

Town and County of Nantucket Select Board • County Commissioners

Jason Bridges, Chair
Matt Fee
Kristie L. Ferrantella
Dawn E. Hill Holdgate
Melissa Murphy



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov

C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE SELECT BOARD SEPTEMBER 29, 2021 - 5:30 PM REMOTE PARTICIPATION VIA ZOOM WEBINAR NANTUCKET, MASSACHUSETTS

YOU TUBE LINK:

<https://youtu.be/NpU371HSy9A>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_grjLKsZcQBeOTfulXb5cew

I. CALL TO ORDER

II. SELECT BOARD ACCEPTANCE OF AGENDA

III. ANNOUNCEMENTS

1. The Select Board Meeting is Being Audio/Video Recorded.
2. COVID Vaccine Clinics: 1st Way School Administration Site, Thursdays from 4:30 to 6:30 PM and Sundays from 12:00 to 2:00 PM. See <https://www.nantucket-ma.gov/2028/COVID-Vaccine> for Full Schedule.
3. F Street Pier Repairs Start on Monday, October 4; Pier will be Closed - Jackson Point Boat Ramp is Alternate.
4. Select Board Announcements/Comments.

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

V. PUBLIC COMMENT*

VI. COVID-19 UPDATE

1. Public Health Department Update.

VII. NEW BUSINESS*

VIII. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of September 8, 2021 at 5:30 PM; September 22, 2021 at 5:30 PM.
2. Approval of Treasury Warrants for September 29, 2021.
3. Approval of Pending Contracts for September 29, 2021 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference.

IX. CITIZEN/DEPARTMENTAL REQUESTS

1. Nantucket Pond Coalition Update.
2. Sustainable Nantucket: Request for Extension of Street Blocking Permit for Farmers and Artists Market for Friday and Saturday, November 26 and 27, 2021 from 9:00 AM to 3:00 PM at Cambridge and North Union Streets, and Friday and Saturday, December 3 and 4, 2021 from 9:00 AM to 3:00 PM at E. Chestnut Street.

X. PUBLIC HEARINGS

1. Public Hearing to Consider the Taking of Portions of North Road, Siasconset as Shown as Lots A, B and C on Plan of Land Entitled "Roadway Acquisition Plan in Nantucket, Mass. of a Portion of Unconstructed 'North Sias Road'," Dated March 25, 2021, Prepared by Bracken Engineering, Inc. for Public Ways and/or General Municipal Purposes and for the Purpose of Conveyance of the Fee Title or Lesser Interests, Together with any Public or Private Rights of Passage, as Authorized by MGL Chapter 79 and Vote on Article 107 of 2020 Annual Town Meeting (Continued from May 26, 2021; June 23, 2021; July 21, 2021; August 18, 2021; MATTER WITHDRAWN).

XI. TOWN MANAGER'S REPORT

1. Monthly Town Management Activity Report.

XII. SELECT BOARD'S REPORTS/COMMENT

1. Discussion Regarding Town Government Study Committee Report (tabled from September 22, 2021).
2. Committee Reports.

XIII. ADJOURNMENT

****Identified on Agenda Protocol Sheet***

SELECT BOARD AGENDA PROTOCOL:

Roberts Rules: The Select Board follows Roberts Rules of Order to govern its meetings as per the Town Code Charter.

Public Comment: Public Comment is to bring matters of public interest to the attention of the Board. The Board welcomes concise statements on matters that are within the purview of the Select Board. At the Board's discretion, matters raised under Public Comment may be directed to Town Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Board takes action, if any. Except in emergencies, the Board will not normally take any other action on Public Comment in its sole discretion.

To facilitate that any individual who wishes to provide Public Comment has the opportunity and to ensure the ability of the Board to conduct its business in an orderly fashion, the following rules and procedures are adopted consistent with state and federal free speech laws:

- The agenda for regular Select Board meetings will include a Public Comment period at the beginning of the meeting unless there is more urgent business for the Board to take up first. This time is reserved for speakers to address the Board on matters that are not related to any other Agenda item. If a speaker wishes to address the Board on a matter that is related to another Agenda item, the Chair will accept public comment when that Agenda item is reached during the meeting.
- All speakers are encouraged to present their remarks in a respectful manner.
- All remarks will be addressed through the Chair of the meeting.
- The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats, incitement to imminent lawless conduct, comments that were found by a court of law to be defamatory, and/or sexually explicit comments made to appeal to prurient interests. Verbal comments may also be curtailed if they exceed three (3) minutes and to the extent they exceed the scope of the Board's authority.

Disclaimer: Public Comment is not a time for debate or response to comments by the Board. Comments made during the Public Comment period do not reflect the views or positions of the Board. Because of constitutional free speech principles, the Board does not have authority to prevent all speech that may be upsetting and/or offensive made during the Public Comment period.

New Business: For topics not reasonably anticipated by the Chair 48 hours in advance of the meeting may be brought up for discussion in accordance with the Open Meeting Law.

Public Participation: The Board welcomes valuable input from the public at appropriate times during the meeting with recognition from the Chair at his/her sole discretion. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Board Members may have questions on the clarity of the information presented. The Board will hear any staff input and then deliberate on a course of action.

Select Board Report and Comment: Individual Board Members may have matters to bring to the attention of the Board during a meeting. If the matter contemplates action by the Board, Board Members will consult with the Chair and/or Town Manager in advance and provide any needed information by the Thursday before the meeting and/or schedule the matter for a future Board meeting. Otherwise, except in emergencies, the Board will not normally take action on Select Board Comment.

Approved on February 17, 2021



Map courtesy of Visitor's Services

FALL FUN DAY LOCATIONS (marked by the red stars on the map):

8:30 Nantucket Atheneum garden at 1 India Street: Live Entertainment, Timed Entry Ticket Pickup, Kids Games, T-shirt sales, Craft Bag** Pickup, Info

8:30 Sustainable Nantucket Farmers & Artisans Market Union Street, between Cambridge St & India Street: Market Vendors, Farm Animal Display

8:30 Gaslight Deck Union Street, between Cambridge St and Main St: Gertrude's Harvest Exhibition, WACK FM, Info

10:00 Whaling Museum side yard on the corner of Broad St and North Water St: Pumpkin Painting, Crafts, Story Time

10:00 19 Washington St: Artist's Association Craft Bag** Pickup

11:00 21 Washington St: American Legion Post 82 Lunch Grill & Skating Club Bake Sale

11:00 33 Washington St: Maria Mitchell Meet the Marine Creatures, Science Kit** Pickup, NISHA Dog Show, Photo Op Cutout Boards, Info

** to provide as many kids as possible with a 'Grab-and-Go' project, please choose only ONE of the three projects offered, either the Pumpkin Craft from the Atheneum, OR the Leaf Art project from AAN, OR the Science Kit from MMA. Thank you for sharing!

See www.nantucketislandfair.com/schedule for more details and specific event times

Hillary Hedges Rayport
89 Main Street
Nantucket, MA 02554

September 24, 2021

Ms. C. Elizabeth Gibson
16 Broad Street
Nantucket, MA 02554
Via email to: lgibson@nantucket-ma.gov

Dear Members of the Select Board:

I'm writing to request a determination regarding a financial interest, pertaining to my role as a volunteer special municipal employee for the Town of Nantucket's Historical Commission.

My husband and I own a home on historic Main Street. The Historical Commission has been advising the Town on maintenance and preservation of historic pavement, generally. I did file a 23b3 disclosure to this effect.

Now, the NHC, along with the Commission on Disabilities, has applied for a Community Preservation Act grant to create specific plans for the rehabilitation and restoration of an approximately half mile portion of the Main Street sidewalks, where I am an abutter. The hearing with the CPC is scheduled for October 5th.

I consulted with the State Ethics Commission and have been advised that if I would like to participate in the project, I should request a determination from you that the financial interest is not substantial enough to likely affect the integrity of the services which the Town of Nantucket may expect from me. Alternatively, I can rebut the conflict of interest by filing a property appraisal with the State Ethics Board.

Attached, please find my request. I do genuinely believe that the condition of the sidewalk has no effect on the price someone would be willing to pay for my family's house, but I prefer to request a 19B waiver than file a rebuttal. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Hillary Rayport". The signature is written in a cursive, flowing style.

Hillary Hedges Rayport

cc: Ken Beaugrand

**DISCLOSURE BY NON-ELECTED MUNICIPAL EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY
AS REQUIRED BY G. L. c. 268A, § 19**

	MUNICIPAL EMPLOYEE INFORMATION
Name:	Hillary Hedges Rayport
Title or Position:	Commissioner, Chair
Municipal Agency:	Nantucket Historical Commission
Agency Address:	2 Fairgrounds Road, Nantucket, MA 02554
Office Phone:	617 697 6429
Office E-mail:	hrayport@mac.com
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
	PARTICULAR MATTER
Particular matter	Discussion about rehabilitation and maintenance of historic Main Street, Nantucket. Discussion of grant funding for rehabilitation and maintenance plans.
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	Please describe the task you are required to perform with respect to the particular matter. Advising the Town on the rehabilitation and maintenance of historic Main Street streetscape. Working on and evaluating plans for the rehabilitation and maintenance of the street. Participating in the selection committee to advise the Town procurement office on the selection of consultants working on projects related to the street. Advising other town departments on work related to the street where I have a home.
	FINANCIAL INTEREST IN THE PARTICULAR MATTER
Write an X by all that apply.	☒ I have a financial interest in the matter. ☐ My immediate family member has a financial interest in the matter. ☐ My business partner has a financial interest in the matter. ☐ I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter. ☐ I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.
Financial interest in the matter	Please explain the financial interest and include a dollar amount if you know it. I own a home on historic Main Street. Approximately half a mile of the street contains a large amount of historic pavement. I do not believe the condition of the sidewalk impacts the value of my home, but at the time of this request I have not received an appraisal, so I cannot say for sure.

Employee signature:	
Date:	9/24/21

DETERMINATION BY APPOINTING OFFICIAL

	APPOINTING AUTHORITY INFORMATION
Name of Appointing Authority:	Select Board of Nantucket
Title or Position:	
Agency/Department:	Town of Nantucket
Agency Address:	16 Broad Street, Nantucket, MA 02554
Office Phone:	508-228-7200
Office E-mail	townmanager@nantucket-ma.gov
	DETERMINATION
Determination by appointing authority:	As appointing official, as required by G.L. c. 268A, § 19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.
Appointing Authority signature:	
Date:	
Comment:	

Attach additional pages if necessary.

The appointing authority shall keep this Disclosure and Determination as a public record.

EXHIBIT 1
AGREEMENTS TO BE EXECUTED BY TOWN MANAGER
UNLESS RESOLUTION OF DISAPPROVAL BY SELECT BOARD
September 29, 2021

Type of Agreement/Description	Department	With	Amount	Other Information	Source of Funding	Term
Independent Contractor	Town Administration	Brenda Johnson, RN	\$75/hour	Services in connection with communications coordination for Our Island Home project	Our Island Home New Facility Appropriation - Article 15 2015 ATM	October 1, 2021 - June 30, 2022
Professional Services Agreement	Town Administration	Environmental Partners Group, LLC	Not to exceed \$106,000	Owner's Project Manager services to provide construction administration, construction observation and construction closeout services for Phase I of Waitt Drive Road Construction project	Article 10 2018 ATM & Article 10 2019 ATM	September 29, 2021 - June 30, 2022

Nantucket Pond Coalition

*Synopsis of 2021 Projects

Phragmites Mitigation

Consue Springs Harbor and Wetland Restoration (NLB)

Mass Audubon Lost Farm Hummock Shoreline Restoration (Mass Audubon)

Ram's Pasture Shoreline Restoration (NCF)

Ongoing Long, Hummock and Miacomet Pond Areas

Pre-Dredging Surficial Sediment Analysis

Miacomet Pond

Hummock Pond

The Duck Pond

Water Column Analysis

Head of Hummock Pond

*Narration to follow at the SB Meeting

Nantucket Pond Coalition Update

to Nantucket Select Board 9/29/21

The Nantucket Pond Coalition has good news to deliver today.

A “coalition” is defined as “a temporary alliance for combined action” and this year has had more alliances to restore the ponds than ever..

A year ago, we spoke about our test of the aquatic harvester, which removed over 30,000 lbs of excess vegetation from Hummock, the winning of the 604 (b) Federal Grant that determined the source of excess nutrients in the ponds, the re-negotiation of the pond permits to allow flood control, and our ongoing invasive mitigation campaign.

This fall we have three major updates:

First, working in collaboration with NLB, we have completed the initial treatment of phragmites and Japanese Knotweed at Consue Springs.

Here is the area that we treated (1) It was a difficult day of work. The large, meandering creek there and fallen tree trunks were a change from the pond shorelines.

and here are a couple” before and after” photos (2,3,4,5) of eventually what the harbor should look like from Orange and Union street after the mulching of the stalks this November. When the 14” plants are gone, the entire area will be open to the wetland and the harbor.

