

SELECT BOARD

Minutes of the Meeting of September 6, 2023. The hybrid meeting took place in person at the Public Safety Facility Community Room at 4 Fairgrounds Road; and, via remote participation using Zoom Webinar. Members of the Board present were Dawn Holdgate, Thomas Dixon, Matt Fee, Dr. Malcolm MacNab and Brooke Mohr.

I. CALL TO ORDER

Chair Holdgate called the meeting to order at 5:46 PM following a meeting of the NRTA Advisory Board.

II. SELECT BOARD ACCEPTANCE OF AGENDA

Chair Holdgate announced that item XI. 2b. is off the agenda and will be rescheduled when the applicant is ready. The agenda was otherwise accepted as posted.

III. ANNOUNCEMENTS

Assistant Town Manager Gregg Tivnan reviewed the announcements:

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

2. Harbor and Shellfish Advisory Board to Hold Educational Forum Regarding Water Run-off on Saturday, September 9, 2023 at 9:30 AM at PSF Community Room, 4 Fairgrounds Road. Harbor and Shellfish Advisory Board member David Fronzuto noted the upcoming forum and referenced an insert that went out in the most recently issued tax bills about this. He said the purpose of the forum is to raise awareness with property owners about storm water run-off and its impact on the harbor.

3. Cape and Islands Suicide Prevention Coalition: Request for Proclamation Seeking to Have September 2023 Recognized as "Suicide Prevention and Action Month". Operations Administrator Erika Mooney reviewed the request from the Cape and Islands Suicide Prevention Coalition. Chair Holdgate read the proclamation for September to be "Suicide Prevention and Action Month" in Nantucket.

4. Coastal Resilience Advisory Committee and ACKlimate Nantucket: Request to Proclaim September 2023 "Climate Change Awareness Month". Coastal Resilience Advisory Committee member Peter Brace reviewed the request. Ms. Mohr read the proclamation for September to be "Climate Change Awareness Month" in Nantucket.

5. Construction Beginning Monday, September 11, 2023 for 3rd Sewer Force Main Project on Surfside Road. Ms. Mooney noted that work for the 3rd Sewer Force Main, continuing from spring, will begin on Surfside Road near Tashama Lane and will be night work only due to avoid conflicts with the Schools and traffic. She indicated the work will begin at 4:00 PM through 3:00 AM Monday through Thursday with paving on Fridays.

6. 2023 Committee Vacancies – Round 3: Council on Aging, Cultural Council, Real Estate Assessment Committee, Tree Advisory Committee. Ms. Mooney reviewed the timeline for the remaining vacant committee seats and urged members of the community to volunteer their time.

7. Select Board Announcements/Comments. Dr. MacNab expressed his displeasure with delaying the appointment of the Town Council Study Committee and asked that this be placed on next week's agenda for discussion among the entire Board.

Housing Director Tucker Holland announced that the Affordable Housing Trust is seeking participants for focus groups to provide input on a new Year-Round Deed Restriction Program. Interested persons should go to www.nantucket-ma.gov/deed for more information.

Mr. Dixon stated that 988 is the National Mental Health and Substance Use Hotline, available 24/7. He shared that it has been 33 years since his father took his own life and urged people in crisis to reach out.

IV. FOLLOW-UP ON COMMENTS FROM PRIOR SELECT BOARD MEETINGS

There was no follow up.

V. PUBLIC COMMENT

Curtis Barnes said he doesn't feel a facilitator needs to be hired before the Board appoints people to the Town Council Study Committee and that this is a "task force," not a regular committee and shouldn't have been grouped as such. He asked if Town Administration is trying to control the process, adding that the committee charge is already part of the town meeting article and there is no need to develop a separate mission.

Megan Perry asked about some questions she sent in July to the Board. She expressed surprise that a survey she said she conducted of the community which requests the cancellation of a Memorandum of Understanding between the Select Board and Nantucket Planning and Economic Development Commission which she spoke about at the Board's August 16 meeting was not on tonight's agenda. Chair Holdgate said it hadn't been received by either board yet. Ms. Perry spoke on the Town's new Media Policy and asked if it has been reviewed with the Board before being put into place, and the reasoning for it. She asked if the policy applies to the Select Board as well.

VI. NEW BUSINESS

There was no new business.

VII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

Ms. Mohr moved approval of items VII 1 – 3; seconded by Mr. Fee; all in favor, so voted.

1. Approval of Minutes of August 2, 2023 at 10:00 AM; August 16, 2023 at 5:30 PM; August 23, 2023 at 11:00 AM.

2. Approval of Payroll Warrants for August 20, 2023; September 3, 2023.

3. Approval of Treasury Warrants for August 23, 2023; August 30, 2023; September 6, 2023.

4. Approval of Pending Contracts for September 6, 2023 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Mohr moved approval of all contracts with the exception of Process First; seconded by Mr. Fee; all in favor, so voted. Ms. Mohr recused herself from consideration of the Process First contract. Mr. Fee moved to approve the contract for Process First; seconded by Mr. Dixon; so voted 4-0.

