



MEETING POSTING

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)

RECEIVED

2021 FEB 10 PM 02:02
NANTUCKET TOWN CLERK
Posting Number:T 137

Committee/Board/s	Town Government Study Committee
Day, Date, and Time	Wednesday February 17, 2021 10:00 AM
Location / Address	☐ "REMOTE PARTICIPATION VIA ZOOM Pursuant to Governor Baker's March 12, 2020 Order Regarding Open Meeting Law (Attached); the meeting will be aired at a later time on the Town's Government TV YouTube Channel https://www.youtube.com/channel/UC-sgxAlfdoxteLNzRAUHIxA "
Signature of Chair or Authorized Person	John B. Brescher

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

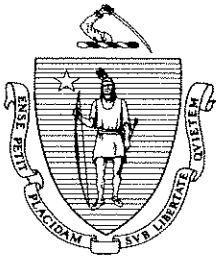
TO JOIN MEETING

<https://zoom.us/j/2179151123>

MEETING ID:

217 915 1123

1. Call To Order
2. Approval of the Agenda
3. Public Comment
4. Approval of minutes of July 8, 2020, September 2, 2020, and November 4, 2020
5. Update from Chair re: meetings with Town Administration and Advisory Committee of Non-Voting Taxpayers
6. Discussion on next steps for report to Town Meeting
7. Discussion: unresolved items on topics to investigate list
8. Other Business
9. Date and time of next meeting
10. Adjournment



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.

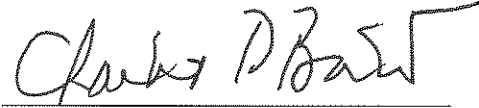
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby 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 dark ink, appearing to read "Charles D. Baker". The signature is written in a cursive, flowing style. The first name "Charles" is written with a large, prominent "C". The last name "Baker" is written with a large, prominent "B". The signature is written above a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts

Town Government Study Committee

Minutes of the meeting of July 8, 2020. The meeting took place via Zoom. Members of the committee present were: John Brescher, Curtis Barnes, Rick Atherton, and Campbell Sutton, Tucker Holland.

- 1) Chair John Brescher called the meeting to order at 10:05 am with a quorum.
- 2) Agenda: ~~Rick—Tucker~~. Tucker Holland moved approval of the agenda, seconded by Curtis Barnes. All voted in favor by voice vote.
- 3) Minutes: Rick ~~Atherton~~ made a motion to approve the minutes; it was seconded by Tucker Holland. Rick, John, Tucker, and Curtis voted in favor; Campbell abstained.
- 4) Public Comment: None.
- 5) Election of Officers: A motion was made for John Brescher for Chair and was duly seconded. All voted in favor with a voice vote. A motion was made for Tucker Holland for Clerk and was duly seconded. All voted in favor with a voice vote. A motion was made and duly seconded for Campbell Sutton for Vice ~~Chair~~. All voted in favor via voice vote.
- 6) Discussion of Select Board memo:

Chairman Brescher opened the discussion with whether or not the Committee agreed with the form and content? Or just with the form? Or with just with the content?

Tucker Holland clarified that he thought the memo was more of an update, rather than an a report. Campbell Sutton echoed this and asked if this was in final form or just an update.

Curtis Barnes opined that our final report should be more robust than the one drafted. Tucker recommended a slide presentation format, which would make it more visual, more understandable, etc... Campbell agreed and added that we should give both a report and a slideshow **when presenting final report to the SB and/or the public**.

Rick Atherton asked the Chair to ask Libby and/or Lauren Goldberg to join us. Last time, Libby was receptive.

John then asked what the next step is - do we talk about the memo or do we ask Lauren and Libby to join us?

Tucker suggested that we continue to discuss the memo/update and then ask Libby and Lauren to join the group.

Tucker: For Item #1: We need to add the results from the election ballot. While less meaningful statistically, we did have the forums and we did have some participation, we have some informal voting, and I think we need to include those results.

Tucker also spoke with Suzanne Kennedy, and she was asking about our work. We were discussing the ballot results and there is an organization that has **effectively** a group of consultants with broad

experience who can assist us with the work we discussed about education/evaluation/etc... This may be a valuable resource

Rick noted that he circulated the bylaws of other Town Charters that required the Select Board to have a process by which the Select Board was informed about the organization and process. We are still missing this.

John asked if we should do this as a charter change and Rick suggested that we do.

Campbell suggested to recommend what we have in the memo. And then add final recommendation to be submitted in final report and if it requires a charter change or not.

The discussion then focused on the need to have transparency not only in the Government, but so that a layperson could understand the transparency.

The Committee recommended revising the verbiage and voting at the next Meeting.

With respect to the Audit Committee, this was passed at 2020 Annual Town Meeting. Tucker will check with Erika; Campbell recommended adding the Article number and body of the article to the memo.

The discussion then focused on the issues surrounding Code Enforcement.

John suggested adding this as a next to the organizational aspect of the Town – so that it is clear to the layperson.

The Committee discussed whether or not local officials should be elected or appointed. Campbell noted that there had not been much discussion in the year she has been on the TGSC. John noted that we the committee did initially look at this, but we never did anything with it. Campbell and Rick suggested continuing the discussion item and potentially including it in with #12 (Park and Rec).

7) Discussion of Future Responsibilities of Committee and topics investigated

The Committee recommended revisiting more of the discussion points in the memo in order to bring this to the Select Board at a future meeting.

8) Other Business: None.

9) Date and Time of the Next Meeting:

The next Zoom meeting will be held on July 22, 2020 at 10:00 am.

10) Adjournment:

A motion was made by Rick and duly seconded by Curtis to adjourn at 11:11 am.

1. Adjournment

Town Government Study Committee

Minutes of the meeting of September 2, 2020. The meeting took place via Zoom. Members of the committee present were: John Brescher, Curtis Barnes, Rick Atherton, Linda Williams, and Tucker Holland.

- 1) Chair John Brescher called the meeting to order at 10:05 am with a quorum.
- 2) Agenda: Tucker Holland moved approval of the agenda, seconded by Linda Williams. All voted in favor by voice vote.
- 3) Public Comment: None.
- 4) Minutes: Rick Atherton suggested we revise the ongoing workgroup language within the minutes. A motion was made by Linda Williams and seconded by Curtis Barnes. All voted in favor by voice-vote.
- 5) Finalization of memo to Select Board:

Curtis Barnes asked when we are trying to get this memorandum to the Select Board. It has been difficult to get a hold of Town Administration and it was suggested that the Committee request to be put under "Public Comment" if the Select Board did not schedule something.

Rick Atherton began reviewing the draft of the memorandum to the Select Board. Rick's suggestion for the first Paragraph was to insert the chart illustrating the various forms of Town Government available. Tucker Holland agreed and noted that we should include a "punchline" or some declarative statement to grab the Select Board's attention.

Rick also added that as a result of the non-binding questions asked of the voters, the desire to see the Committee do additional work seemed to open the window for further review of the forms of Town Government. Linda Williams asked if the Committee thought we were at a point where we could make a suggestion regarding the form of Town Government. The consensus amongst the Committee members was that the Committee was not yet at that point.

Linda further suggested that rather this be a final memorandum to the Select Board, it could be used as a status update so the Select Board could be kept up to date on what the Committee has been doing.