The spraying and mulching will continue each year for the next five years.

Clearing the phrags is the first step in a restoration that will also include dredging the Pond, restoring proper tidal and stormwater flow and basically reclaiming the natural wetland ecology.

Five years from now this will be one of the loveliest spots on Nantucket. We thank Rachel Freeman and the leadership of NLB for leading the charge in this long planned, major civic restoration.

Libby, anything you care to add?

The second update is the shoreline restoration of Northern Hummock Pond. This includes Mass Audubon's Lost Farm property, with leadership provided by Sam Kefferstan of Mass Audubon, and partially funded by abutters, and treatment of 30 acres of phragmites along the entire western shore of Nantucket Conservation Foundation's Rams' Pasture -from the ocean to Millbrook Road. Thank you Cormac Collier and NCF.

In that the plants had encroached up to 30' on each side the "narrows" as it is called, we think this could double the current width of the narrows.

These two heavily trafficked, public areas will now have open vistas to each other across the pond and provide foot access to the pond itself.

Here is an image of the marsh master that conveys the scale of this difficult, physical work. The conning tower of the machine is 14' high.

The Consue Springs, Ram's Pasture and Lost Farm alliances complete both the entire shoreline of Hummock Pond as well as the island-wide campaign, started in 2014, to clear all the major public ponds on Nantucket of these invasive plants, which took root over 50 years ago.

It has truly been a "Coalition" of the efforts of TON, CPC, Madaket Conservation and Residents Associations, Hummock Pond Assoc, Miacomet Conservation League, NLB, Mass Audubon, NCF and the many abutters, joggers, dog walkers, kayakers, paddle boarders and others who have collaborated with us and financially supported our efforts.

The third and final update for today is the continued progress in thinking through the rationale of dredging Miacomet Pond, the smallest and therefore most affordable Great Pond to address.

The 2017 Federal study made clear that the bulk of excess nutrients leading to harmful algae blooms and excessive plant growth resides in the sediment on the bottom of the ponds which needs to be removed for the ponds to be healthy again.

You can put chemicals or herbicides or algaecides into the water, which we also think about, or you can dredge the sediment from the bottom of

the pond- really the only long term solution to “turning back the clock” on a pond.

We think it would be nice to have a crystal clear swimming hole at Miacomet but there is another reason we are interested, and that is: that we like the idea of recycling excess nutrients -where they do harm- to where they can do some good- such as being used for landscaping.

We ask ourselves: If we already have excess nutrients on island, why bring more nutrients in? Why not use what we already have?

working with Thais Fournier of Natural Resources and Emily Molden, of NLC, our two water quality experts, we have taken multiple core samples of the sediment of Hummock, Miacomet and the Pond at Consue and are having it tested for safe use and agricultural friability.

Here is an image of Emily Molden of NLC working with our limnologist Dr. Kenneth Wagner in the hard work of obtaining and cataloguing these surficial core samples.

We think this preliminary work should precede the town committing substantial resources to the permitting and design a dredging project.

Carl Jelleme, Jon Pierce and Eric Rogers of Toscana Corporation are partnering with us to help figure out if we can affordably access and then recycle the sediment nutrients in a long term, sustainable fashion.

A surprise to me personally has been the revelation that pond sand may prove as valuable as the sediment. If so, this could double the inherent value of dredge spoils.

The recycling of pond sediment could add to a sustainable ecology for Nantucket over the next century.

We are also flattered that the Nantucket High School, working with the Eagan Maritime Institute, have engaged with us in the “Sea of Opportunities” high school program that will now focus on ponds and wetlands this fall.

The eight grade debate this year will debate the question:

“Should the residents of Nantucket work to restore the pond and wetland ecosystems to their original state?”

These youngsters will reap the benefits of what is being done now. They will be my age in 2070! The island will be much different place then and now is the time to think through long term island sustainability!

In closing, I would like to thank the Town, in particular Libby Gibson and Jeff Carlson, The Conservation Commission and all the other conservation organizations, in particular the Nantucket Islands Land Bank, for their help and support in our work.

We look forward to next year!

Are there any questions?

Robert Williams
Nantucket Pond Coalition

Nantucket Pond Coalition

Update to Select Board
September 29, 2021





















THANK YOU!

The Town of Nantucket has done a great job helping to restore and maintain the Great Ponds of Nantucket!



Agenda Item Summary

Agenda Item #	IX. 2.
Date	9/29/2021

Staff

Erika Mooney, Operations Administrator
Kathy LaFavre, Health Inspector

Subject

Sustainable Nantucket Farmers & Artisans Market – date extension request

Executive Summary

Sustainable Nantucket has requested an extension of its existing street blocking permit for the Farmers and Artists Market for Friday and Saturday, November 26 and 27, 2021 from 9:00 AM to 3:00 PM at Cambridge and North Union Streets, and Friday and Saturday, December 3 and 4, 2021 from 9:00 AM to 3:00 PM at E. Chestnut Street (or at Cambridge and North Union Streets if available).

Staff Recommendation

Health Department states “Keeping in mind the ongoing pandemic, and the fact that requirements and regulations may change, Health would not be opposed to extension of the FM to the two Fridays and two Saturdays over Thanksgiving and Stroll weekends. Should we get information from the state relative to requirements that may be mandated at that time, we’ll be in touch [with Sustainable].”

Background/Discussion

Sustainable Nantucket usually ends its season around Columbus Day weekend. This is the second time it has requested to host the Market during the holiday season. It was approved by the Board in 2020 (see minutes of 11/4/2020).

Impact: Environmental ☐ Fiscal ☐ Community ☒ Other ☐

Board/Commission Recommendation

N/A

Public Outreach

N/A

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

N/A



Attachments

Letter/emails from Sustainable Nantucket; Road Blocking Permit Applications; portion of 11/4/2020 minutes



VIII. CONSENT ITEMS

1. Gift Acceptance: Human Services (Saltmarsh Senior Center). Ms. Ferrantella moved to accept with thanks to the donor; seconded by Mr. Bridges. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

IX. CITIZEN/DEPARTMENT REQUESTS

1. Sustainable Nantucket: Request to Extend Street Blocking Permit for Nantucket Farmers and Artisans Market for Friday and Saturday, November 27 and 28, 2020; Friday and Saturday, December 4 and 5, 2020. Posie Constable, Managing Director of Sustainable Nantucket, reviewed the request to extend the Market through the holidays. She read letters from various vendors. Mr. Fee moved approval. Ms. Ferrantella asked if the dates can be changed so as to not encourage large gatherings on holiday weekends, maybe to December 15. Ms. Constable said she is okay with that. Ms. Murphy agreed that the Market is successful, but the Health Director just encouraged everyone not to do anything to incite gatherings; she asked if the Health Department is still okay with the request. Mr. Santamaria noted that the Farmer's Market is exempt per State orders but spoke against partnering with the Public Schools for the annual December Delight fundraising. He added that Stroll might be cancelled but he expects people to still come to Nantucket that weekend. He reiterated that he is okay with the date extension request but not to December Delight. Ms. Constable explained that the December Delight would only be vendors with locally-made products and they would consider it the Farmer's Market fundraiser to benefit the senior class. Mr. Bridges said if what is proposed is similar to how they operated this summer he is in favor of approving the request. Mr. Fee asked Ms. Constable if she would be open to a friendly amendment to hold the Market multiple weekends. Director of Culture and Tourism Janet Schulte asked for clarification regarding the December Delight. Ms. Ferrantella seconded Mr. Fee's motion to approve the extension as requested, without the December Delight. So voted by roll call vote. Chair Holdgate – Yes; Mr. Bridges – Yes; Mr. Fee – Yes; Ms. Ferrantella – Yes; Ms. Murphy – Yes.

2. Hearing Regarding Violation of May 23, 2019 Nuisance Dog Order (Kai Luna) Pursuant to Massachusetts General Law Chapter 140, Section 157. Chair Holdgate opened the hearing. Attorney Gregg Corbo of Town Counsel's office swore in those people offering testimony: Police Sgt. Janine Mauldin, Police Officer Suzie Gale, Attorney Michael Wilson, Mickaela Grace and Karen Macumber. Mr. Corbo reviewed the hearing process. Ms. Macumber stated her name and affirmed she had been sworn in. She stated she was asked to participate in these proceedings, she didn't bring the hearing request forward. Ms. Macumber reviewed her encounter with Kai Luna, noting she was walking her dog on leash down Rugged Road and saw a Husky dog running alone, off-leash; she said later in her walk the Husky came up to her and her dog and sniffed her dog, and then she observed growling, snarling and crying by the dogs. She said she kicked the Husky away, picked up her dog and took it home. Ms. Macumber said upon examination of her dog she saw that there were bites on its ear and blood and she called the vet who told her to call the police, which she did. She said Police Chief William Pittman called her and asked her to participate in tonight's hearing. There were no questions from Board members for Ms. Macumber. Attorney Michael Wilson, representing Kai Luna's owner Mickaela Grace, stated that Ms. Grace is "extremely apologetic and sorrowful" for what happened with Ms. Macumber's dog. Ms. Macumber said that Ms. Grace did call her after the incident and gave some history on Kai Luna. Sgt. Mauldin stated her full name and confirmed she had been sworn in. She reviewed the incident report and the conditions of the Nuisance Dog Order issued by the Select Board on May 23, 2019, noting there was a prior violation from October 2019. Sgt. Mauldin stated Ms. Grace admitted to her that she was running her dog off-leash in the state forest and the dog was out of her sight for approximately 15 minutes. Operations Administrator Erika Mooney noted that on June 11, 2019 the Select Board amended the Order as Ms. Grace appealed to the Board that

From: [Alexandria Penta](#)
To: [Kathy LaFavre](#); [Erika Mooney](#)
Cc: [Posie Constable](#); [Dzvonik, Marina](#)
Subject: Sustainable Nantucket Holiday Markets
Date: Wednesday, September 8, 2021 12:29:03 PM
Attachments: [SN2021_HolidayMarketStreetBlockingRequest.pdf](#)

Hi There Kathy and Erika!

Hope this finds you well and feeling refreshed after the long weekend.

I am writing to request an extension of our FM Permit and Street Blocking permit for a few holiday markets that we'd love to host over Thanksgiving and Stroll weekends again.

We are requesting a street blocking permit for Cambridge Street on the days of Friday November 26 and Saturday November 27 from 9am to 3pm.

With regard to Stroll weekend; After speaking with St.Mary's, they are unsure whether they are hosting their Christmas Fair, but would like the street available just in case they decide to hold one. With this in mind, Sustainable Nantucket is requesting a street blocking permit instead for the E. Chestnut location which has been used in previous years for our July 4th holiday market.

A memo outlining our request with the respective street blocking permits is attached.

Please let me know if I can provide any other information.

Thank you!
Allie

Alexandria Penta
Development Coordinator, Market Manager
[Sustainable Nantucket](#)
PO Box 1224
14 Federal Street
Nantucket, MA 02554
508-228-3399

This email was scanned by Bitdefender



PO Box 1244
Nantucket, MA 02554
(508) 228-3399

Board of Directors

Elizabeth Davies
Chair
Paulette Boling
Vice-Chair
Julie Jordin
Treasurer
Tamara Grenier
Clerk
Mary Randolph Ballinger
Jenny Benzie
Gabriel Frasca
Susan Handy
Randy Hudson
John Kuszpa
Nina Liddle
Peter McEachern
Seth Raynor
Arthur Reade

Wade Greene*
Director Emeritus
**In Memoriam*

Advisors

Trish Bridier
Cheryl Emery
Barbara Medaugh
Dylan Wallace
Laura Wasserman
Mimi Young

Staff

Posie Constable
Managing Director
LeeAnne Richard
Office Administrator
Development Associate

Programs

Calin Duke
Farm to School Manager
Allie Penta
Development & Marketing
Coordinator, Market
Manager
Dave Bossi
CFI Manager

September 8, 2021

Erika D. Mooney
Operations Administrator
Town of Nantucket
16 Broad Street
Nantucket MA 02554

Dear Erika,

Sustainable Nantucket hereby requests a Street/Sidewalk Blocking Permit in order to hold a series of Holiday Markets.

Friday November 26 and Saturday November 27, we are requesting a street blocking permit on Cambridge Street and N. Union Streets, bordered between S. Water, Main Street, Federal Street and India Street from 9am to 3pm (inclusive of roughly an hour on each end for set up and break down).

St. Mary's Church would like to keep Cambridge Street available in case they decide to hold their Christmas Fair during Stroll Weekend. With this in mind, Sustainable Nantucket requests a street blocking permit for E. Chestnut Street on Friday December 3 and Saturday December 4 from 9am to 3pm (inclusive of roughly an hour on each end for set up and break down)

Attached is the application for the street blocking permit for each weekend.

These events were successful last year and we request the opportunity to help support our island's local growers and artisans by offering this venue again during the holiday season. There is much uncertainty of the fate of the indoor holiday shows this year and these outdoor markets would offer a safe environment for vendors and customers alike.