VIII. CONSENT ITEMS

1. Gift Acceptances: Human Services (Saltmarsh Senior Center). Ms. Mohr reviewed the list of gifts and the donors as contained in the Board's agenda packet. Ms. Mohr moved to accept all gifts for their designated purposes, with thanks to the donors; seconded by Mr. Fee; all in favor, so voted.

IX. CITIZEN/DEPARTMENTAL/COMMITTEE REQUESTS/REPORTS

1. Applicant Introduction/Review of Applications and Appointments to Planning Board Alternate, Pursuant to Select Board Committee Appointment Policy (Continued from August 16, 2023). Ms. Mooney read the three applicants' names: John Kitchener, Cameron Murphy and Kelly Steffen. Mr. Kitchener and Mr. Steffen introduced themselves and spoke on their applications. By paper ballot:

John Kitchener – received votes from Chair Holdgate, Mr. Dixon and Mr. Fee

Cameron Murphy – received a vote from Dr. MacNab

Kelly Steffen – received a vote from Ms. Mohr

So voted to appoint Mr. Kitchener.

2. Request for Approval of Conflict of Interest Disclosure in Connection with Council for Human Services and Human Services Contract Review Committee and Pursuant to MGL Chapter 268A, Section 19. Ms. Mooney reviewed the request on behalf of Sue Mynttinen and explained the Board is being asked to agree that when Ms. Mynttinen participates on the two Town committees, the potential financial interests of those private parties are "not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect" from Ms. Mynttinen. Ms. Mohr so moved; seconded by Mr. Fee; all in favor, so voted.

3. Request to Designate Nantucket Public Schools Coaching Positions as Special Municipal Employees. Ms. Mooney reviewed the request, noting that it has come to Town Administration's attention that there is a potential Conflict of Interest issue with paid Town employees becoming paid part-time coaches at Nantucket Public Schools. She said Town Administration consulted with Town Counsel who suggested that the Select Board consider designating all School Department coaching positions as special municipal employees (even though these are School Department employees, it still requires a Select Board vote), that would address potential conflict with MGL c. 268A, § 20 which generally prohibits a municipal employee from acquiring a financial interest in a contract with the Town, unless one of the statutory exemptions applies. The State Ethics Commission considers any part-time compensated position (such as a coaching position) to be such a contract, whether or not there is a written contract. Mr. Dixon moved to designate Nantucket Public Schools coaching positions as Special Municipal Employees; seconded by Mr. Fee; all in favor, so voted.

4. Energy Coordinator: Review of Proposed Draft Electric Vehicle Charging Pricing Policy. Energy Coordinator Lauren Sinatra reviewed the background on a need for an electric vehicle charging pricing policy, noting that a few years ago the Town received a sizable grant from the state that funded the installation of electric vehicle charging stations at various Town properties. This service has been offered at no charge, to date, but is a cost to the taxpayers. She said that in lieu of rising costs associated with increased public usage and escalating electric rates, the Town is seeking to introduce a fair and equitable fee strategy for recovering costs associated with providing electric vehicle charging station services to the Nantucket community starting in the fall/winter of 2023. The fee would be implemented at current, as well as future, locations where Town-owned EV charging stations are provided for public use. Ms. Sinatra

answered questions from Board members. The Board was in agreement to have the draft policy move forward for adoption.

5. Robert B. Our Co., Inc.: Request for Waiver of Town Noise Bylaw for 3rd Sewer Force Main Project on Surfside Road from Tashama Lane to Atlantic Avenue from September 11, 2023 to December 22, 2023, 4:00 PM to 3:00 AM, Monday through Thursday Nights. Ms. Mooney reviewed the request. Ms. Mohr moved approval as requested; seconded by Dr. MacNab; all in favor, so voted.

X. REAL ESTATE

1. Housing Office: Request for Approval and Execution of Purchase and Sale Agreement for Property Located at 19B First Way. Mr. Fee said he missed the Board's Executive Session meeting when this matter was discussed and asked questions such as who is reviewing the condominium documents, who will take care of the issues called out in the inspection report and if now is the time to switch the type of heating system in the dwelling. Mr. Holland answered Mr. Fee. Some discussion followed on the heating system. Curtis Barnes said he read the inspection report which noted that the heating system was turned off during the inspection and it should be turned back on so that the hot water heater can run. Chair Holdgate asked what the comfort level was moving forward. Mr. Holland said there is a high comfort level, that the heating system was off because of a renovation in the dwelling and the seller has agreed to replace the oil tank. Dr. MacNab asked who will manage and maintain the Town's housing properties. Chair Holdgate spoke in favor of having a professional property manager. Mr. Tivnan noted that money has been appropriated to hire a rental property manager or to contract it out. Ms. Mohr said she was confident that there will be a plan to manage the property; she doesn't want to lose this opportunity and recommended approval. Ms. Mohr moved to approve the purchase and sale agreement subject to final language from Town Counsel; seconded by Mr. Dixon. Mr. Fee acknowledged that the Town needs staff housing, but it needs to move forward intelligently and have plans for management. On the motion, so voted 4-1. Mr. Fee was opposed.