John Brescher agreed with the idea of a status update to the Select Board. He then asked the Committee how the Committee can arrive at a conclusion or declarative statement regarding the form of Town Government. Curtis Barnes suggested asking the voters if they definitively wanted to stay with Open Town Meeting. Rick Atherton suggested appointing a commission for something of this scale. Both Linda Williams and Tucker Holland agreed with this approach, but noted that in order for the response to be accurate and legitimate, further education of the public

would be needed. The Committee also noted that there is a need to have access to Town Counsel to review the charter to make sure it complies with the latest standards in the Massachusetts General Laws.

The Committee then reviewed other paragraphs of the memorandum.

The Second Paragraph referenced the need for code enforcement and the Committee did not have any comments regarding the way this was written.

For the Third Paragraph referenced the proposed changes to the audit committee, the Committee suggested that text be added to the addendum, which is the warrant article submitted by the Town.

For the Fourth Paragraph, which involved the discussions regarding the Historic District Commission, the Committee had no suggestions.

For the Fifth Paragraph, the role of the Town Government Study Committee, the discussion centered around what the Select Board was asking for. The sense from the Committee was that if the Select Board deems a separate Government Review Committee appropriate, they are empowered to create it. The Committee recommended adding a note that during the course of our meetings, many people have been curious and had concerns about the daily functioning of government and many of these concerns could be addressed through internal operations in Town Administration and the Select Board.

The discussion of the Committee regarding the establishment of a Licensing Committee mimicked the discussion of the Town Government Study Committee in that this would be something Town Administration or the Select Board could be empowered to do.

The paragraph for the Parking District Commission discussion noted that the Committee should obtain a copy of the Town Meeting Warrant Article discussing this proposal and attaching it to the addendum.

The Parks and Recreation Department discussion focused on cleaning up the formatting of the text, as well as a broader discussion regarding the uncertainty of this department. The Committee agreed to "clean-up" the text and await more clarity from Annual Town Meeting and Town Counsel.

Rick Atherton suggested that for the paragraph regarding a Town Ombudsman or the establishment of a Dispute Committee, the Committee note that we had already opined on this matter and have sent a letter to the Select Board and Town Meeting moderator.

With respect to the paragraph regarding the Airport's proposed warrant article, Rick Atherton noted that he had spoken with Tom Rafter and the article had passed at June's Annual Town Meeting and a home rule petition was submitted to the State to delegate the authority to the

Select Board to approve capital projects. The suggestion for the Committee was to attach the home rule petition and warrant article to the memorandum.

6. Discussion of Future Responsibilities of Committee and topics investigated

The next task for the Committee is to compile the edits to the memorandum and review again at their next meeting.

7. Other Business

None.

8. Date and time of next meeting

The next meeting is scheduled for September 16, 2020 at 10:00 am via Zoom.

9. Adjournment

A motion was made by Linda Williams and duly seconded by Tucker Holland to adjourn at 11:10 am.

Respectfully Submitted,
John B. Brescher, Chair

Town Government Study Committee

Minutes of the meeting of November 4, 2020. The meeting took place via Zoom. Members of the committee present were: John Brescher, Rick Atherton, Linda Williams, and Tucker Holland.

- 1) Chair John Brescher called the meeting to order at 10:05 am with a quorum.
- 2) Agenda: Tucker Holland moved approval of the agenda, seconded by Linda Williams. All voted in favor by voice vote.
- 3) Public Comment: None.
- 4) Minutes: The meetings of July 8, 2020 and September 2, 2020 were not voted on and the Board held them over for further review.
- 5) Finalization of memo to Select Board:

The Committee discussed the final edits to the memo to the Select Board. It was recommended that the final paragraph be revised so as to emphasize what we're looking at. The Committee also recommended making sure a legend and chart be attached to the memorandum.

For the presentation to the Select Board, it was also suggested that the Committee discuss the memorandum and further discuss what the Committee plans on working on before Annual Town Meeting. This should include reference to the Charter Review and discussion regarding the various types of Government that are available for a Town of Nantucket's size.

A motion was made by Linda Williams and duly seconded by Tucker Holland to approve the memorandum as drafted with the changes discussed by the Committee. The vote was 4-0 in favor by roll call vote.

Campbell Sutton brought up the Parks and Recreation department discussion again. Some suggestions were to determine if the 2007 document controls and determine if a warrant article should be drafted.

- 6) Other Business: Campbell Sutton suggested looking at the results of the non-binding poll. And it was suggested John Brescher reach out to Lauren Goldberg and Libby Gibson re: a review of the charter.
- 7) Date and Time of the Next Meeting:

The Chair agreed to send out an email asking about the next meeting in 2021.

8) Adjournment:

A motion was made by Linda Williams and duly seconded by Rick Atherton to adjourn at 10:42 am.

Respectfully Submitted,
John B. Brescher, Chair

DRAFT

Overview

There are 351 cities and towns in Massachusetts. Of these, 50 are cities and 301 are towns. There are numerous variations of local government structure. Generally, the term "city" refers to a small legislative body such as a Council or Board of Aldermen (which meets frequently) and either an elected or appointed chief executive called a Mayor or Manager. Towns generally have a large legislative body, either an Open Town Meeting or a Representative Town Meeting (which meets at least annually and sometimes a few times a year). Towns also usually have a small (three or five member) elected executive Board of Selectmen as well as an appointed administrator called a Manager or Administrator.

Cities

Most of the cities in Massachusetts operate with a Mayor/Council form of government such as Boston, Lawrence, Springfield, Fall River, and Taunton. However, some fairly large cities have a Council/Manager form of government such as Worcester, Cambridge and Lowell. In the last 30 years or so, since the adoption of the Home Rule Amendment to the Massachusetts Constitution, a few medium-to larger size towns have adopted a so called city form of government, either with a Mayor/Council form or a Council/Manager form. In many of these instances the municipality still calls itself a town. For example, Amesbury and Greenfield now have a Mayor/Council form of government, while Barnstable and Franklin have a Council/Manager government.

Towns

Most towns (263) operate with an Open Town Meeting where any voter is permitted to attend and vote on legislative matters: budgets, bylaws, zoning, etc. Fewer than 50 towns operate with a Representative Town Meeting where voters elect representatives to attend town meeting. These representative legislative bodies vary from slightly less than 100 to more than 300. Towns of less than 12,000 may not have a city form of government and towns of less than 6,000 must have an open town meeting. The executive authority in towns is performed by elected boards of selectmen together with an appointed chief administrative officer called a Town Manager or Town Administrator.

The following sections describe the more common characteristics of the varied forms of local government found in Massachusetts. Through use of the Home Rule Amendment, cities and towns may structure their local government in almost any manner they chose to adopt.

Mayor | Council

Voters directly elect a mayor and Council. The Council size varies from 7 to 15.

The mayor is the chief executive who appoints key officials and all or some boards, and prepares budget, approves contracts, negotiates with unions and oversees administration. A mayor may be empowered to veto some Council actions.

The elected Council is the legislative body, and adopts budgets, adopts laws (ordinances, zoning, etc.), approves indebtedness (bonding), and may be empowered to approve or veto some Mayor appointments. The council also may appoint some boards and committees. Mayor is also usually a voting member of school committee. A limited number of boards and/or commissions may be elected.