Regards,

Alexandria Penta
Development Coordinator
Market Manager



Town of Nantucket
APPLICATION FOR BLOCKING OF STREET/SIDEWALK

SECTION 1: (To be completed by Applicant)

Applicant's Name: Sustainable Nantucket Email: market@sustainablenantucket.org

Applicant's Address: PO Box 1244 Phone: 508-228-3399

Address of Blocking: Upper Cambridge - North Union Streets

☒ Street Blocking ☐ Total OR ☐ Partial
☒ Sidewalk Blocking ☐ Total OR ☐ Partial

Date(s) of Blocking: Fri Nov 26 Sat Nov 27 Time(s): 9AM - 3pm

Purpose of Blocking: Holiday Farmers - Artisan Market

☐ **Dumpster/container** (not permitted in the Old Historic District from June 1 to September 30)

Pursuant to Section 200.15.1, "No Person shall park, store or deposit upon any Public Way of the Town a dumpster (so-called) or any roll-on/roll-off container used for the collection of refuse, debris, or for any other purpose without a permit from the Town.

(Fee: \$25.00/day - fee must be paid when obtaining final approval from Town Administration)

In consideration of permission to use the public area described above, the Applicant named above agrees to save and hold the Town of Nantucket, its agents, servants and employees, harmless from any and all liabilities or costs arising out of the use of the described premises by the Applicant, the Applicant's employees, subcontractors and/or other persons.

This permission is limited to the portion of the premises and the activity herein described.

Applicant's Signature: Ally Lente Date: 9.8.2021

SECTION 2: (To be completed by Town Departments only)

Police Detail Required? ☐ Yes ☐ No Number of Officers Needed: _____

Nantucket Police Department (508-228-1212) ☐ APPROVED ☐ DISAPPROVED

4 Fairgrounds Road

Signature: _____ Date: _____

Nantucket Fire Department (508-228-2323) ☐ APPROVED ☐ DISAPPROVED

4 Fairgrounds Road

Signature: _____ Date: _____

Department of Public Works (508-228-7244) ☐ APPROVED ☐ DISAPPROVED

188 Madaket Road

Signature: _____ Date: _____

NRTA (508-228-7025)
20R South Water Street

☐ APPROVED

☐ DISAPPROVED

Signature: _____ Date: _____

SECTION 3: (THIS PERMIT IS NOT VALID WITHOUT A SIGNATURE FROM TOWN ADMINISTRATION)

Town Administration
16 Broad Street, Room 114

This application is hereby

☐ APPROVED

☐ DISAPPROVED

Signature: _____ Date: _____

Notes:



Town of Nantucket
APPLICATION FOR BLOCKING OF STREET/SIDEWALK

SECTION 1: (To be completed by Applicant)

Applicant's Name: Sustainable Nantucket Email: market@sustainablenantucket.org
Applicant's Address: PO Box 1244 Phone: 508-228-3399
Address of Blocking: E Chestnut Street

☒ Street Blocking ☐ Total OR ☐ Partial
☒ Sidewalk Blocking ☐ Total OR ☐ Partial

Date(s) of Blocking: Fri dec 3 - Sat dec 4 Time(s): 9AM - 3PM

Purpose of Blocking: Holiday Farmers - artisans market

☐ **Dumpster/container** (not permitted in the Old Historic District from June 1 to September 30)
Pursuant to Section 200.15.1, "No Person shall park, store or deposit upon any Public Way of the Town a dumpster (so-called) or any roll-on/roll-off container used for the collection of refuse, debris, or for any other purpose without a permit from the Town.

(Fee: \$25.00/day - fee must be paid when obtaining final approval from Town Administration)

In consideration of permission to use the public area described above, the Applicant named above agrees to save and hold the Town of Nantucket, its agents, servants and employees, harmless from any and all liabilities or costs arising out of the use of the described premises by the Applicant, the Applicant's employees, subcontractors and/or other persons.

This permission is limited to the portion of the premises and the activity herein described.

Applicant's Signature: Alie Lentz Date: 9.8.2021

SECTION 2: (To be completed by Town Departments only)

Police Detail Required? ☐ Yes ☐ No Number of Officers Needed: _____
Nantucket Police Department (508-228-1212) ☐ APPROVED ☐ DISAPPROVED

4 Fairgrounds Road

Signature: _____ Date: _____

Nantucket Fire Department (508-228-2323) ☐ APPROVED ☐ DISAPPROVED

4 Fairgrounds Road

Signature: _____ Date: _____

Department of Public Works (508-228-7244) ☐ APPROVED ☐ DISAPPROVED

188 Madaket Road

Signature: _____ Date: _____

NRTA (508-228-7025)
20R South Water Street

☐ **APPROVED**

☐ **DISAPPROVED**

Signature: _____ Date: _____

SECTION 3: (THIS PERMIT IS NOT VALID WITHOUT A SIGNATURE FROM TOWN ADMINISTRATION)

Town Administration
16 Broad Street, Room 114

This application is hereby

☐ **APPROVED**

☐ **DISAPPROVED**

Signature: _____ Date: _____

Notes:

From: [Alexandria Penta](#)
To: [Erika Mooney](#)
Cc: [Kathy LaFavre](#); [Posie Constable](#); [Dzvonik, Marina](#)
Subject: Re: Sustainable Nantucket Holiday Markets
Date: Thursday, September 16, 2021 11:36:33 AM
Attachments: [sn cambridge street blocking permit 12.3 and 12.docx](#)

Hi Erika !

I just wanted to reach out with a quick question; if st.mary's decides not to hold their christmas fair, we'd love to be able to host the market on Cambridge street.

would i need to also submit a street blocking permit for Cambridge street so we'd be able to pop up there if the church fair isnt happening? i've attached a cambridge street blocking permit for 12.3 and 12.4 just in case.

just to reiterate, this would only be used in the case that the st. mary's christmas fair isnt taking place.

curious to hear your thoughts- thanks so much!

allie

Allie Penta
Development Coordinator, Market Manager
[Sustainable Nantucket](#)
508-228-3399

On Mon, Sep 13, 2021 at 4:19 PM Alexandria Penta <market@sustainablenantucket.org> wrote:

Erika and Kathy;

thank you so much for your response and we are excited at the prospect of offering these events again!

I look forward to the opportunity to go before the SB with our request :)

thanks again!

allie

Allie Penta
Development Coordinator, Market Manager
[Sustainable Nantucket](#)
508-228-3399

On Mon, Sep 13, 2021 at 12:02 PM Erika Mooney <EMooney@nantucket-ma.gov> wrote:

Hi Allie:

I was able to review this with Libby this morning (she has been out of the office for a bit) and we will add this to the 9/22 Select Board agenda for them to decide.

Erika



Town of Nantucket
APPLICATION FOR BLOCKING OF STREET/SIDEWALK

SECTION 1: (To be completed by Applicant)

Applicant's Name: ___ Sustainable Nantucket___ Email: market@sustainablenantucket.org

Applicant's Address: 14 Federal Street Phone: 508-228-3399

Address of Blocking: upper cambridge street and north union streets

☒ Street Blocking ☐ Total OR ☐ Partial
☒ Sidewalk Blocking ☐ Total OR ☐ Partial

Date(s) of Blocking: friday december 3 & saturday december 4 Time(s): 9am - 3pm

Purpose of Blocking: holiday farmers and artisans market

☐ **Dumpster/container** (not permitted in the Old Historic District from June 1 to September 30)
Pursuant to Section 200.15.1, "No Person shall park, store or deposit upon any Public Way of the Town a dumpster (so-called) or any roll-on/roll-off container used for the collection of refuse, debris, or for any other purpose without a permit from the Town.

(Fee: \$25.00/day - fee must be paid when obtaining final approval from Town Administration)

In consideration of permission to use the public area described above, the Applicant named above agrees to save and hold the Town of Nantucket, its agents, servants and employees, harmless from any and all liabilities or costs arising out of the use of the described premises by the Applicant, the Applicant's employees, subcontractors and/or other persons.

This permission is limited to the portion of the premises and the activity herein described.

Applicant's Signature: alexandria penta Date: 9.16.2021

SECTION 2: (To be completed by Town Departments only)

Police Detail Required? ☐ Yes ☐ No Number of Officers Needed:

Nantucket Police Department (508-228-1212) ☐ APPROVED ☐ DISAPPROVED

4 Fairgrounds Road

Signature: _____ Date: _____

Nantucket Fire Department (508-228-2323) ☐ APPROVED ☐ DISAPPROVED

4 Fairgrounds Road

Signature: _____ Date: _____

Department of Public Works (508-228-7244) ☐ APPROVED ☐ DISAPPROVED

188 Madaket Road

Signature: _____ Date: _____

NRTA (508-228-7025) ☐ APPROVED ☐ DISAPPROVED
20R South Water Street

Signature: _____ Date: _____

SECTION 3: (THIS PERMIT IS NOT VALID WITHOUT A SIGNATURE FROM TOWN ADMINISTRATION)

Town Administration
16 Broad Street, Room 114

This application is hereby ☐ APPROVED ☐ DISAPPROVED

Signature: _____ Date: _____

Notes:

September 25, 2021

Jason Bridges
Kristie L. Ferrantella
Matt Fee
Dawn E. Hill-Holdagte
Melissa Murphy

Dear Mr. Bridges,

We, the vendors of the Sustainable Nantucket Farmers & Artisans Market, are asking for the opportunity for a permit to hold our market on Nov. 26 and 27 and on Dec. 3 and 4 Friday/Saturday on Cambridge and North Union streets, our regular summer location. Should St. Mary's church be holding their Christmas Fair, we request the opportunity to host a market on East Chestnut Street, which has previously been used as the market location during the 4th of July weekend when the church has their fair on Cambridge Street.

Last year, thanks to the support of the Select Board, Sustainable Nantucket was able to host these holiday markets and offer a safe shopping experience for customers and vendors alike. Because the pandemic still leaves the fate of indoor holiday shows unknown, the outdoor markets offered by Sustainable Nantucket also provide the opportunity for necessary additional income for our island's local farmers and artists to make it through the off season.

During these times, it can be challenging to safely connect with one another, and the outdoor market offers a fun and safe opportunity to do just this. These markets play an important roll in offering a safe place to generate income, socialize, and to connect with the community.

We need locally grown, harvested, and made products now more than ever and we ask for your support through these challenging times.

Thank you for your time in consideration of our request.

Sincerely,

The vendors of Sustainable Nantucket's Farmers & Artisans Market

Sorine Ireland

Melissa Dwyer

Sally O'Connell

~~Anton~~ Anton Ragozin

Shirley Matthews

Cian Fritsch

Nicholas Ray

Olga Nekoz

Nik Wood

Rob C

Peter Harte

Alison

Dan LeMaitre

Angela Keating

Averon Evering

Ana C. Romero

Rebecca

J. Renee Scafone

Sam Bann

Charlotte

Will

All Yours
Amy Stein

Monthly Town Management Activities Report

September 29, 2021

As of 09/23/21

Highlights (major projects):

Plans/Reports/Studies*

- Coastal Resiliency Plan – actively underway
- Strategic Plan (implementation on-going); updated Strategic Plan for 2020-21 adopted at 1/13/21 Select Board meeting; staff working on implementation planning & **check-in with SB Oct 13**
- Madaket Water Quality Improvement Plan –contract on 3/17 agenda for update of conceptual design and estimated cost; **consultants working on updates to route and costs**; then, will schedule review with SB and with Madaket group; meeting with Madaket group scheduled; met with Madaket group, working on follow-up; **reviewing report from Weston & Sampson, will schedule review with SB in Octo**
- Facilities Master Plan – Select Board workshops in November and January; follow-up workshop with Town Admin recs scheduled for ~~June 28~~ **July 8 August 19**; concession planning led by Facilities working with Park & Recreation Commission and other stakeholders for input (Coastal Res; Historic Pres, etc); contract with Weston & Sampson for professional assistance will be on upcoming SB agenda – *this will need to be put on hold for now until Facilities Director position is filled*
- Baxter Road long-term planning – contract executed with Arcadis at 2/10/21 SB meeting; update expected in early April; update given at 4/14 SB meeting; update provided to SB on 7/14; **stakeholder final input meeting 9/14; final report to be presented 10/6**
- PFAS Town-wide Risk Assessment – report presented at 2/10/21 SB meeting; staff working with consultant on next steps; inquiries rec'd and responses provided to Airport area (and beyond) residents; update on PFAS efforts provided to SB on 7/7; working with CDM Smith on Phase II assessment; facilitated public information session 8/17/21; numerous PFAS issues being worked on; **update provided to SB 9/22; next public info session in October**

Meetings

- Department Heads 1:1
- Cabinet
- Admin Staff – meeting monthly
- Agenda Prep – weekly meetings
- Select Board – individual meetings, weekly
- 2021 Annual Town Meeting and Election follow-up
- **2022 ATM prep**
- Cape Cod Managers – monthly
- Summer Issues Team
- PFAS – communications, planning
- Solid waste long-term planning/weekly
- FY 23 Capital project request review meetings
- **FY 23 Budget pre-prep**
- **DPW Operations (weekly if not more frequent)**
- **Behavioral Health Steering Committee**
- **OIH**
- **Capital Program Committee**
- **Cabinet Retreat planning**