XI. TOWN MANAGER'S REPORT

1. FY 2023 Fourth Quarter/End of Year Budget Reports: General Fund; Airport Enterprise Fund; Our Island Home Enterprise Fund; Sewer Enterprise Fund; Solid Waste Enterprise Fund; Water Enterprise Fund. Finance Director Brian Turbitt reviewed the General Fund report and the Solid Waste report, as contained in the Board's agenda packet. Mr. Fee noted that some cost items are up without positions filled and asked how that will be handled once the positions are filled. Mr. Turbitt said the positions have already been budgeted so there should be no impact.

Our Island Home Administrator Peter Holden and Our Island Home Consultant Bob Eisenstein reviewed the Our Island Home report, as contained in the Board's agenda packet.

Airport Manager Noah Karberg reviewed the Airport report, as contained in the Board's agenda packet, noting continued stewardship of the fund balance is needed.

Sewer Director David Gray reviewed the Sewer report, as contained in the Board's agenda packet.

Water Director Mark Willett reviewed the Water report, as contained in the Board's agenda packet, noting this is the first time both Sconset and Nantucket numbers are shown since the two departments merged a few years ago. He noted that the Water Department pumped a record amount of water this summer with the most pumped being 4.8 million gallons on July 28.

2. Traffic Safety Work Group Recommendations:

a) Curb Cut for 55 Union Street, Resulting in Elimination of One On-Street Parking Space. Ms. Mooney reviewed the request, noting that two off-street parking spaces will be created from the one on-street parking space being eliminated. Ms. Mohr moved approval; seconded by Mr. Dixon; all in favor, so voted.

b) Installation of Yellow No Parking Line Across from 8 New Mill Street, Resulting in Loss of One On-Street Parking Space (Continued from June 14, 2023). This matter was taken off the agenda.

XII. SELECT BOARD'S REPORTS/COMMENT

1. Discussion Regarding Future Agenda Items. Chair Holdgate said that when Coon Street was changed to Independent Way, the Board promised the history of the street would be marked in a plaque or sign; she said she wants to get back to this.

Mr. Fee asked how to better integrate Planning and Land Use Services (PLUS) and the Nantucket Planning and Economic Development Commission (NP&EDC) with the Town and asked if the Memorandum of Agreement between the two boards should be reviewed. Mr. Mohr said that the Select Board has noted its interest in more collaboration with different boards and this might be an opportunity to meet with the Planning Board and NP&EDC.

Ms. Mooney noted the Select Board is back on its weekly meeting schedule.

2. Committee Reports. Mr. Fee noted that the Coastal Resilience Advisory Committee (CRAC) has finalized its recommendations regarding coastal resiliency districts for the Select Board. He spoke in favor of utilizing betterments.

Mr. Dixon commended Mr. Holland, Ellis Ramos of the Housing Office, and Florencia Rullo and Hayley Cooke of the Communications Office for public outreach about the Affordable Housing Trust's year-round deed restriction focus groups. He also noted that Community Preservation Committee (CPC) applications are due this Friday.

Ms. Mohr noted that the Capital Program Committee is underway with its weekly meetings to review FY 2025 capital project requests.

XIII. ADJOURNMENT

Ms. Mohr moved adjournment at 7:28 PM; seconded by Mr. Fee; all in favor, so voted.

Approved the 20th day of September 2023.

**SELECT BOARD
SEPTEMBER 6, 2023 – 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 2. SHAB Forum flyer
- III. 3. Email from Cape and Islands Suicide Prevention Coalition; Suicide Prevention Month Proclamation
- III. 4. AIS re: Climate Change proclamation; Climate Change Awareness Month Proclamation
- III. 6. Round 3 Committee Vacancies Timeline; Round 3 Committee Vacancies ad
- VII. 1. Draft minutes of 8/2/2023 Governance; 8/16/2023; 8/23/2023
- VII. 4. Pending Contracts spreadsheet
- VIII. 1. Gift Summary & Recommended Motion; Saltmarsh gifts
- IX. 1. Planning Board applicant list; PB applications
- IX. 2. AIS re: Conflict of Interest Disclosure; Mynttinen disclosure
- IX. 3. AIS re: Special Municipal Employees; MGL c. 268A, § 20(c) disclosure form
- IX. 4. AIS re: EV Charging Cost Recovery Policy; EV Station Cost Recovery Policy DRAFT; map of current EV Charging Station locations; 1/22/2021 Press Release
- IX. 5. AIS re: Noise Bylaw waiver request; RBO Noise Bylaw waiver request
- X. 1. AIS re: P&S for 19B First Way; Executed Offer to Purchase; Purchase & Sale Agreement; Inspection Report for 19B First Way
- XI. 1. FY 2023 Fourth Quarter/End of Year Budget Reports for: General Fund; Airport; Our Island Home; Sewer; Solid Waste; Water
- XI. 2a. AIS re: 55 Union St curb cut; curb cut request for 55 Union St; HDC application for 55 Union St driveway; new plan showing stacked parking for two off-street vehicles
- XI. 2b. AIS re: New Mill St no parking; TSWG minutes from 2/16/2023; request from 3 New Mill St; letter from 8 New Mill St; email re: removal of parking at 8 New Mill St; portion of Select Board 6/14/2023 minutes