Town Council | Town Manager

Voters elect Council and the Council appoints a City or Town Manager.

Manager is chief executive, appoints key officials, prepares budget, approves contracts, negotiates with unions and oversees administration.

The elected Council is the legislative body and adopts budgets, adopts laws (ordinances, bylaws, zoning, etc.), approves indebtedness (bonding), and may be empowered to approve or veto some Manager appointments. A town 'manager' is voting member of school committee but only on union contracts; a town 'administrator' sometimes serves in this role. A limited number of boards and/or commissions may be elected.

Open Town Meeting | Selectmen | Town Manager or Administrator

All voters are eligible to debate and vote on budgets, bylaws and all matters brought before town meetings, and approve indebtedness (bonding).

Town Meeting acts as the legislative body of the town.

The executive branch of government consists of the selectmen and manager.

An elected board of selectmen (usually 3 or 5) appoint a manager, sets policy, appoints boards and committees and may be authorized to approve or veto some of manager's appointments and approve union contracts. The manager is the chief administrative officer (CAO), appoints department heads and other employees, prepares budgets, awards contracts, negotiates with unions, and oversees administration. A town 'manager' is voting member of school committee but only on union contracts; a town 'administrator' sometimes serves in this role. Fair number of boards and/or commissions may be elected.

Representative Town Meeting | Selectmen | Town Manager/Admin

A limited number of voters are elected, usually by district, to represent all voters in a representative town meeting (RTM). Size can vary widely (less than 100 to more than 300).

RTM is the legislative body of town and it debates and approves budgets, bylaws, and all matters brought before town meeting. RTM also approves indebtedness (bonding).

The executive branch of the government consists of the selectmen and the manager. An elected board of selectmen (usually 3 to 5) appoint a manager, set policy, appoint boards and committees and may be authorized to approve or veto some manager's appointments. The board also approves union contracts. The manager is the chief administrative officer (CAO), appoints department heads and employees, prepares budgets, awards contracts, negotiates with unions, and oversees administration. A town 'manager' is voting member of school committee but only on union contracts; a town 'administrator' sometimes serves in this role. Smaller number of boards and/or commissions may be elected.

SPECIMEN BALLOT

Registered Voters 9250

Ballots Cast 1860

Voter Turnout: 20.1%



OFFICIAL BALLOT
ANNUAL TOWN ELECTION
NANTUCKET, MASSACHUSETTS
TUESDAY, JUNE 16, 2020

Nancy Z. Holmes
Town and County Clerk

- a. To vote, fill in the OVAL ☐ to the right of the candidate of your choice, like this: ☒
- b. To vote for a person whose name is not printed on the ballot, write his or her name in the blank space provided and fill in the oval.
- c. Follow directions as to the number of candidates to be marked for each office.
- d. If you wrongly mark, tear or deface the ballot, return it and obtain another.

MODERATOR One Year Vote for No More Than One ALGER, SARAH F. ☒ 7 Carew Lane (Candidate for re-election) _____ (WRITE-IN) ☐	NANTUCKET ISLANDS LAND BANK COMMISSION Five Years Vote for No More Than One DONATO, MARK ☒ 106 Orange Street _____ (WRITE-IN) ☐	And, To Cast Their Vote As "Yes" Or "No" On The Following Ballot Questions: 1. Operating Override Shall the Town of Nantucket be allowed to assess an additional \$5,000,000 in real estate and personal property taxes for the purpose of supporting the operation of Our Island Home for the fiscal year beginning on July 1, 2020? 1232 YES ☒ 564 NO ☐ Blanks - 64 2. Debt Exclusion for Newtown Road Transportation Improvements Shall the Town of Nantucket be allowed to exempt from the provisions of Proposition Two and One-half, so-called, the amounts required to pay for the bond issued in order to make various transportation-related improvements on Newtown Road including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto? 766 YES ☐ 964 NO ☒ Blanks 130
SELECT BOARD Three Years Vote for No More Than Two BRIDGES, JASON ☒ 1 Devon Street (Candidate for re-election) MURPHY, MELISSA ☒ 3 Alexandria Drive RANDOLPH, JEANNINE ☐ 22 Wigwam Road WILLIAMS, CLIFFORD ☐ 3 Williams Street _____ (WRITE-IN) ☐ _____ (WRITE-IN) ☐	HARBOR AND SHELLFISH ADVISORY BOARD Three Years Vote for No More Than Two BRACE, PETER ☒ 67A Milestone Road (Candidate for re-election) FRONZUTO, DAVID ☒ 20 Surfside Road (Candidate for re-election) _____ (WRITE-IN) ☐ _____ (WRITE-IN) ☐	
SCHOOL COMMITTEE Three Years Vote for No More Than Two BUTLER, ZONA ☒ 4 Bailey Road (Candidate for re-election) LEPORE, TIMOTHY ☒ 46 Prospect Street (Candidate for re-election) _____ (WRITE-IN) ☐ _____ (WRITE-IN) ☐	PLANNING BOARD Five Years Vote for No More Than One WEGNER, JUDITH ☒ 50 Quidnet Road (Candidate for re-election) _____ (WRITE-IN) ☐	
HISTORIC DISTRICT COMMISSION Three Years Vote for No More Than Two OLIVER, VALLORIE ☒ 3B Newtown Road (Candidate for re-election) POHL, RAY ☒ 24 Pine Street (Candidate for re-election) _____ (WRITE-IN) ☐ _____ (WRITE-IN) ☐	NANTUCKET WATER COMMISSION Three Years Vote for No More Than One ELDRIDGE, NELSON ☒ 2 Eldridge Lane (Candidate for re-election) _____ (WRITE-IN) ☐	
NANTUCKET HOUSING AUTHORITY Five Years Vote for No More Than One JOHNSON, BERTYL ☒ 28 Longwood Drive (Candidate for re-election) _____ (WRITE-IN) ☐	SIASCONSET WATER COMMISSION Three Years Vote for No More Than One ELDRIDGE, GERALD ☒ 2 Eldridge Lane (Candidate for re-election) _____ (WRITE-IN) ☐	

Nancy Z. Holmes

TUCKET TOWN CLERK

ATTEST: TRUE COPY

TURN BALLOT OVER AND VOTE BOTH SIDES

Nancy Z. Holmes

NANTUCKET TOWN & COUNTY CLERK

SPECIMEN BALLOT

3. Debt Exclusion for Reconstruction of Lover’s Lane

Shall the Town of Nantucket be allowed to exempt from the provisions of Proposition Two and One-half, so-called, the amounts required to pay for the bond issued in order to make various transportation-related improvements on Lover’s Lane, including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto?

850 YES ☒
863 NO ☐
Blanks 147

4. Debt Exclusion for Construction and Improvements to Amelia Drive and Waitt Drive

Shall the Town of Nantucket be allowed to exempt from the provisions of Proposition Two and One-half, so-called, the amounts required to pay for the bond issued in order to make various transportation-related improvements on Amelia Drive and Waitt Drive, including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto?

824 YES ☐
881 NO ☒
Blanks 155

5. Debt Exclusion for Construction and Improvements to Children’s Beach Storm Water Pump Station

Shall the Town of Nantucket be allowed to exempt from the provisions of Proposition Two and One-half, so-called, the amounts required to pay for the bond issued in order to make various improvements to the Children’s Beach storm water pump station, including the costs of professional services for design, permitting, engineering, construction, construction supervision, materials, and other related professional services, and any other costs incidental and related thereto?