Events

- Workshop speaker for annual ICMA Conference in October

Projects/Other*

- COVID-Related: working on restoring “normalcy” with meetings, projects; addressing/dealing with COVID-related delays and impacts
- Nobadeer Field House – construction/review of plans underway; **procurement of construction oversight engineer**
- Town Pier
- Harbor Place (scope of work for intermodal transportation underway, per 2020 ATM)
- Third Sewer Force Main – planning underway; **bids due end of October**
- Waitt Dr
- **SBPF/Baxter Rd**
- **DEI Strategic Plan RFP**
- **Classification & Compensation Study**
- **Committee Handbook update**
- **Development/update of fall/winter projects map/timeline**
- **Sustainability function within Town government – internal development**
- **Seasonal employee housing site design**
- **Procurements for: town employee rental housing; playing field maintenance;**
- **Prioritization of DPW projects**
- **OIH**
- **Downtown sidewalk repairs**

MANY ITEMS HAVE HAD TO BE PUT ON HOLD DUE TO COVID-19 PANDEMIC RESPONSE – some of these include:

- *Revisions/Updates to the Real Estate Yard Sale Program – working on review of proposed revisions with Board*
- *Pool Discharge (and/or Stormwater) Regulations – **in queue***
- *Marijuana License Regulations*
- *Sheep Pond Road – **working on alternative access options; other “issues” with residents***
- *Government 101 – **in queue – assigning to a WPI group***
- *Comparison of WIIF to CIWPF to short-term rental tax community impact fee – **in queue***
- *Regulations Codification project – have rec’d codified regs; need to schedule public hearings with 8 Boards/Commissions – **in queue***

Personnel

- Collective Bargaining Negotiations (all units)
- Transportation Planner
- Deputy DPW Director/Facilities
- DPW Director
- Asst Treasurer
- Land Use Specialist/PLUS (position handling HDC): **Filled**
- **PENDING: Park & Rec Director**

Town of Nantucket, MA
Friday, September 17, 2021

Chapter 11. Committees

Article V. Town Government Study Committees

[Adopted 4-11-2007 ATM by Art. 52, approved 6-28-2007]

[1] *Editor's Note: Former Art. V, Board of Health Advisory Committee, adopted 5-5-1992 ATM by Art. 62, approved 8-3-1992, was repealed 4-12-1994 ATM by Art. 68, approved 4-29-1994.*

§ 11-18. Establishment; membership.

[Amended 6-25-2020 ATM by Art. 70, approved 10-27-2020]

In the year beginning 2010 and every five years thereafter, a Town Government Study Committee shall be constituted and undertake the responsibilities set forth in § 11-19, which Committee shall consist of seven members appointed by the Select Board each for a term of one year.

§ 11-19. Responsibilities.

The responsibilities of each Town Government Study Committee described in § 11-18 of this Charter is to review the structure of Town Government, including the Town Charter and any applicable special acts and bylaws relating to governmental structure, and make recommendations to the Town Meeting concerning amendments to the Charter, or such special acts and bylaws, or other recommendations it deems advisable.

§ 11-20. (Reserved)

Select Language | ▼

Town Government Study Committee

Final Report

Annual Town Meeting 2021

6-5-2021

To: Residents of Nantucket

From: Town of Nantucket Government Study Committee

John B. Brescher, Chair

Campbell Sutton, Vice Chair

Rick Atherton

Curtis Barnes

Tucker Holland

Linda Williams

Date: June 5, 2021

Re: Final Report for Town Meeting 2021

Dear Members of the public:

Over the past three years, the Town Government Study Committee (“the 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. The Committee has met with multiple members in Town Government, as well as members of the public during our two Public Hearings. Over the course of these 70 or so meetings, we have had the privilege of meeting 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.

It has been a rewarding experience, especially when coupled with the challenges facing the Town during the COVI-19 pandemic.

The report below addresses what the Committee has reviewed during the tenure of their service to the Town of Nantucket. Many of these recommendations are just that: recommendations. They are a compilation of years of diligence and recognition of the social and political climate in Nantucket. The actions taken by the Committee have been to recommend the changes below and, for each recommendation, the Committee has given a brief synopsis of why the change was recommended.

Nantucket is a unique community facing unique problems – and the local Government is no exception. While these recommendations may not solve all of the problems that were brought to the Committee’s attention, hopefully they can provide a blueprint to effectuate change in the future. All of these recommendations should have their language and syntax further vetted by Town Counsel to ensure compliance with Massachusetts General Laws, as well as so as to avoid any conflicts with existing provisions in the Town Charter.

It has been an honor and a privilege to serve the Town these past few years and we sincerely appreciate all the support and patience given.

Respectfully yours,

The Town Government Study Committee

TABLE OF CONTENTS

- 1. The Basic Form of Government in Nantucket**
- 2. Organization of Local Government**
- 3. Semi-Annual Town Meeting**
- 4. Code Enforcement**
- 5. Examining The Audit Committee**
- 6. Revisions to Historic District Commission Charter**
- 7. Establishment of Licensing Board**
- 8. Establishment of Parking Commission**
- 9. Establishment of Sewer Commission and Sewer Abatement Commission**
- 10. Review of Airport Warrant Article**
- 11. Revisions to the Parks and Recreation Department and Commission**
- 12. Creation of Town Ombudsman**
- 13. The Town Government Study Committee**
- 14. Edits to the existing Town Charter**
- 15. Increasing Citizen's Warrant Article Signatures to 25**
- 16. Extending the Moderator's Term to Three Years**
- 17. Non-Voting Taxpayer Representation at Town Meeting**
- 18. Communication and Collaboration between Town Boards and Committees**
- 19. Appendices and Attachments**

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 report.

Furthermore, the Committee gathered an unofficial ad hoc poll from the citizens who attended the public forums and the results are attached as well. 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.

Also, the options available to Nantucket regarding the form of Government are population-based and for that reason, the Committee also thought it prudent to wait for

the release of Town-specific data from the Federal 2020 Census results this Fall before ruling out any potential form of Government.

The Committee voted to recommend that the Town of Nantucket establish a special commission with the sole purpose of investigating the form of Town Government and Town Meeting in Nantucket. All members of the Committee voted in favor.

2. Organization of Local Government:

The Committee also reviewed the organization of Nantucket's local 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.

The Committee voted to recommend that the Charter be amended to require an annual presentation by Town Administration or the Select Board for an organizational chart. All members of the Committee voted in favor.

3. Semi-Annual Town Meeting:

As part of the public hearings held by the Committee, one of the criticisms that was brought up was the inefficiency of Annual Town Meeting. Other criticisms of having only one Annual Town Meeting were the number of warrant articles proposed and the duration of the meeting. Without changing the form of Town Government, the Committee considered a potential solution being an amendment to the Charter to require a semi-annual Town Meeting and in the event there is no need for the second Town Meeting, it can be duly cancelled.

The Committee voted to recommend to amend the Charter to require a Semi-Annual Town Meeting. The Committee voted unanimously in favor.

4. Code Enforcement

One of the issues facing the Committee was the suggestion to have an annual presentation relative to code enforcement as an update to its Residents. The Committee discussed the merits of this idea at length and did not come to a unanimous conclusion on suggesting

the Charter be amended to include a provision requiring an annual update on code enforcement.

The Committee voted not to include language to amend the Town Charter to require an annual presentation of the Town's enforcement actions for the Select Board to review. The vote was 4-2 in favor, but noted that a comment should be included in the Town Government Study Committee's report to Town Administration that while there is merit to this idea to keep the public informed, it is not appropriate to include it in the Charter.

5. 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 report.

6. 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.

7. 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.

The Committee noted that while this topic has been discussed for some time, it may behoove the Town to have a more impactful recommendation. And as such, the Committee recommended amending the Charter to require the Select Board to establish such a Licensing Commission or Board.

The Committee voted to recommend amending the Town Charter so that the Select Board shall establish a separate Licensing Commission or Board. All voted in favor, however, one member abstained from the vote.

8. 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.

The Committee noted that while this topic has been discussed for some time, it may behoove the Town to have a more impactful recommendation. And as such, the Committee recommended amending the Charter to require the Select Board to establish such a Parking Commission or Board.

The Committee voted to recommend amending the Town Charter so that the Select Board shall establish a separate Parking Commission or Board. All voted in favor, however, one member abstained from the vote.

9. 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. However, the Committee is supportive of the study of a separate Commission in order to better understand the unintended consequences.

The Committee did, however, find that it would be prudent next step to establish a Sewer Abatement Commission. As the municipal sewer system systematically expands, there will be more homeowners who will need to tie-in to the sewer system. It is anticipated that there will be more sewer abatement requests before the Select Board. With this in mind, the Committee thought it would be logical step to create a Sewer Abatement Commission to handle the influx of abatement requests.

The Committee voted to add a comment that the Town should study a separate Sewer Commission and to direct the Select Board to create a separate Sewer Abatement Commission. All members voted in favor.

10. 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.

11. 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.

Since the submission of the November 2021 report to the Select Board, the Town Government Study Committee received a response from Town Counsel on May 5 , 2021. Though several comments were made, Town Counsel did not specifically address the issues with the Park and Recreation Commission/Department. For this reason, the Committee makes the following recommendations:

1. While the Park and Recreation Commission was required to be instituted by a state Act, the department was not. Gradually, over time, the Park and Recreation department was subsumed by the DPW and then eliminated as a separate entity with a separate budget and responsibilities. As a result, there has been a lack of perceived focus on the parks and recreations areas, including playgrounds, beaches, bathhouses, and the like. Scheduling of field space and events has been moved from entity to entity and has caused confusion, versus field maintenance and access. It is recommended that the Park and Recreation Department be re-instituted as a separate entity, with a fully funded line-item budget and adequate staff, resulting in a return to the status it had prior to the elimination of the department.
2. The appointment authority to the Park and Recreation Commission should reside solely with the Select Board to eliminate any appearance of conflict and ensure that the Town Manager did not get embroiled in the politics of appointment to this Commission as has happened in the past.
3. While the Park and Recreation Commission is outside of Town Administration as so stated in the Charter, it is acknowledged that the staff of the department is and most

appropriately be within Town Administration to manage staff accountability, department budget control, and administrative oversight which is critical in the operation of the town.

Chapter 4 of the Charter is attached to this Memo as Exhibit F

The Committee voted to recommend that the Parks and Recreation Department be re-instituted as a separate entity, with a fully funded line-item budget and adequate staff, resulting in a return to the status it had prior to the elimination of the department. All members voted in favor, with one member abstaining.

The Committee voted to recommend that the appointment authority to the Park and Recreation Commission should reside solely with the Select Board to eliminate any appearance of conflict. All members voted in favor, with one member abstaining.

12. 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.

13. 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. At one point, the Committee thought 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. However, the Committee did not ultimately find merit in this idea during their discussions.

However, the Committee was cognizant that while the Select Board is the appointing authority for the Committee, the Committee's ultimately accountability is to Town Meeting. This helped frame the discussion of creating a separate Governance Committee or revising the Charter so that the Town Government Study Committee reports to the Select Board. Ultimately, the Committee determined it was best not to change the mission of the Town Government Study Committee in the Charter, but instead recommend changing the appointing authority to the Town Moderator to foster a sense of independence and autonomy, as well as to reinforce the mission of the Town Government Study Committee that they report to Town Meeting. This practice is not uncommon and the Committee looked at towns like Sutton, MA that have a similar practice.

The Committee made a motion to recommend changing the appointing authority in Section 5 of the Charter from the Select Board to the Town Moderator and to change the duties of the Town Moderator to include the power to appoint the Town Government Study Committee every 5 years. All members voted in favor.

14. Review to the Charter:

After multiple requests over the past 27 months, Town Counsel's office was kind enough to provide us with potential edits to the Charter. The reviewed charter, which is attached as Exhibit G to this document is a list of the potential changes suggested by Town Counsel. After a thorough review, the Town Government Study Committee made the following motions as they relate to updating the charter:

The first item discussed was extending the length of the term of the moderator to three (3) years. The Committee overwhelmingly supported this idea, even if this item was not necessarily something they had been looking at. A motion was made by Rick Atherton and seconded by Linda Williams to recommend extending the length of the term of the moderator to three years per Town Counsel's suggestion. All voted in favor by voice vote.

The next item discussed was an edit noting that if the Moderator needs to appoint a Clerk for Town Meeting (section 2.4), that this person should be a registered voter for the Town. The Committee again unanimously supported this idea. A motion was made by Linda Williams and seconded by Rick Atherton to recommend noting in Section 2.4 of the charter that in the event the Moderator needs to appoint a Clerk of Town Meeting, that person shall be a registered voter of the Town of Nantucket. All voted in favor by voice vote.

