

COUNTY COMMISSIONERS

Minutes of Meeting of September 16, 2020. 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 Commission present were Jason Bridges, Matt Fee, Kristie Ferrantella, Melissa Murphy and Dawn Hill Holdgate. Also present were County Manager C. Elizabeth Gibson, Operations Administrator Erika Mooney and Real Estate Specialist Ken Beaugrand. Ms. Hill Holdgate 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.

I. CALL TO ORDER

Chair Ferrantella called the meeting to order at 5:04 PM.

II. ANNOUNCEMENTS

1. Chair Ferrantella announced that the County Commission meeting is being audio/video recorded.

III. PUBLIC COMMENT

None.

IV. NEW BUSINESS

None.

V. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of June 24, 2020 at 5:00 PM; July 8, 2020 at 5:00 PM. Ms. Murphy moved to approve the minutes as presented; Mr. Bridges seconded. So voted by roll call vote. Chair Ferrantella – Yes; Ms. Murphy – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Hill Holdgate – Yes.

2. Approval of Payroll and Treasury Warrants for July, August and September 2020. Ms. Murphy moved to approve the payroll and treasury warrants as presented; Mr. Bridges seconded. So voted by roll call vote. Chair Ferrantella – Yes; Ms. Murphy – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Hill Holdgate – Yes.

VI. OFFICIAL BUSINESS

1. Winthrop Nantucket Three Realty Trust: Request for Approval of Withdrawal of Lot C, Salem Street Shown on Land Court Plan No. 8580A from Registration under Massachusetts General Laws Chapter 185 and Execute Assent for said Withdrawal. Mr. Beaugrand reviewed the request to subdivide the tank farm parcel from the "Stop & Shop" parcel, noting that the County is being asked to assent to the withdrawal as the County has easement rights in Salem Street. Mr. Fee asked what the purpose was to withdraw Lot C, Salem Street and if it is to merge with another parcel. Mr. Beaugrand stated that it is part of an overall reconfiguration of the harbor square area by the property owners. Mr. Fee noted there were street taking documents from the 1970s in the packet and asked if all the takings were done properly or will there be issues in the future. Ms. Gibson said she believes the answer is that after many years, the takings are now finally complete and appropriately documented and will get a firm answer from Town Counsel. Mr. Bridges moved that the Commission approve and execute the Assent to the withdrawal from registration of Lot C, Salem Street, Nantucket as shown on Land Court Plan No. 8580A for Case No. 19SBQ 05800800, in a form as approved by the Land Court, and which is to be filed by the Petitioner, Winthrop Nantucket Three Realty Trust with the Land Court; Mr. Fee seconded. So voted by roll call vote. Chair Ferrantella – Yes; Ms. Murphy – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Hill Holdgate – Yes.

VII. COMMISSIONERS REPORTS/COMMENTS

None.

VIII. ADJOURNMENT

Mr. Bridges moved to adjourn the meeting at 5:11 PM; Mr. Fee seconded. So voted by roll call vote. Chair Ferrantella – Yes; Ms. Murphy – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Hill Holdgate – Yes.

Approved the 18th day of November 2020.

COUNTY COMMISSIONERS
SEPTEMBER 16, 2020 – 5:00 PM
REMOTE PARTICIPATION VIA ZOOM WEBINAR
PURSUANT TO GOVERNOR BAKER'S MARCH 12, 2020
ORDER REGARDING OPEN MEETING LAW
NANTUCKET, MASSACHUSETTS

List of documents used at the meeting:

- V. 1. Draft minutes 6/24/2020; draft minutes 7/8/2020
- VI. 1. AIS re: Winthrop deregistration request; Notice of Voluntary Withdrawal; LC Plan 8580-A; Order of Taking; Release Deed 80504; Release Deed 80505; Approval Not Required plan; County Assent; motion for approval



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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.

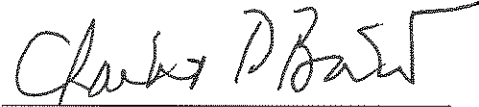
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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