1360 YES ☒
375 NO ☐
Blanks 125

6. Capital Outlay Exclusion

Shall the Town of Nantucket be allowed to assess an additional \$896,160 in real estate and personal property taxes for the following purposes in the amounts as follows for the fiscal year beginning July 1, 2020?

1007 YES ☒
703 NO ☐
Blanks 150

Department	Purpose	Amount
Fire	Replacement of Self-contained Breathing Apparatus Equipment	\$ 101,160
Marine	Additional Sewage Pump-out Boat	\$ 150,000
Public Works	Replacement of 6-Wheel Dump Truck	\$ 180,000
Public Works	Replacement of F-350 Truck	\$ 60,000
Public Works	Replacement of two (2) small pick-up trucks	\$ 90,000
Public Works	Replacement of Street Sweeper	\$ 250,000
School	Replacement of Bobcat	\$ 65,000
Total Capital Exclusion:		\$ 896,160

7. Capital Outlay Exclusion

Shall the Town of Nantucket be allowed to assess an additional \$266,522 in real estate and personal property taxes for the continuation of closed caption television camera assessment of storm water drainage systems within the Town for the fiscal year beginning July 1, 2020?

962 YES ☒
705 NO ☐
Blanks 193

Non – Binding Ballot Questions:

1. Are you satisfied with our current open town meeting form of government?

887 YES ☒
788 NO ☐
Blanks 185

2. Would you like the Town to invest time and resources to investigate alternative forms of local government for further review?

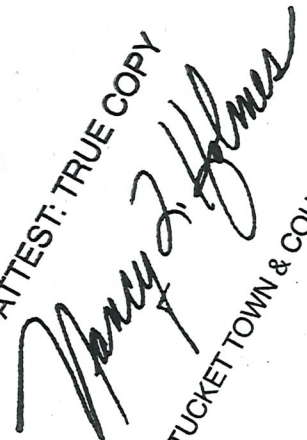
1102 YES ☒
593 NO ☐
Blanks 165

TOWN OF NANTUCKET

June 16, 2020 - ANNUAL TOWN ELECTION

	Reg. Voters	9,250
	Election Ballots Cast	1,860
	Voter Turnout %	20.1%
NANTUCKET		
MODERATOR		
Alger, Sarah F.	1,627	
Blanks	228	
Write-ins	5	
TOTAL	1,860	
SELECT BOARD		
Bridges, Jason	1,360	
Murphy, Melissa	1,134	
Randolph, Jeannine	86	
Williams, Clifford	759	
Blanks	362	
Write-Ins	19	
TOTAL	3,720	
SCHOOL COMMITTEE		
Butler, Zona	1,488	
Lepore, Timothy	1,560	
Blanks	655	
Write-ins	17	
TOTAL	3,720	
HISTORIC DISTRICT COMMISSION		
Oliver, Vallorie	1,522	
Pohl, Ray	1,335	
Blanks	845	
Write-Ins	18	
TOTAL	3,720	
NANTUCKET HOUSING AUTHORITY		
Johnson, Bertyl	1,389	
Blanks	459	
Write-Ins	12	
TOTAL	1,860	
LAND BANK		
Donato, Mark	1,477	
Blanks	362	
Write-Ins	21	
TOTAL	1,860	
HARBOR & SHELLFISH ADV. BOARD		
Brace, Peter	1,472	
Fronzuto, David	1,467	
Blanks	771	
Write-ins	10	
TOTAL	3,720	
PLANNING BOARD		

ATTEST: TRUE COPY



NANTUCKET TOWN & COUNTY CLERK

Wegner, Judith	1,424
Blanks	428
Write-ins	8
TOTAL	1,860
NANTUCKET WATER COMMISSION	
Eldridge, Nelson	1,540
Blanks	319
Write-Ins	1
TOTAL	1,860
SIASCONSET WATER COMMISSION	
Eldridge, Gerald	1,538
Blanks	319
Write-Ins	3
TOTAL	1,860
QUESTION 1 - OIH OVERRIDE	
YES	1,232
NO	564
Blanks	64
TOTAL	1,860
QUESTION 2 - NEWTOWN RD	
YES	766
NO	964
Blanks	130
TOTAL	1,860
QUESTION 3 - LOVERS LANE	
YES	850
NO	863
Blanks	147
TOTAL	1,860
QUESTION 4 - AMELIA/WAITT DR.	
YES	824
NO	881
Blanks	155
TOTAL	1,860
QUESTION 5 - CHILDREN'S BEACH STRM	
YES	1,360
NO	375
Blanks	125
TOTAL	1,860
QUESTION 6 - Capital Outlay-Equipment	
YES	1,007
NO	703
Blanks	150
TOTAL	1,860
QUESTION 7-CAPITAL OUTLAY-STRM CAM.	
YES	962
NO	705

Blanks	193
TOTAL	1,860
NON-BINDING-KEEP ATM	
YES	887
NO	788
Blanks	185
TOTAL	1,860
NON-BINDING-INVEST. NEW FORM GOV?	
YES	1,102
NO	593
Blanks	165
TOTAL	1,860

**BASED ON MY UNDERSTANDING
TODAY, MY PREFERRED FORM
OF GOVERNMENT FOR OUR
ISLAND IS:** ●●●

OUR CURRENT FORM



Y-R: 4
S: 0

REPRESENTATIVE TOWN MEETING



Y-R: 8
S: 6

**CITY COUNCIL / TOWN MANAGER
(TOWN)**



Y-R: 1
S: 0

MAYOR / COUNCIL



Y-R: 1
S: 4

UNSURE



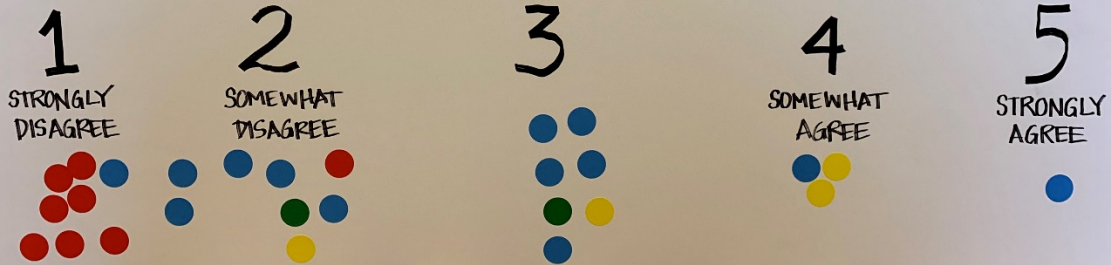
Y-R: 3
S: 0

COMMENTS

Legend:

Blue and Yellow Dots are Year-Round ("Y-R") Respondents
Green and Red Dots are Seasonal ("S") Respondents

OUR CURRENT FORM OF GOVERNANCE —
OPEN TOWN MEETING, VOLUNTEER SELECT
BOARD, TOWN MANAGER SYSTEM —
ADEQUATELY MEETS THE NEEDS OF OUR
COMMUNITY / NANTUCKET. ●●



Legend:

Blue and Yellow Dots are Year-Round ("Y-R") Respondents
Green and Red Dots are Seasonal ("S") Respondents

ARTICLE 65
(Bylaw Amendment: Personnel)

To see if the Town will vote to amend Chapter 33 (Personnel) of the Code of the Town of Nantucket as follows (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text; non-substantive changes to the numbering of this bylaw shall be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket*):

§33-4. Applicability; collective bargaining agreements.