The next comment addressed suggesting adding that the Warrant shall also be available on the Town website in Section 2.5(b) of the Charter. The Committee agreed this too was a good idea. A motion was made by Linda Williams and seconded by Tucker Holland to recommend amending Section 2.5(b) of the Charter to allow the Town Warrant to be available on the Town website as well. All voted in favor by voice vote.

The next comment addressed Section 2.5(c), which requires the Board of Selectmen to publish the Warrant by mailing it to each registered voter. The comment from Town Counsel was that many other Towns are eliminating this language. The Committee noted the importance of having a hard copy of the Warrant and while the point was well-taken,

there is still a great importance to having a physical copy of the Warrant available for voters. The Committee did, however, recommend that the language in Section 2.5(c) should be amended to extend the time to deliver the Warrant to 14 days. A motion was made by Tucker Holland and seconded by Linda Williams to recommend amending Section 2.5(c) of the Charter by replacing "...seven days..." to "...fourteen days...". All voted in favor by voice vote.

The next comment was on Section 3.3 which noted that many Towns are removing the requirement to have the public notice of their vote to acquire real estate noticed in the paper. The Committee felt it imperative to leave this requirement in the Charter. A motion was made by Rick Atherton and duly seconded by Curtis Barnes to leave Section 3.3 as written. All voted in favor by voice vote.

Section 3.4(4) was the next item for discussion and the recommendation was to change some of the language relative to the fifteen-day approval. The Committee felt the language was confusing and did not want to create any unintended consequences as they were not certain what the purpose of the change was. A motion was made by Rick Atherton and duly seconded by Curtis Barnes to leave Section 3.4(4) as written. All voted in favor by voice vote.

The next section that was discussed was Section 4.2(d)(14) which would be revised to allow the Town Manager to have the power to sign the warrants for payment. The Committee overwhelmingly agreed this would be an increase in efficiency. A motion was made by Rick Atherton and duly seconded by Curtis Barnes to recommend revising Section 4.2(d)(14) of the Charter to authorize the Town Manager to sign the warrants for payment. All voted in favor by voice vote.

The comment regarding Section 4.3(a) was an administrative one and simply suggested changing "heads" to "department heads." There was discussion amongst the Committee if "department heads" is properly defined and Section 4.5 of the Charter seems to imply this. A motion was made by Linda Williams and seconded by Curtis Barnes to recommend revising Section 4.3(a) of the Charter to replace "heads" with "department heads." All voted in favor by voice vote.

The next section reviewed was Section 5.4(b) to amend this section to require petitioners be identified and who the lead petitioner is. The Committee discussed this matter at length and determined that this mechanism was already implicitly in place since the petition would be public record at the Town Clerk's office. A motion was made by Rick Atherton and duly seconded by Curtis Barnes not to amend Section 5.4(b) of the Charter. All voted in favor by voice vote.

Section 5.4(c) was the next section of the Charter that had a comment from Town Counsel's office. In this section, the suggestion was two-fold: to identify a standard from when the 20% of voters would be counted and to possibly change how long the Town Clerk has to certify the signatures. The Committee agreed that adding a benchmark to identify registered voters would be a prudent change, but did not think the change to how long the Clerk has to identify the signatories on the petition was warranted. A motion was made by Curtis Barnes and duly seconded by Linda Williams to recommend revising Section 5.4(c) of the Charter to include a standard that the 20% of registered voters shall be measured from March 1st of the previous year as established by the Town Clerk. All voted in favor by voice vote.

The next section was Section 5.4(d) and the recommendation from Town Counsel recommended changing the resignation provision from seven days to five days and to move the placement of the phrase "not less than 75 days after such certification date" after the clause, "...the Board of Selectmen shall...". The Committee discussed this at length and ultimately agreed that while it was a semantic change, it was an important one. A motion was made by Linda Williams and duly seconded by Campbell Sutton to recommend revising Section 5.4(d) of the Charter by changing the resignation provision from seven days to five days and moving the placement of the phrase "not less than 75 days after such certification date" after the clause, "...the Board of Selectmen shall...". All voted in favor by voice except for Curtis Barnes who abstained.

The next comment from the Town Counsel review was to add "name and title of office" to Section 5.4(f) of the Charter. The Committee agreed this was a smart change. A motion was made by Linda Williams and duly seconded by Curtis Barnes to recommend revising Section 5.4(f) of the Charter to read "name and title of officer". All voted in favor by voice vote.

The final comment from Town Counsel was to delete Section 6.6 in its entirety because it no longer serves a purpose. The Committee agreed and a motion was made by Linda

Williams and duly seconded by Campbell Sutton to recommend to delete Section 6.6 in its entirety. All voted in favor by voice vote.

As an underlying comment, the Committee suggests all language in the motions be further vetted by Town Counsel in order to ensure consistency.

15. Number of Signatures for a Citizen Warrant Article:

The Committee had a robust discussion in the later stages of their tenure regarding the number of signatures required for a Citizen's Warrant Article submission. The discussion ranged from the ease of the democratic process (i.e., that requiring too many signatures would be an impediment to the democratic process, akin to a poll tax) to ensuring the Town Clerk was not overburdened when verifying signatures to the philosophy that an increased number of required signatures would help dissuade frivolous warrant articles and would, implicitly, be a reflection of the will of the public. The original motion proposed by the Committee was to increase the number of signatures on a Citizen's Warrant Article to 25. An amendment was then posed, but not passed to reduce this number to 20. Ultimately, the Committee voted on increasing the number of signatures to 25.

The Committee voted to recommend to amend the Charter to require at least 25 signatures for a Citizen's Warrant Article. The vote was 4-2 in favor.

16. Extending Moderator's Term to Three Years

Although this topic was addressed in the revisions to the Charter by Town Counsel, and duly voted on by the Committee, the Committee formally voted to recommend to amend the Charter to increase the Moderator's term to three years.

The Committee voted to recommend to amend the Charter to increase the Moderator's term to three years. The Committee voted unanimously in favor.

17. Non-Voting Taxpayer Representation at Town Meeting

During the course of the Committee's hearings, the Committee heard from several non-voting tax payers both in person and by alternate correspondence. They unanimously felt that their concerns and "voices" were not heard on a regular basis and certainly at Town Meeting when decisions were being made with their tax monies. The Committee considered the testimony and considered the following:

- Section 2.6 provides for only one (emphasis added) member of the Nonresident Property Owners group to speak on a matter that is to be considered before the voters

at a town meeting. The number should be increased or stricken in its entirety to allow fair and reasonable representation of concerns.

- The Moderator would continue to have jurisdiction over the number who wished to speak with advance notice on which article that the speaker would like to comment on. The Nonresident Property Owner would be seated in a designated area and be known to the Moderator prior to the meeting as to their location.

The Committee was cognizant of the unique situation Nantucket has with respect to the non-voting tax payers and their representation at Town Meeting and on other matters, especially as it relates to Charter issues and financial issues within the Town. The Committee acknowledged that a change would be appropriate, but also did not want to restrict the Town or future generations to a static number of non-voting taxpayer representatives in the Town. An amendment to the motion approved by the Committee was made to restrict the number to up to fifteen members, but the amendment failed for lack of a second.

The Committee voted to recommend either increase the number of speakers from the non-resident property owners group that may speak at Town Meeting, or to delete this section entirely and encourage the Moderator to use the necessary discretion to allow for non-resident property owners to speak at Town Meeting. The vote was 5-1 in favor.

18. Collaboration between elected and appointed Boards and Commissions

One of the topics the Committee focused on was suggesting that other Boards and Town committees update their respective charters and bylaws. The Committee agreed that this idea is one that should be adopted by all Boards and Town committees as a governance practice. The Committee further noted that it seems that often times, various departments and Boards and Commissions within the Town do not understand or know what the other is doing. In an effort to promote community knowledge and transparency, the Committee is suggesting collaboration and communication amongst the various Boards and Town committees.

The Committee voted to endorse an annual joint meeting between all elected Nantucket Boards and Commissions to discuss collective community priorities as reflected in the Town Master Plan and Select Board Strategic Plan and to identify areas of potential cooperation and concern. All voted in favor.

The Committee voted to endorse a bi-annual review of the charge to each committee established by the Select Board and by state or local laws or regulations adopted by the Town. Such a review should involve the Select Board and the commissions or committees and determine if the charge or mission of each remains clear and supportive and in particular addressing the community's strategic goals as developed in the Town Master Plan and the Select Board Strategic Plan. The review will also discuss ways to promote

ongoing coordination between the Select Board and the commissions and committees and between said entities. All voted in favor.

Conclusion:

Over the course of three years, 70 or more meetings, and a pandemic, it has become apparent to the Committee that there are changes that may be necessary to local Government and the charter. Initially, the Committee discussed the three tiers of change: the simple syntax changes to the Charter; the more tangible goals and changes to Government; and ultimately whether or not the form of Town Government should be changed.

Some of the comments received were within the Committee's purview; some were not. One of the points that was raised during an update to the Select Board in November 2020 was the need for education. Some, but not all, of the comments that were received centered around either the lack of civic education or the need for more education for the public. This is not to say that there should be a basic civics class for all residents, but to highlight that there are idiosyncrasies to Nantucket's Government that are unique and require a level of understanding.

One of the goals of the Committee was to simplify some of these idiosyncrasies so that a layperson would be able to easily participate in local Government with a knowledge and understanding of the issues so every citizen can be an informed and educated participant in local Government.

The recommendations that are set forth in this report are just that: recommendations. The Committee is not composed of experts or consultants – it is a volunteer Committee of dedicated citizens who have a desire to make our Town better. The recommendations may be controversial to some; they may not do enough for others. The Committee has heard many differing opinions during the course of their tenure and the Committee has many differing opinions!

However, what is agreed-upon is that any consequential 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. It is the Committee's hope that the momentum created during the last three years will continue into the future.

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



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

Registered Voters 9250
Ballots Cast 1860
Vote Turnout: 20.1%

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:

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) ☐**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

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) ☐**NANTUCKET
WATER COMMISSION**

Three Years Vote for No More Than One

ELDRIDGE, NELSON ☒
2 Eldridge Lane (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) ☐**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

HISTORIC DISTRICT COMMISSION

Three Years Vote for No More Than Two

OLIVER, VALLORIE ☒
38 Newtown Road (Candidate for re-election)**POHL, RAY** ☒
24 Pine Street (Candidate for re-election)(WRITE-IN) ☐(WRITE-IN) ☐**NANTUCKET HOUSING AUTHORITY**

Five Years Vote for No More Than One

JOHNSON, BERTYL ☒
28 Longwood Drive (Candidate for re-election)(WRITE-IN) ☐

Nancy Z. Holmes
NANTUCKET 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

TURN BALLOT OVER AND VOTE BOTH SIDES

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

EXHIBIT B	
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

EXHIBIT B

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

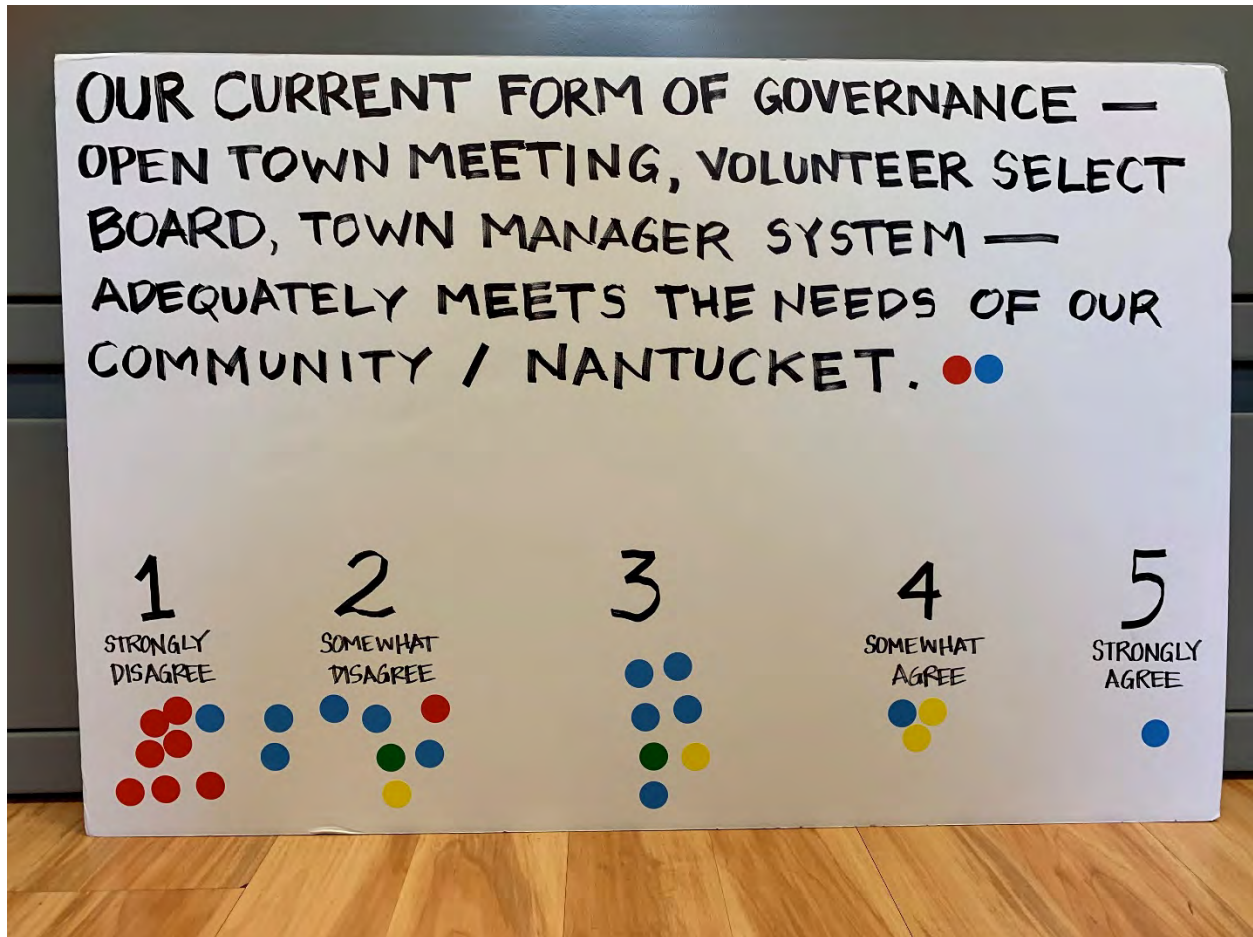


Y-R: 3
S: 0

COMMENTS

Legend:

