Street and Wannacommet Street Shown as "Easement Area" on Plan of Land Entitled "Roadway Easement Acquisition Plan #1 White Street in Nantucket, Massachusetts," Dated December 9, 2020, Prepared by Earle & Sullivan, Inc. for Public Access, Open Space and/or General Municipal Purposes and for the Purpose of Conveyance of the Fee Title or Lesser Interests, Together with any Public and Private Rights of Passage, as Authorized by MGL Chapter 79 and Article 100 of 2011 Annual Town Meeting and Vote on Article 83 of 2012 Annual Town Meeting.

XI. TOWN MANAGER'S REPORT

1. FY 2022 Enterprise Fund Budget Presentation: Sewer (Tabled from January 20, 2020).

XII. SELECT BOARD'S REPORTS/COMMENT

1. Committee Reports.

XIII. PUBLIC HEARINGS II

1. Public Hearing to Consider the Appeal of ACK Smart Energy of Historic District Commission Disapproval of Certificate of Appropriateness No. HDC2020-11-2295 for Rooftop Solar Panels for Property Located at 9 Dennis Dr., Map 67, Parcel 366.

XIV. ADJOURNMENT

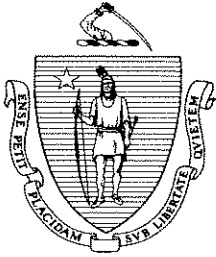
**Identified on Agenda Protocol Sheet*

Select Board Agenda Protocol:

- **Roberts Rules:** *The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.*
- **Public Comment:** *For bringing matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Select Board. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action. Except in emergencies, the Board will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.*

Public Comment is not to be used to present charges or complaints against any specifically named individual, public or private; instead, all such charges or complaints should be presented in writing to the Town Manager who can then give notice and an opportunity to be heard to the named individual as per MGL Ch. 39, s 23B.

- **New Business:** *For topics not reasonably anticipated 48 hours in advance of the meeting.*
- **Public Participation:** *The Board welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on the clarity of information presented. The Board will hear any staff input and then deliberate on a course of action.*
- **Select Board Report and Comment:** *Individual Board Members may have matters to bring to the attention of the Board. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.*



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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.

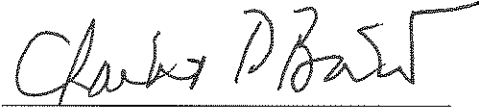
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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