All Town departments and positions, except those under the jurisdiction of the School Committee; ~~Airport Commission; elected positions; employees of the Wannacomet Water Company that are under the direction and control of the Nantucket Water~~ Commission; the positions of Town Counsel, Town Prosecutor and Labor Counsel; and certain positions for which the compensation is on a fee basis or the incumbents of which render intermittent or casual services, shall be subject to the provisions of this chapter and any rules and regulations adopted pursuant to this chapter. Provisions of collective bargaining agreements shall govern those employees whenever collective bargaining agreements conflict with the provisions of this chapter and any rules and regulations adopted pursuant to this chapter.

Article 66: Establishment of a Parking Benefit District (Called, Call Withdrawn, Called)
Adopted by Majority Voice Vote

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved not to adopt the Article.

ARTICLE 66
(Establishment of a Parking Benefit District)

To see if the Town will vote pursuant to General Laws Chapter 40, Section 22A½ to authorize the Board of Selectmen to designate one or more parking benefit districts, as geographically defined areas within the Town, in which parking revenue collected therein may be designated, subject to appropriation, in whole or in part for use in that district through a dedicated fund in accordance with the purposes and uses listed in section 22A of Chapter 40. In creating one or more parking benefit districts the Board of Selectmen is hereby authorized to designate a Town board, official, or committee to manage said parking benefit district or districts; or to take any other action relative thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved to accept Chapter 40, section 22A of the General Laws; and, further moved that pursuant to General Laws Chapter 40, Section 22A½ the Board of Selectmen is hereby authorized to designate one or more parking benefit districts, as geographically defined areas within the Town, in which parking revenue collected therein may be designated, subject to appropriation, in whole or in part for use in that district through a dedicated fund in accordance with the purposes and uses listed in section 22A of Chapter 40, is hereby adopted.



Town of Nantucket



OFFICE OF THE TOWN & COUNTY CLERK

16 Broad Street
NANTUCKET, MASSACHUSETTS 02554-3590

Catherine Flanagan Stover, MMC, CMMC
Town & County Clerk

(508) 228-7216
FAX (508) 325-5313
Home: (508) 228-7841

Email: cstover@nantucket-ma.gov
townclerk@nantucket-ma.gov

WEBSITE: <http://www.nantucket-ma.gov>



2018 ANNUAL TOWN MEETING 2018

The following is a summary of the articles called and discussed, and the vote taken by the 2018 Annual Town Meeting held at the Nantucket High School, Mary P. Walker Auditorium, 10 Surfside Road, on April 3, 2018. Cyrus Peirce student Bobby Planzer was the official Time Keeper.

Tuesday, April 3, 2018 – Meeting called to order at 6:06 PM. Out of 8913 registered voters, there were 487 voters present at the start of the meeting. Ultimately, 630 registered voters were in attendance.

Voters were given red armbands, and consultants were given green check armbands. Non-voters were admitted to the Auditorium anteroom, and the proceedings were graciously live-streamed by Channel 18.

On April 3, 2018, at 6:51 PM, the following “Pot of Uncalled Articles” was voted unanimously in accordance with the motions recommended by the Finance Committee or, in the absence of a Finance Committee motion, then in accordance with the motions as recommended by the Planning Board, as printed in the Finance Committee Report, with technical amendments brought forward during the course of the meeting:

~~1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 49, 50, 53, 54, 55, 56, 57, 60, 61, 65, 68, 69, 70, 71, 74, 75, 80, 83, 84, 85, 86, 87, 88, 89 and 90~~

HIGHLIGHTING KEY:

NONE = Adopted

YELLOW = Adopted with Amendment/Technical Amendment

RED = NOT adopted

GREEN = Attorney General Approval Needed

TURQUOISE = NONBINDING

Article 1: Receipt of Reports (Not Called) Adopted by Unanimous Voice Vote

Article 2: Appropriation: Unpaid Bills (Not Called) Adopted by Unanimous Voice Vote

Article 3: Bylaw Amendment: Finances (Not Called) Adopted by Unanimous Voice Vote

Article 4: Revolving Accounts: Spending Limits for FY2019 (Not Called) Adopted by Unanimous Voice Vote

Article 5: Appropriation: Reserve Fund (Not Called) Adopted by Unanimous Voice Vote

Article 6: FY 2018 General Fund Budget Transfers (Not Called) Adopted by Unanimous Voice Vote

Article 7: Personnel Compensation Plans for FY 2019 (Not Called) Adopted by Unanimous Voice Vote

Article 8: Appropriation: FY 2019 General Fund Operating Budget (Not Called) Adopted by Unanimous Voice Vote

Article 9: Appropriation: Health and Human Services (Not Called) Adopted by Unanimous Voice Vote

Article 10: Appropriation: General Fund Capital Expenditures (Called) Adopted With Technical Amendment by Unanimous Voice Vote

Article 11: Appropriation: FY 2019 Enterprise Funds Operation (Not Called) Adopted by Unanimous Voice Vote

Article 12: Appropriation: Enterprise Funds Capital Expenditures (Not Called) Adopted by Unanimous Voice Vote

Article 13: Enterprise Funds: Fiscal Year 2018 Budget Transfers (Not Called) Adopted with Technical Amendment by Unanimous Voice Vote

Article 14: Appropriation: Prior Year Articles (Not Called) Adopted by Unanimous Voice Vote

Article 15: Appropriation: Old South Road Area Transportation Improvements (Called) Adopted by Handcount Vote: YES – 405; NO – 115. Total Votes Cast – 520. $2/3 = 343$

Article 16: Appropriation: Public Works Facility Improvements – Design (Called) Adopted by Declared 2/3 Majority Voice Vote

Article 17: Appropriation: Renovation of Marine Department Building (Called) Adopted by Declared 2/3 Majority Voice Vote

Article 18: Appropriation: Storm Water System Improvements (Not Called) Adopted by Unanimous Voice Vote

Article 19: Appropriation: Sparks Avenue Sidewalk Improvements (Not Called) Adopted by Unanimous Voice Vote

Article 20: Appropriation: Waterways Improvement Fund (Not Called) Adopted by Unanimous Voice Vote

Article 21 : Authorization: Ambulance Reserve Fund (Called) Adopted by Unanimous Voice Vote

Article 22: Appropriation: Ferry Embarkation Fee (Not Called) Adopted by Unanimous Voice Vote

Article 23: Appropriation: County Assessment (Not Called) Adopted by Unanimous Voice Vote

Article 24: Appropriation: Finalizing Fiscal year 2019 County Budget (Not Called) Take No Action by Unanimous Voice Vote

Article 25: Rescind Unused Borrowing Authority (Not Called) Adopted by Unanimous Voice Vote

Article 26: Appropriation: Other Post-Employment Benefits Trust Fund (Not Called) Adopted by Unanimous Voice Vote

Article 27: Appropriation: Affordable Housing Trust Fund (Not Called) Adopted by Unanimous Voice Vote