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



Legend:

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

special law to the contrary, the Nantucket Islands Land Bank may convey an easement(s) under all or portions of certain parcels of land situated in the Town of Nantucket to the Town of Nantucket for underground drainage purposes, provided that the overall use and appearance of said properties remains as open space, described as follows:

- Tax Assessor's Map 55.4.4, Parcel 105, 14 Candle House Lane;
- Tax Assessor's Map 55.4.4, Parcel 104, 16 Candle House Lane.

Any such disposition shall be on such terms and conditions as the Nantucket Islands Land Bank deem appropriate, which may include the reservation of restrictions and easements and the exchange of suitable property from the Town of Nantucket to mitigate any impact of open space value as determined by the Nantucket Islands Land Bank Commissioners, all as shown on a map entitled "2020 Annual Town Meeting Warrant Article 95" dated January 2020 and filed with the Office of the Town Clerk.

Section 2. This act shall take effect upon its passage.

Or to take any other action related thereto.

(Select Board)

FINANCE COMMITTEE MOTION: Moved to take no action on the Article.

ARTICLE 96

(Home Rule Petition: Amending the Town Charter Relative to the Audit Committee)

To see if the Town will vote to request its representatives in the General Court to introduce special legislation, the text of which is set forth below, amending the charter for the Town of Nantucket, and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage. *(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):*

Article III, Select Board, Section 3.5(c), Further Powers of the Select Board

The Select Board shall have the power:

...

(c) To establish as may be advisable or needed one or more advisory committees to conduct any inquiry or investigation or to make planning, policy or other recommendations; ~~further, to establish and shall so establish as a permanent standing committee of the town a three member audit committee whose duties shall include appointment of an outside audit firm, review of the annual audit results and evaluation of the internal accounting procedures and controls. The audit committee shall be composed of three members each serving a term of one year. The committee will~~

~~consist of the Chairman of the Select Board, the Chairman of the Finance Committee and one member of the Select Board appointed by the Select Board.~~

Article III, Select Board, insert Section 3.6 - Audit Committee

- (a) Members. In accordance with this charter, the Select Board shall establish a five-member Audit Committee consisting of the Chairman of the Select Board, the Chairman of the Finance Committee, one appointed member from the Select Board and two members of the Nantucket community. The public members will be appointed by the Select Board. Each member shall be a voting member and be appointed for 1-year terms.
- (b) Purposes, Duties, and Responsibilities of the Audit Committee. The Audit Committee shall represent the Select Board in discharging its responsibility relating to the accounting, reporting, and financial practices of the Town, and shall have general responsibility for surveillance of internal controls and accounting and audit activities of the Town. Specifically, the Audit Committee shall:
 - (1) Evaluate and recommend to the Select Board a firm of independent certified public accountants as auditors of the Town.
 - (2) Review with the independent auditors their audit procedures, including the scope, fees and timing of the audit, and the results of the annual audit examination and any accompanying management letters.
 - (3) Review the written statement from the outside auditor of the Town concerning any relationships between the auditor and the Town or any other relationships that may adversely affect the independence of the auditor and assess the independence of the outside auditor.
 - (4) Review and discuss with the Finance Director and the independent auditors the Town's annual audited consolidated financial statements, including an analysis of the auditors' judgment as to the quality of the Town's accounting principles.
 - (5) Review the adequacy of the Town's internal controls.
 - (6) Review significant changes in the accounting policies of the Town and accounting and financial reporting rule change that may have a significant impact on the Town's financial reports.
 - (7) Review material pending legal proceedings involving the Town and other contingent liabilities.
 - (8) Review the adequacy of the Audit Committee Charter on an annual basis.

- (c) Meetings. The Audit Committee shall meet as often as may be deemed necessary. The Audit Committee shall meet in executive session (without the presence of staff) with the independent auditors at least annually. The Audit Committee shall report to the full Select Board with respect to its meetings. The majority of the members of the Audit Committee shall constitute a quorum.

Or to take any other action related thereto.

(Select Board)

FINANCE COMMITTEE MOTION: Moved that the Town's representatives to the General Court, are hereby authorized to introduce special legislation, the text of which is set forth below, amending the charter for the Town of Nantucket, and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage. *(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):*

Article III, Select Board, Section 3.5(c), Further Powers of the Select Board

The Select Board shall have the power:

...

- (c) To establish as may be advisable or needed one or more advisory committees to conduct any inquiry or investigation or to make planning, policy or other recommendations; ~~further, to establish and shall so establish as a permanent standing committee of the town a three member audit committee whose duties shall include appointment of an outside audit firm, review of the annual audit results and evaluation of the internal accounting procedures and controls. The audit committee shall be composed of three members each serving a term of one year. The committee will consist of the Chairman of the Select Board, the Chairman of the Finance Committee and one member of the Select Board appointed by the Select Board.~~

Article III, Select Board, insert **Section 3.6 - Audit Committee**

- (b) Members. In accordance with this charter, the Select Board shall establish a five-member Audit Committee consisting of the Chair of the Select Board, the Chair of the Finance Committee, one appointed member from the Select Board and two members of the Nantucket community. The public members will be appointed by the Select Board. Each member shall be a voting member and be appointed for 1-year terms.
- (d) Purposes, Duties, and Responsibilities of the Audit Committee. The Audit Committee shall represent the Select Board in discharging its responsibility relating to the accounting, reporting, and financial practices of the Town, and shall have general responsibility for surveillance of internal controls and

accounting and audit activities of the Town. Specifically, the Audit Committee shall:

- (1) Evaluate and recommend to the Select Board a firm of independent certified public accountants as auditors of the Town.
 - (2) Review with the independent auditors their audit procedures, including the scope, fees and timing of the audit, and the results of the annual audit examination and any accompanying management letters.
 - (3) Review the written statement from the outside auditor of the Town concerning any relationships between the auditor and the Town or any other relationships that may adversely affect the independence of the auditor and assess the independence of the outside auditor.
 - (4) Review and discuss with the Finance Director and the independent auditors the Town's annual audited consolidated financial statements, including an analysis of the auditors' judgment as to the quality of the Town's accounting principles.
 - (5) Review the adequacy of the Town's internal controls.
 - (6) Review significant changes in the accounting policies of the Town and accounting and financial reporting rule change that may have a significant impact on the Town's financial reports.
 - (7) Review material pending legal proceedings involving the Town and other contingent liabilities.
 - (8) Review the adequacy of the Audit Committee Charter on an annual basis.
- (e) Meetings. The Audit Committee shall meet as often as may be deemed necessary. The Audit Committee shall meet in executive session (without the presence of staff) with the independent auditors at least annually. The Audit Committee shall report to the full Select Board with respect to its meetings. The majority of the members of the Audit Committee shall constitute a quorum.

ARTICLE 97

(Home Rule Petition: Prohibiting Glyphosate)

To see if the Town will vote to request its representatives in the General Court to introduce special legislation seeking a special act in the form set forth below, amending Chapter 301 of the Acts of 2002, and to authorize the General Court, with the approval of the Board of Selectmen, to make constructive changes in the text as may be necessary or advisable in order to accomplish the intent of this legislation in order to secure passage; or to take any other action related thereto.

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

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townclerk@nantucket-ma.gov

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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 – Masaguet 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 Voice Vote**

**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 Voice Vote**

**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.

necessary or advisable towards perfecting the intent of this legislation in order to secure passage:

AN ACT AUTHORIZING THE NANTUCKET ISLANDS LAND BANK TO TRANSFER, CONVEY OR OTHERWISE DISPOSE OF PORTIONS OF CERTAIN LANDS SITUATED IN THE TOWN OF NANTUCKET HELD FOR OPEN SPACE PURPOSES TO THE TOWN OF NANTUCKET FOR ROADWAY, BICYCLE, DRAINAGE, UTILITY, AND SIDEWALK PURPOSES

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Pursuant to Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts and notwithstanding the provisions of any general or special law to the contrary, the Nantucket Islands Land Bank may transfer, convey or otherwise dispose of portions of certain parcels of land situated in the Town of Nantucket to the Town of Nantucket for roadway, bicycle, drainage, utility, and sidewalk purposes associated with the Milestone Rotary described as follows:

- Tax Assessor's Map 55, Parcel 63 (a portion of) 170 Orange Street;
- Tax Assessor's Map 55, Parcel 64 (a portion of) 174 Orange Street;
- Tax Assessor's Map 55, Parcel 65 (a portion of) 2 Milestone Road;

Any such disposition shall be on such terms and conditions as the Nantucket Islands Land Bank deem appropriate, which may include the reservation of restrictions and easements and the exchange of suitable property from the Town of Nantucket to mitigate the loss of open space land as determined by the Nantucket Islands Land Bank Commissioners, all as shown on a map entitled "2020 Annual Town Meeting Warrant Article 93" dated January 2020 and filed with the Office of the Town Clerk.

Section 2. This act shall take effect upon its passage.

Or to take any other action related thereto.

(Select Board)

FINANCE COMMITTEE MOTION: Moved to take no action on the Article.

ARTICLE 94

(Home Rule Petition: Town Charter - Select Board Amendment/Airport Capital Projects)

To see if the Town will vote to request its representatives in the General Court to introduce special legislation, the text of which is set forth below, amending the charter for the Town of Nantucket, and to authorize the General Court, with the approval of the Select Board, to make changes in the text thereto as may be necessary or advisable in order to accomplish the intent of this legislation in order to secure passage; or to take any other action related thereto.

AN ACT AMENDING THE CHARTER FOR THE TOWN OF NANTUCKET

SECTION 1. Section 2.1 of article II of the charter of the town of Nantucket, as established by chapter 289 of the acts of 1996, as amended, which is on file in the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended as follows:

1. Striking out the first sentence of the second paragraph said section 2.1 and replacing it with the following:

Notwithstanding the foregoing, certain powers of Town Meeting as to real estate acquisitions and funding of capital projects at Nantucket Airport shall also be vested in the Select Board, as specified in Sections 3.3 and 3.6, subject to the voters' right to petition, as specified in Sections 2.1(b), 3.3, and 3.6.

2. Striking out section 2.1(b) and replacing it with the following:

To veto any real estate acquisition voted by the Select Board pursuant to Section 3.3 or any vote regarding funding of capital projects at the Nantucket Airport pursuant to Section 3.6; provided, however, that a petition proposing such veto in the form of a Town Meeting warrant article is signed by at least ten registered voters and provided that the petition is timely filed with the Town Clerk. The Town Clerk shall then present the petition to the Select Board within the time permitted for inclusion of the article in the next Annual Town Meeting or Special Town Meeting warrant. The Select Board or the Nantucket Airport Commission, as applicable may proceed with the real estate acquisition or use of funding of capital projects to benefit the Airport unless a petition to veto such acquisition or funding is filed with the Town Clerk within 15 days of the public notice provided for Section 3.6 of this Charter.