Article 28: Appropriation for Special Purpose Stabilization Fund for Airport Employee Accrued Liabilities (Not Called) Adopted by Unanimous Voice Vote

Article 29: Establishment of and Appropriation for Special Purpose Stabilization Fund for Town Employee Accrued Liabilities (Not Called) Adopted by Unanimous Voice Vote

Article 30: Appropriation for Special Stabilization Fund for Substance Abuse Prevention Efforts (Not Called) Adopted by Unanimous Voice Vote

Article 31: Renewal of Board of Health Septic System Betterment Loan Program (Not Called) Adopted by Unanimous Voice Vote

Article 32: Appropriation: Establishment of and Appropriation for Special Education Reserve Fund (Not Called) Adopted by Unanimous Voice Vote

Article 33: Community Preservation Committee: Fiscal Year 2019 Budget Transfers (Not Called) Adopted by Unanimous Voice Vote

Article 34: Appropriation: FY 2019 Community Preservation Committee (Not Called) Adopted with Technical Amendment by Unanimous Voice Vote

Article 35: NON-BINDING Thirty Million Dollar Tax Levy Override (Called) -Not
Adopted by Majority Voice Vote

Article 36: Zoning Map Change: RC to ROH – Orange St (Not Called) Adopted by
Unanimous Voice Vote

Article 37: Zoning Map Change: RC to R5 – Sparks Avenue and Williams Lane
(Not Called) Adopted by Unanimous Voice Vote

Article 38: Zoning Map Change: R-1 to CMI or CN – Cherry and Pleasant Street (Not Called) Take No

Article 39: Zoning Map Change: R-5 to CN – Airport Property: 10 Sun Island Road (Not
Called) Adopted by Unanimous Voice Vote

Article 40: Zoning Map Change: SOH to VN – New Street, Siasconset (Not Called)
Adopted by Unanimous Voice Vote

Article 41: Zoning Map Change: CN to CTEC – Davkim Lane (Not Called) Adopted by
Unanimous Voice Vote

Article 42: Zoning Map Change: R-20 to R-1 – 3 Wyers Way (Not Called) Adopted by
Unanimous Voice Vote

Article 43: Zoning Map Change: R-20 to CN – 1 Airport Road (Not Called) Take No
Action by Unanimous Voice Vote

Article 44: Zoning Map Change: Country Overlay District Open Space Miscellaneous
Location – VR, LUG-1, and LUG-2 to LUG-3 and LUG-3 to MMD (Not Called) Adopted by
Unanimous Voice Vote

Article 45: Zoning Bylaw Amendment: Technical Changes to Chapter 139, §2 and 16 (Not
Called) Adopted by Unanimous Voice Vote

Article 46: Zoning Bylaw Amendment: Technical Changes to Chapter 139, §25, 26, 28, 29
(Not Called) Adopted by Unanimous Voice Vote

Article 47: Zoning Bylaw Amendment: Town and Country Overlay District Changes –
Wherowhero Lane and Evergreen Way (Called) Adopted with Technical Amendment by
Handcount Vote YES – 300, NO – 36 Total votes = 336 2/3 = 222

Article 48: Zoning Bylaw Amendment: Ground Cover Allowance by Special Permit in the
Residential District (Called) Not Adopted by Handcount Vote: YES – 142; NO – 235
TOTAL – 377; 2/3 = 249 Vote

Article 49: Bylaw Amendment: Zoning/Collier (Not Called) Adopted by Unanimous
Voice Vote

Article 50: Zoning Map Change: RC-2 to CMI – Old South Rd/Cohen (Not Called) Take
No Action by Unanimous Voice Vote

**Article 51: Zoning Map Change: LUG-2 to LUG-1 – Masaquet Avenue/Fitch (Called)
Not Adopted by Handcount Vote YES – 142; NO – 235; TOTAL – 377 (2/3 = 249)**

**Article 52: Zoning Map Change: LUG-2 to LUG-1 – 56 South Shore Road/Brescher
(Called) Not Adopted by Majority Voice Vote**

**Article 53: Zoning Map and Town and Country Overlay District Change: Board of Sewer
Commissioners/Sewer District Map Change: PORTION OF 43 Appleton Road/Kalman (Not
Called) Take No Action by Unanimous Voice Vote**

**Article 54: Bylaw Amendment: Board of Sewer Commissioners/Town Sewer District Map
Changes – Hawthorne Lane/Brescher (Not Called) Adopted by Unanimous Voice Vote**

**Article 55: Bylaw Amendment: Board of Sewer Commissioners/Town Sewer District Map
Changes – Folger Avenue, Field Avenue, Morgan Square, South Shore Road (Not Called)
Adopted by Unanimous Voice Vote**

**Article 56: Bylaw Amendment: Board of Sewer Commissioners/Town Sewer District Map
Changes/Harshman (Not Called) Adopted by Unanimous Voice Vote**

**Article 57: Bylaw Amendment: Board of Sewer Commissioners/Town Sewer District Map
Changes – Burnell Street/Reade (Not Called) Adopted by Unanimous Voice Vote**

**Article 58: Waiver of Sewer Privilege Fees/Myers (Called) Not Adopted by Majority
Voice Vote**

**Article 59: NON-BINDING Ban on Herbicides and Pesticides
Containing Glyphosate/Creech (Called) Adopted by Majority Voice
Vote**

**Article 60: Environmental Resolution/Mendelsohn (Not Called) Adopted by Unanimous
Voice Vote**

**Article 61: Bylaw Amendment: Agricultural Commission/Sutton (Not Called) Adopted by
Unanimous Voice Vote**

**Article 62: Charter Amendment: Establishing a Special Council/Williams (Called)
Adopted as moved by Williams by Majority Voice Vote**

**Article 63: Discontinue Development of 6 Fairgrounds Road/Reinemo (Called) Not
Adopted by Majority Voice Vote**

**Article 64: Moratorium on Town Housing/Reinemo (Called) Not Adopted by Majority
Voice Vote**

**Article 65: Bylaw Amendment: Personnel (Not Called) Not Adopted by Unanimous Voice
Vote**

**Article 66: Establishment of a Parking Benefit District (Called, Call Withdrawn, Called)
Adopted by Majority Voice Vote**

**Article 67: Home Rule Petition: Selectboard/Murphy (Called) Adopted by Majority Voice
Vote**

**Article 68: Home Rule Petition: Merger of Nantucket Water Commission and Siasconset
Water Commission (Not Called) Adopted by Unanimous VoiceVote**

**Article 69 Home Rule Petition: Rescind Nantucket Mosquito Control Project Act (Not
Called) Adopted by Unanimous Voice Vote**

**Article 70: Home Rule Petition: Community Housing Bank Real Estate Transfer Fee (Not
Called) Adopted by Unanimous Voice Vote**

**Article 71: Home Rule Petition: Amending Special Act Authorizing Affordable Housing
Covenants (Not Called) Adopted by Unanimous Voice Vote**

**Article 72: Home Rule Petition: Real Estate Conveyances to Nantucket Islands Land
Bank, Nantucket Conservation Foundation, Inc., and/or 'Sconset Trust (Called) Adopted
With a Technical Correction by Majority Voice Vote**

**Article 73: Home Rule Petition: Conveyance of Land from County to Town (Called)
Adopted by Majority Voice Vote**

**Article 74: Home Rule Petition: Real Estate Conveyance of Portion of 264 Polpis Road
(Not Called) Adopted by Unanimous Voice Vote**

**Article 75: Home Rule Petition: Real Estate Conveyance of Portion of 1 Milestone Road
(Not Called) Adopted by Unanimous Voice Vote**

**Article 76: Real Estate Acquisition: Moorlands Management District (MMD) (Called, Call
Withdrawn) Adopted by Unanimous Voice Vote**

**Article 77: Real Estate Acquisition/Transfer: Land for Roadway/Roundabout Purposes
(Called) Adopted by Majority Voice Vote**

**Article 78: Real Estate Conveyance: Open Space: Nantucket Islands Land Bank,
Nantucket Conservation Foundation, Inc., and/or 'Sconset Trust (Called, Call Withdrawn)
Adopted by Unanimous VoiceVote**

**Article 79: Real Estate Conveyances: Portion of 111 Washington Street and Portion of
Surfside Parcel (Called, Call Withdrawn) Adopted by Unanimous Voice Vote**

**Article 80: Real Estate Conveyance: Portion of 264 Polpis Road (Not Called) Adopted
by Unanimous Voice Vote**

**Article 81: Real Estate Acquisition: Portions of Lincoln Avenue (Called) Adopted by
Majority Voice Vote**

**Article 82: Real Estate Conveyance: Portions of Lincoln Avenue (Called)
Adopted by Majority Voice Vote**

**Article 83: Real Estate Acquisition: Nobadeer Avenue/Ottani (Not Called)
Adopted by Unanimous Voice Vote**

**Article 84: Real Estate Conveyance: Nobadeer Avenue/Ottani (Not Called)
Adopted by Unanimous Voice Vote**

**Article 85: Real Estate Acquisition: Sandwich Road/Cohen (Called, Call
Withdrawn) Not Adopted by Unanimous Voice Vote**

**Article 86: Real Estate Conveyance: Sandwich Road/Cohen (Called, Call
Withdrawn) Not Adopted by Unanimous Voice Vote**

**Article 87: Real Estate Conveyance: Industrial Land/Bamber (Not Called)
Adopted by Unanimous Voice Vote**

**Article 88: Release of Sewer Easement/Dias (Not Called) Adopted by
Unanimous Voice Vote**

**Article 89: Appropriation: Stabilization Fund (Not Called) Take no Action by
Unanimous Voice Vote**

Article 90: Free Cash (Not Called) Take No Action by Unanimous Voice Vote

At 10:56 PM, on April 3, 2018 Moderator Alger recognized Dawn Hill-Holdgate, Chair of the Select Board, who moved to dissolve the 2018 Annual Town Meeting. The motion was seconded, and Adopted by Unanimous Voice Vote.

To: Town Government Study Committee

From: John B. Brescher

Date: November 4, 2020

Re: Report to Select Board

Dear Members of the Select Board:

Over the past three years, the Town Government Study Committee has been meeting on a monthly or bi-monthly basis on the charge of analyzing the role and efficacy of the form of Town Government for the Town and County of Nantucket.

During this time, the Committee has met with various members of the public, employees and staff of the Town of Nantucket, as well as elected officials to receive their feedback and opinion on the form and function of the Town Government.

While the Committee was on track to deliver a report at the 2020 Annual Town Meeting, the COVID-19 pandemic and its impacts sidetracked the Committee's mission. Nonetheless, as we approach three years of activity on this Committee, the Committee thought it prudent to update the Select Board on what the Committee has done and the role of the Committee moving forward:

Items Reviewed:

1. *The Basic Form of Government in Nantucket:*

The Committee reviewed the basic form of government in Nantucket, Open Town Meeting, and sought to identify any problems or concerns and ways to improve the function of Government.

The Committee, without making any determination, reviewed the types of government available in the Commonwealth of Massachusetts: Town Council with Mayor or Town Manager, Representative with Town Manager, Town Meeting with Town Manager. An informational sheet that was circulated at our Public Forums is attached hereto for reference. These sheets discuss, in great detail, the four types of government that are considered which are: Open Town Meeting, Representative Town Meeting, Town Council, and a Mayoral form of government. This information is attached as Exhibit A along with this memorandum.

Furthermore, the Committee gathered an unofficial ad hoc poll from the citizens who attended the public forums and the results are attached as well. (EXPLANATION FOR WHAT THE DOTS MEAN) The Committee also requested two non-binding ballot questions for the 2020 election relative to the satisfaction of the electorate with the form

of Town Government and the role of the Town Government Study Committee relative to investigating the topic further. Those results are attached as Exhibit B

Some of the factors and considerations the Committee reviewed while looking at these forms of Government were:

- Ease of decision-making;
- The potentially challenging degree of difficulty determining the election process for Representative Town Meeting;
- Which forms potentially removed citizens from participation;
- The requirements for ballot approval of overrides and debt exclusions;
- The realities of needing quorums at Annual and Special Town Meetings;
- The number of signatures for open town meeting articles;
- The length of presentations at Annual or Special Town Meetings; and,
- The time of any town meeting (e.g., summer v. winter).

While the Committee has taken the time to research these forms of Government, they have not yet arrived at a conclusion as to whether or not the Town of Nantucket needs to change their form of Government and, to that end, what that change would look like. A change of that significance would require a great deal of public support, education, and careful consideration and planning. The form of Government is a passionate topic for voters and this Committee is cognizant of that fact. Because of this, the Committee can safely say that any change to the form of Town Government would need to be carefully analyzed and properly vetted before it could be effectuated.

2. Organization of Local Government and Code Enforcement:

The Committee also reviewed the organization of Nantucket's government. This included not only the mechanics of the interactions between the various departments within the Town of Nantucket, but also the common questions and concerns the average citizen faces when interacting with municipal agencies. The Committee concluded that it would be advantageous for the public and local officials to have access to a comprehensive organizational chart to be displayed on the Town's website and perhaps be made available in hard-copy. This, in turn, would help eliminate confusion with respect to which department has jurisdiction over a particular issue in order for a layperson or average citizen to know where best to address their issue or complaint. Also, such a chart could be especially important to better understand the roles and responsibilities of the various municipal and administrative offices and branches within the Town of Nantucket. This organization should also include a comprehensive, but plain-spoken guide for citizens to understand the code enforcement process and which office or branch has jurisdiction over the matter.

3. Examine the Audit Committee:

After discussions with the Finance Director and the Chair of the Finance Committee, the Town Government Study Committee submitted a warrant article relative to updating the

audit committee. Article #96 was approved at the 2020 Annual Town Meeting. This Article is attached as Exhibit C to this memorandum.

4. *Historic District Commission Charter:*

The Committee suggests having a more comprehensive amendment to the Historic District Commission Charter to better address any inconsistencies and mechanisms for appeal. However, the Committee is not empowered within our scope and mission to review this matter. Any future revisions, which the Committee would suggest investigating, should be further developed by other entities.

5. *Establishment of a Licensing Commission or Board:*

The Committee heard from members of the public and the Select Board regarding the licensing duties of the Select Board. It seemed prudent to the Committee that if the Select Board deems it appropriate, the Select Board is empowered to create its own Licensing Commission/Board. This could be done administratively and would not need any type of charter amendment. This type of Commission/Board would be a step in lessening the amount of time the Select Board spends on certain issues. The establishment of this Commission/Board is also within the purview of the Select Board and Town Administration.