SECTION 2. Section 3.1 of article III of said charter is hereby amended by adding a new section 3.6 as follows:

Section 3.6 Funding for the Benefit of the Nantucket Airport

At the request of the Nantucket Airport Commission, the Select Board may, notwithstanding any law to the contrary, vote to appropriate, borrow or transfer from available funds any sum of money to be placed in the Airport enterprise fund, or any other fund established for the benefit of Nantucket Airport, in order to permit the Nantucket Airport Commission or the Nantucket Airport to qualify for available grants and loans; provided that the amount of such appropriation or borrowing shall not exceed the total cost of the Capital Project for which the appropriation or borrowing is authorized pursuant to Section 2.1(b) of this Charter; and provided further that any amount authorized to be appropriated, borrowed or transferred by the Select Board shall, subject to any applicable grant or loan requirements and applicable laws, be reduced by the amount of any such grant or loan funds received prior to the issuance of bonds or notes or the expenditure of funds by the Nantucket Airport Commission.

The Select Board shall publish a public notice of such vote in a newspaper having general circulation within the Town. Any such vote shall be subject to veto by Town Meeting if a petition as set forth in Section 2.1(b) is filed with the Town Clerk within 15 days following the date such public notice is published.

Nothing in this section of the Charter shall affect the acceptance of gifts pursuant to Chapter 44, Section 53A of the General Laws.

(Select Board for Nantucket Memorial Airport Commission)

FINANCE COMMITTEE MOTION: Moved that the Town's representatives to the General Court are hereby requested to introduce legislation as set forth below; and, that the General Court, with the approval of the Select Board, make constructive changes in the text hereof as may be necessary or advisable to accomplish the intent of the legislation in order to secure its passage, as follows:

AN ACT AMENDING THE CHARTER FOR THE TOWN OF NANTUCKET

SECTION 1. Section 2.1 of article II of the charter of the town of Nantucket, as established by chapter 289 of the acts of 1996, as amended, which is on file in the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended as follows:

3. Striking out the first sentence of the second paragraph said section 2.1 and replacing it with the following:

Notwithstanding the foregoing, certain powers of Town Meeting as to real estate acquisitions and funding of capital projects at Nantucket Airport shall also be vested in the Select Board, as specified in Sections 3.3 and 3.6, subject to the voters' right to petition, as specified in Sections 2.1(b), 3.3, and 3.6.

4. Striking out section 2.1(b) and replacing it with the following:

To veto any real estate acquisition voted by the Select Board pursuant to Section 3.3 or any vote regarding funding of capital projects at the Nantucket Airport pursuant to Section 3.6; provided, however, that a petition proposing such veto in the form of a Town Meeting warrant article is signed by at least ten registered voters and provided that the petition is timely filed with the Town Clerk. The Town Clerk shall then present the petition to the Select Board within the time permitted for inclusion of the article in the next Annual Town Meeting or Special Town Meeting warrant. The Select Board or the Nantucket Airport Commission, as applicable may proceed with the real estate acquisition or use of funding of capital projects to benefit the Airport unless a petition to veto such acquisition or funding is filed with the Town Clerk within 15 days of the public notice provided for Section 3.6 of this Charter.

SECTION 2. Section 3.1 of article III of said charter is hereby amended by adding a new section 3.6 as follows:

Section 3.6 Funding for the Benefit of the Nantucket Airport

At the request of the Nantucket Airport Commission, the Select Board may, notwithstanding any law to the contrary, vote to appropriate, borrow or transfer from available funds any sum of money to be placed in the Airport enterprise fund, or any other fund established for the benefit of Nantucket Airport, in order to permit the Nantucket Airport Commission or the Nantucket Airport to qualify for available grants and loans; provided that the amount of such appropriation or borrowing shall not exceed the total cost of the Capital Project for which the appropriation or borrowing is authorized pursuant to Section 2.1(b) of this Charter; and provided further that any amount authorized to be appropriated, borrowed or transferred by the Select Board shall, subject to any applicable grant or loan requirements and applicable laws, be reduced by the amount of any such grant or loan funds received prior to the issuance of bonds or notes or the expenditure of funds by the Nantucket Airport Commission.

The Select Board shall publish a public notice of such vote in a newspaper having general circulation within the Town. Any such vote shall be subject to veto by Town Meeting if a petition as set forth in Section 2.1(b) is filed with the Town Clerk within 15 days following the date such public notice is published.

Nothing in this section of the Charter shall affect the acceptance of gifts pursuant to Chapter 44, Section 53A of the General Laws.

ARTICLE 95

(Home Rule Petition: Real Estate Easement Conveyance - Candle House Lane)

To see if the Town will vote to authorize the Nantucket Islands Land Bank to petition the General Court consistent with the requirements of Article 97 of the Amendments to the Massachusetts Constitution to enact special legislation to authorize the easement conveyance of all or portions of certain parcels of land in the Town of Nantucket owned by the Nantucket Islands Land Bank for open space purposes, as described in more detail below and as shown on a map entitled "2020 Annual Town Meeting Warrant Article 95" dated January 2020 and filed with the Office of the Town Clerk, to the Town of Nantucket for drainage purposes, provided, however, that the General Court may with the approval of the Nantucket Islands Land Bank, make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage:

AN ACT AUTHORIZING THE NANTUCKET ISLANDS LAND BANK TO CONVEY DRAINAGE EASEMENTS OF PORTIONS OF CERTAIN LANDS SITUATED IN THE TOWN OF NANTUCKET HELD FOR OPEN SPACE PURPOSES TO THE TOWN OF NANTUCKET FOR UNDERGROUND DRAINAGE PURPOSES

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Pursuant to Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts and notwithstanding the provisions of any general or

1. § A301-10 Park and Recreation Commission.

ACTS, 1987. CHAP. 459 - AN ACT ESTABLISHING A PARK AND RECREATION COMMISSION IN THE TOWN OF NANTUCKET

SECTION 1. Section 2 of Chapter 169 of Acts of 1965 is hereby amended by striking out, in line 5, the words "park and recreation commission." [1]

SECTION 2. There is hereby established in the Town of Nantucket a Park and Recreation Commission having the powers and duties of a park commission under the provisions of Chapter 45 of the General Laws. (emphasis

added)

The existing language in the Charter is the following:

Section 4.4. Town Administration Departments [Amended 4-10-2002 ATM by Art. 46, approved 4-1-2003 ATE]

- (a) The Town Administration shall include the Building, Finance, Fire, Health, Island Home, Marine and Coastal Resources, Police, Public Works, and Visitors Services departments; provided, however, that nothing in this Charter mandates the continued existence of any such Town Administration department or continuance of a department name or function.
- (b) The Town Administration shall not include the Airport, the Park and Recreation, the School and the Water departments.

Section 4.4

Section 4.7

In addition to the foregoing, the following boards, commissions and agencies shall be hereby classified as town administration departments:	
•	Board of Appeals
•	Conservation Commission
•	Council on Aging
•	Council for Human Services
•	Historic District Commission
•	Planning Board
•	Park & Recreation Commission

•	Shellfish & Harbor Advisory Board
All town employees in the employ of these boards, and commissions, and agencies as staff, assistants and the like shall, on the effective date of this amendment, come under the appointment, removal or other authority of the Town Manager in accordance with section 4.3 and 4.6 of the Charter; provided, however, that the method of appointment or election of members of such boards and commissions (which boards and commissions shall be "Department Head" within the meaning of section 4.6 of the Charter of the Town for each of their respective jurisdictions) shall not be changed by this amendment. [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]	

The following existing Charter Sections may also be relevant to the Park and Recreation discussion and should be considered when reviewing recommendations above:

Section 4.8. Town Boards not within Town Administration [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]

The Town Manager shall not exercise any control over the discretionary power vested by the laws of the Commonwealth in any Town board, council, commission, or committee not within Town Administration.

Section 4.9. Staff of Boards not within Town Administration [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]

Each Town board, council, commission or committee not within the Town Administration shall have the power to appoint its respective staff personnel, subject to availability of budgeted funds and (except staff of the School Committee) subject to prior written notification to the Town Manager. Such staff personnel shall be responsive to the Town Manager only in matters of the Town's general administrative procedures but not as to substantive decisions entrusted to such board, council, commission or committee. With prior written notification to the Town Manager, such boards may remove, suspend or otherwise discipline their staff personnel, subject, however, to any grievance procedures as may be established by Town bylaw, rule or regulation or any applicable union contract provisions.

Section 1.1

Section 1.2

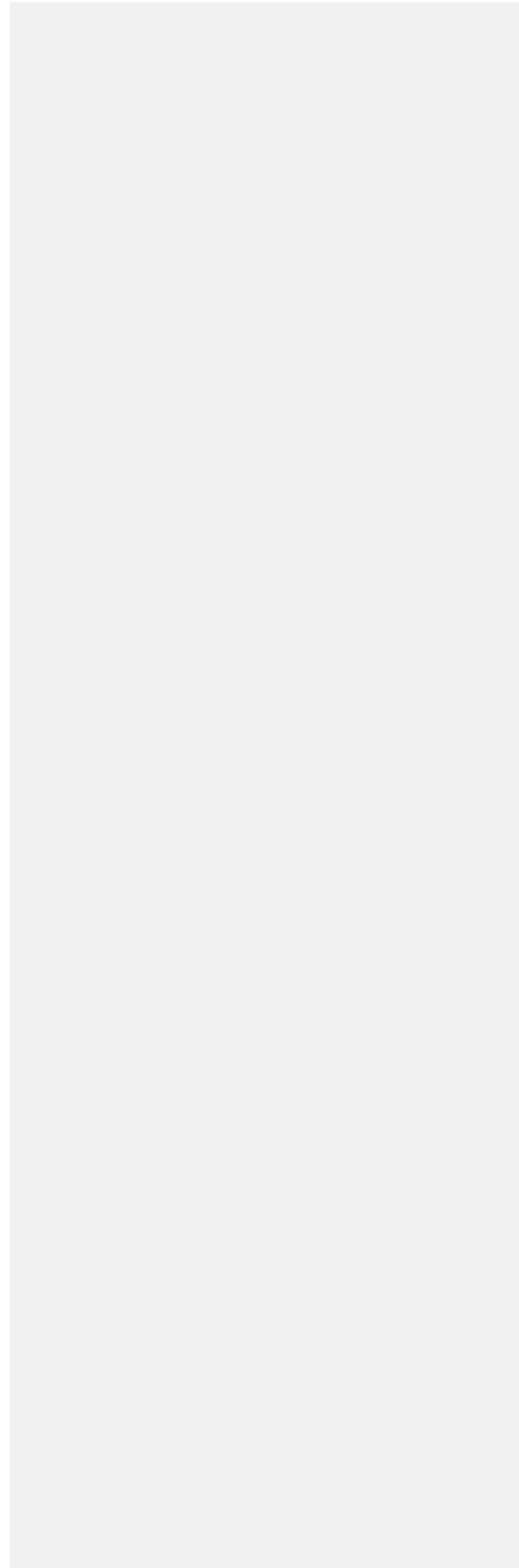
ARTICLE I
Powers of the Town

Section 1.1. Intention of this Charter

It is the intent of this Charter to confer on the Town of Nantucket, first incorporated in 1671, all powers possible under the Constitution of the Commonwealth as fully and completely as though they were expressly enumerated in this Charter. The Town shall remain subject to the laws of the Commonwealth, its rules and regulations and to the bylaws of the Town, except to the extent they are inconsistent with the provisions of this Charter. The Charter shall not be construed as a codification of all such laws, rules, regulations and bylaws but as effecting those particular changes by which the inhabitants of Nantucket may secure a more efficient, responsive and wise government.

Section 1.2. Liberal Construction

The powers of the Town under this Charter shall be construed liberally in favor of the Town.



Section 2.1

Section 2.4

ARTICLE II Legislative Functions

Section 2.1. Legislative Powers

The legislative powers of the Town shall remain vested in the Town Meeting open to all voters.

Notwithstanding the foregoing, certain powers of Town Meeting as to real estate acquisitions shall be vested in the Board of Selectmen, as specified in Section 3.3., subject to the voters' right to petition, as specified in Sections 2.1(b) and 3.3, to place before Town Meeting any real estate acquisition voted by the Board of Selectmen under said Section 3.3.

The following additional powers may be exercised by Town Meeting:

- (a) To exercise any power which a charter for the County of Nantucket may vest in Town Meeting; and
- (b) To veto any real estate acquisition voted by the Board of Selectmen pursuant to Section 3.3; provided, however, that a petition proposing such veto in the form of a Town Meeting warrant article is signed by at least ten registered voters and provided that the petition is timely filed with the Town Clerk. The Town Clerk shall then present the petition to the Board of Selectmen within the time permitted for inclusion of the article in the next Town Meeting warrant. The Board of Selectmen may proceed with the real estate acquisition unless the acquisition is vetoed by the Town Meeting.

Section 2.2. Town Moderator

The Moderator shall be elected for a term of one year and shall have all the powers and duties given to moderators under the Constitution and the laws of the Commonwealth, and such additional powers and duties as are authorized by this Charter.

Commented [LFG1]: Many moderators are elected for a term of 3 years with the hope that they are able to be prepared for Town Meeting. The change to the term would have to be voted at a meeting held no later than 60 days prior to the date of the annual town election.