6. *Parking Commission:*

The Committee heard from members of the public and the Select Board regarding the need for a Parking Commission. A separate Parking Commission has been addressed by the Select Board and by warrant article 66 at the 2018 Annual Town Meeting. Said article is attached hereto as Exhibit D.

7. *Establishment of a Sewer Commission:*

Similar to the Licensing Board or Commission, in the event the Select Board wants to set up a Sewer Commission, further due diligence should be done to better understand the roles and responsibilities of the tasks necessary to accomplish this mission. The Committee, while potentially supportive of this concept, is wary of the unintended consequences that may be created by creating such a Commission.

8. *Review of Airport Warrant Article:*

This article allowing the Airport to delegate authority to the Select Board in order to approve capital projects was approved at the 2020 Annual Town Meeting. A copy of the Warrant Article and Home Rule Petition is attached as Exhibit E.

9. *Revisions to the Parks and Recreation Commission:*

In the spring of 2019, the Town Government Study Committee began looking into issues relating to the Park and Recreation Department/Commission as it had received complaints/negative comments from members of the public relating to the condition of the parks, the confusion as to who was overseeing what, and that the commission had not met in over a year. The question arose “what happened to it”?

Over the summer of 2019, the Town Government Study Committee reviewed documents relating to the formation of the commission (under MGL chap. 45, Nantucket’s ACT of 1987 chap. 459, ACT of 1965 chap. 169) and the power of appointments to said Parks and Recreation Commission (under MGL chap.45, Nantucket’s town charter sections 3.4 a3, 4.3 a&b, 4.4 a&b, 4.8, 4.9, and 2007 ATM warrants 44 &51). Many anomalies and contradictions were found in both the formation of and the power to appoint within the Town’s Charter. In the fall, the Town Government Study Committee’s concerns were communicated to the Town Manager and Town Counsel (through Lauren F. Goldberg, Esq.). It was agreed that Town Counsel would look into these issues since the Charter was already under review for such anomalies. Also, a citizen’s article calling for the hiring of a Parks and Recreation Department Head had been submitted for 2020 Annual Town Meeting. In January 2020, the Town Government Study Committee voted to see what the outcome of the citizens article was at the 2020 Annual Town Meeting before moving ahead with a recommendation. That article was called and will be voted on at the next Annual Town Meeting. The Committee has not heard back from Town Counsel relative to amendments to the Charter as it relates to this issue.

10. The creation of a Town Ombudsman to settle disputes:

After a lengthy review of this issue with members of the public and Town Counsel, the Committee concluded that it was not feasible from a legal standpoint to create an ombudsman or a position that could settle disputes between citizens and the Town. There are already legal mechanisms in place to resolve such disputes and having a position like this would erode the checks-and-balances in place. The Town Government Study Committee voted to communicate this recommendation and send a letter to the Town Moderator and Town Manager. The letter was dated October 30, 2019 and sent via email.

11. The Town Government Study Committee:

After discussing the role of the Town Government Study Committee with former members of the Committee, as well as its current members, the Committee suggested potentially amending terms of the existing Committee to three (3)-year staggered terms. It may also be prudent for the Select Board and Town Administration to establish an internal review committee, separate from the Town Government Study Committee that could review some of the day-to-day operations within the Town that fall outside the purview of the Town Government Study Committee. The Select Board and Town Administration is empowered to establish a standing committee and, in the event they do so, revising the role of the Town Government Study Committee in Article V of the charter may be prudent.

Conclusion:

As the Committee prepares its final report for Town Meeting, there are some concerns that have become apparent after discussions with members of the public, Town employees, and public officials. Some of these concerns are within our purview; some are not. We have reviewed those and have made recommendations that may be implemented. The largest concern, however, involves the efficacy of Open Town Meeting and if the Town of Nantucket should change its form of Government. This, in the Committee's opinion, is one of the most fundamentally important facets of Government and to jump to a conclusion would be foolish. One of the key observations the Committee has witnessed over the past three years is the importance of civic education. Any decision should be made by an electorate that is informed and educated about the benefits, consequences, and mechanics of any change in the form of Government. Although this is certainly an issue that demands attention, the Committee is cognizant that an informed electorate should make a decision and it should not be rushed without being further vetted.

Draft of: September 10, 2019

Town Government Study Committee status.

Policy or charter topics to further investigate:

Basic Form of Government:

What specifically is not working now? This will help identify ways to deal with the problems or concerns.

Town Council with Mayor or Town Manager, Representative with Town Manager, Town Meeting with Town Manager

Considerations: Ease of decision making, cumbersome election process for representative, further removed from citizen participation, requirements for ballot approval of overrides and debt exclusions, quorums at annual and special, number of signatures for TM articles, length of presentations at ATM or STM, time of any town meeting such as summer/winter,

Organization

Develop an Org Chart with a clear explanation of roles and responsibilities of the Planning Board/NPEDC/how these boards relate to Town Admin and Board of Selectmen (Check with Town Admin). See Plus Organizational Chart (10-21-14).

See charter provisions on organization in Dedham.

Audit

Examine the structure of the audit committee (Check with Town Admin).

See memo on other towns.

Code enforcement

Who has responsibility for enforcement? Is it in job descriptions?

Election/appointment of committees

See other towns. Many different configurations

Specifically how many PB alternates and how appointed/elected

Can the non-voting taxpayers have additional input. See section 2.6 of Charter.

HDC charter

Can we opine?

Appeal to BOS or superior court

Town Government Study Committee

Why? Is role clear enough to be a charter requirement/

Licensing Commission

Establish a licensing commission? See Groton and need to fine one with a separate authority.

Establishment of Parking Commission?

To be separate from SB?

Establishment of Sewer Commission?

How better integrate Wannacomet and Airport operations with Town

Salary grades and union contracts for equity across the board.

Review role and charter provisions for the Park and Recreation Commission.

The Committee received a number of comments from the former Chair of the Commission and some follow up would be appropriate.

Study the value of some kind of ombudsman or position to review issues that citizens feel the Town has not acted on properly.

Ask Town Counsel for examples or possible ways to deal with unresolved disputes.

Review the Airport statue as an enterprise fund and the ramifications. Also, if a TM vote cannot take place timely how can that affect filing for FAA grants? From Dan Drake at PH on 7/31/19.

Other matters:

Should the TGSC also review By-laws?

Continue the active review of committee mission statements on a regular basis (Check with Town Admin).

Continue to review the process and procedures for making appointments to boards/commissions (Check with Town Admin). Should there be a residency requirement?

Maintain a list of interested citizen volunteers for appointments to Boards and Commissions (check with Town Admin).

Determine if the Town should hire a full-time or part-time grant writer.

Utilize professional representative to seek state and federal funding.

Coordinate and clarify the permitting process for building, planning, ConCom, HDC, licenses, zoning etc.

Check with other towns/municipalities re: standards for eminent domain takings.

Separation of powers/roles/responsibilities for the Board of Selectmen and Town Manager.

Future schedule:

Public Hearings (two held: July 31, 20019 and August 14, 2019)

Other department heads?

How to proceed to make decisions?

Write report

List of members of the public who spoke at a TGSC meeting:

Chery Emery

List of Town officials who spoke at a TGSC meeting:

Andrew Vorce