Section 2.3. Alternate Town Moderator

In advance of each Town Meeting, the Town Moderator shall by written notice to the Town Clerk appoint an Alternate Town Moderator who shall, during such Town Meeting, serve as acting Moderator in the event of absence or disability of the Moderator.

Section 2.4

Section 2.4. Clerk of the Meeting

The Town Clerk shall serve as Clerk of the Town Meeting. In advance of each Town Meeting, the Town Clerk shall by written notice to the Moderator appoint an Alternate Clerk of the Meeting who shall, during such Town Meeting, serve in the event of absence or disability of the Clerk of the Meeting. If an Alternate Clerk of the Meeting is not appointed or is unable so to serve, the Moderator shall appoint a clerk.

Commented [LFG2]: Note that this doesn't address whether the appointing of a clerk under this section must be a resident or registered voter in the Town.

Section 2.5. Town Meeting Warrant

- (a) The Board of Selectmen shall include all proposed operating expenditures in a single article or in consecutive articles in the warrant and also all proposed capital improvement expenditures in a single article or in consecutive articles.
- (b) The board of selectmen shall publish notice of the issuance of the warrant of each town meeting in a newspaper of general circulation within the town promptly after the issuance of the warrant. After such publication, the Finance Committee shall hold a public hearing on each article and vote its recommendations. For articles that do not call for the Town to raise and appropriate, transfer or borrow sums of money, the Finance Committee may choose to make no recommendation. **[Amended Acts 2016, Ch. 362, approved 1-5-2017]**
- (c) The Board of Selectmen shall publish the warrant with the recommendations of the Finance Committee by mailing a copy of such warrant to the address or postal box of each registered voter at least seven days prior to the Town Meeting.

Commented [LFG3]: Would recommend that the Town website be added here.

Commented [LFG4]: Requirements like this are being removed from other charters. The general feeling is that mailing is expensive, people can download from the internet, and/or people who want the printed docs can request that they be mailed (i.e., a sign-up list for mailing of warrant). Lots of talk of trees.

Section 2.6. Rights of Nonresident Property Owners

One spokesperson for the Town's nonresident property owners shall be allowed to speak at any annual or special Town Meeting on matters before the Meeting but only at such times during a Meeting as the Moderator may allow and in accordance with the rules of order.

Section 2.7. Conduct of the Town Meeting

Except to the extent other procedures have been or are adopted by Town Meeting or by the Moderator in conformity with this Charter and the laws of the Commonwealth, Town Meeting shall follow the latest revised edition of Town Meeting Times: A Handbook of Parliamentary Law, by Johnson, Trustman and Wadsworth.

Section 3.1

Section 3.3

ARTICLE III
Board of Selectmen

Section 3.1. Composition, Term of Office and Quorum

The Board of Selectmen shall be composed of five members elected for terms of three years each, so arranged that the terms of as nearly equal number of members as possible expire each year. To qualify for office, each member shall be and remain a resident of the Town. Three of the five members shall constitute a quorum. A majority of the quorum shall be sufficient to set the Board's meeting agenda and to decide any question, except as may be otherwise provided in this Charter.

Section 3.2. Board Officers

Within 30 days following each annual Town election, the Board of Selectmen shall choose one of its duly elected members as Chair and another as Vice-Chair, each to serve until a successor is elected. The Vice-Chair shall, during any temporary disability or absence of the Chair, serve as Acting Chair. The Chair shall:

- (a) Execute, and cause the Town Clerk to affix Town seal to, all contracts, bonds or other instruments requiring the signature and seal of the Town and having been duly approved by the Board of Selectmen;
- (b) Preside over all meetings of the Board of Selectmen with the right to vote on all questions, absent conflict of interest, and to propose the agenda prior to each such meeting;
- (c) Report annually to the people of the Town on the work of the previous year; and
- (d) Serve as representative of the Board of Selectmen at ceremonial and civic occasions.

Section 3.3. Power to Acquire Real Estate for the Town

Subject to applicable administrative procedures pursuant to the laws of the Commonwealth or Town bylaw, the Board of Selectmen may, notwithstanding any law to the contrary, vote the following:

To acquire any real estate, including any partial interest therein, by purchase or acceptance of gift; such acquisition being without the necessity of any vote of Town Meeting, but subject to the restriction that any acquisition of real estate by eminent domain may only be effected if first authorized by vote of Town Meeting pursuant to the

Section 3.3

laws of the Commonwealth and subject also to the availability of any necessary funds appropriated for such acquisition.

The Board of Selectmen shall publish a public notice of such vote in a newspaper having general circulation within the Town. Any such acquisition shall be subject to veto by Town Meeting if a petition as set forth in Section 2.1(b) is filed with the Town Clerk within 30 days following the date such public notice is published.

Commented [LFG5]: Same as previous comment.

Nothing in this Section of the Charter shall affect the acceptance of gifts pursuant to c. 44, Section 53(a) of the General Laws.

Section 3.4. Selectmen Powers as to Appointments

(a) The Board of Selectmen may, at a public meeting, exercise the following powers:

- (1) To appoint the Town Manager for the purposes set forth in Article IV. Such appointment shall be upon appropriate terms and conditions, including provision for annual performance reviews, in conformity with this Charter and the General Laws. By a majority vote of the full count of members then in office, the Board may remove the Town Manager; **[Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]**
- (2) To appoint Town Counsel, and registrars of voters and other election officials (upon the recommendation of the Town Clerk), also other Town officers and employees to the extent so permitted to them by this Charter;
- (3) To appoint and, for cause, upon written charges and after a public hearing if so requested, to remove members of the following Town boards, councils, commissions and committees: **[Amended 4-11-2007 ATM by Art. 51, approved 5-21-2007]**

Section 3.4

Section 3.4

Airport Commission, Conservation Commission, Commission on Disability, Council on Aging, Council for Human Services, Finance Committee, Parks and Recreation Commission, and Zoning Board of Appeals; and any other committee for which a Town bylaw makes the Board of Selectmen the appointing authority; also any advisory committee established by the Board of Selectmen and any committee acting for both the Town and the County.

Cause for removals shall be put forward in good faith, and not arbitrary, irrational, unreasonable or irrelevant to the duties of the office, on grounds of incapacity beyond temporary illness, chronic nonattendance or violation of the oath of office.

Nothing in this Section 3.4(a)(3) mandates the continued existence of any such board or the specific number of members appointed;

- (4) To exercise the power to disapprove of appointments made by the Town Manager pursuant to Section 3.4(b) or 4.3 of this Charter. All appointments by the Town Manager to the position of Assistant Town Manager, of department head or of any other position pursuant to this Charter, are subject to a vote of disapproval by the Board of Selectmen; provided, however, that such appointments shall take effect unless the Board of Selectmen votes disapproval within a 15-day period following the day on which notice of the proposed appointment is filed with the Board Chair; **[Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]**
- (5) To fill by appointment any elective position on a Town board, commission or council, vacant by reason of a member's resignation, death or incapacity beyond temporary illness, but only if the laws of the Commonwealth allow for appointments in such cases, the appointee to serve, any such laws notwithstanding, only until a successor is elected at the next annual Town election; and the successor so elected then to serve for the remainder, if any, of the member's unexpired term; and
- (6) To appoint to the Planning Board three associate members to serve in zoning matters as alternates in lieu of any elected alternate, the terms of appointment being of such length and so arranged that the term of one associate member shall expire each year. Nothing in this Charter shall affect the

Commented [LFG6]: The following could be added at the end, "or the Board's sooner approval."

Section 3.4

election of the regular Planning Board members in accordance with the laws of the Commonwealth.

- (b) Any vacancy occurring in an appointed position in Town offices, boards, councils, commissions or committees shall be filled by the Board of Selectmen, the Town Manager or other appointing authority, whichever is empowered to make the initial appointment to the position vacated, for the balance of the unexpired term. **[Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]**

Section 3.5

Section 3.5. Further Powers of the Selectmen

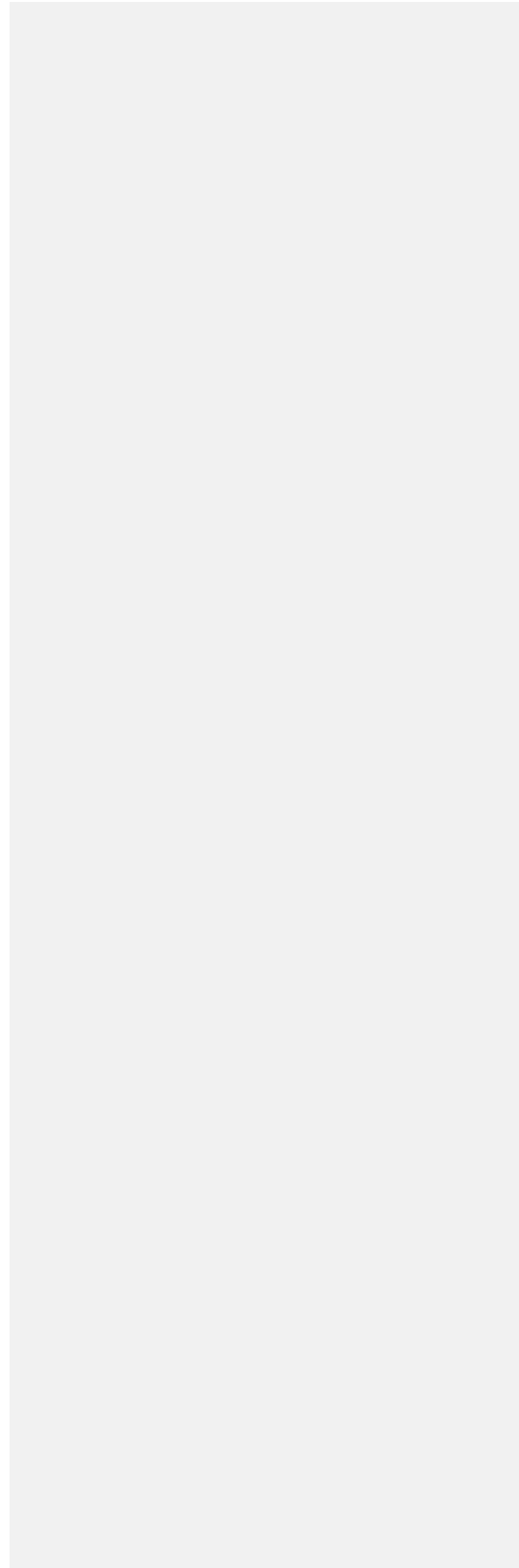
The Board of Selectmen shall have the power:

- (a) To act in the capacity of the Board of County Commissioners;
- (b) To establish general Town priorities, goals and policies;
- (c) To establish as may be advisable or needed one or more advisory committees to conduct any inquiry or investigation or to make planning, policy or other recommendations; further, to establish and shall so establish as a permanent standing committee of the town a three member audit committee whose duties shall include appointment of an outside audit firm, review of the annual audit results and evaluation of the internal accounting procedures and controls. The audit committee shall be composed of three members each serving a term of one year. The committee will consist of the Chairman of the Board of Selectmen, the Chairman of the Finance Committee and one member of the Board of Selectmen appointed by the Board of Selectmen. **[Amended 4-11-2007 ATM by Art. 50, approved 5-21-2007]**
- (d) To adopt rules for the conduct of business and to fix times and places for meetings, to establish all five members as a committee of the whole, and to designate any number of its members as a subcommittee;
- (e) To approve or disapprove Town contracts, contract amendments, contract terminations and contract enforcement actions proposed by the Town Manager; **[Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]**
- (f) To identify emergency situations and to declare emergencies;
- (g) To hear and decide upon license applications as may be provided by Town bylaws or by Special or General Laws; and

Section 3.5

Section 3.5

- (h) To hear and decide administrative appeals from the Historic District Commission or from any other Town body as may be provided by Town bylaw or by the laws of the Commonwealth.



Section 4.1

Section 4.2

ARTICLE IV
Town Administration

Section 4.1. Roles of Selectmen and Town Manager [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]

- (a) The administration of the Town shall be vested in the Town Manager who shall, with the assistance of the various Town Department heads, cause this Charter, the Town's legislative actions pursuant to Articles II and III, and applicable General Laws to be enforced.
- (b) It is the intent of this Charter to confer upon the Board of Selectmen such limited legislative powers and general executive policy setting and investigative powers as are provided in Article III but at the same time, by virtue of this Article IV, to confer upon the Town Manager full control over Town Administration, as defined in Section 4.4(a) of this Charter, and of the administration of Town services provided for in this Article IV. Accordingly, this Charter seeks to establish clear lines between Article III powers of the Board of Selectmen and Article IV administrative functions as follows:
 - (1) The Board of Selectmen are to deal with individual Town Administration employees only through or jointly with the Town Manager responsible for the overall administrative management of the Town's affairs as specified in this Article IV; and
 - (2) All routine contact with Town employees concerning the functions of Town Administration and its provision of services shall be from the Board of Selectmen through or jointly with the Town Manager.
- (c) Nothing in the foregoing nor in this Charter shall be construed to prohibit informal, non-directive conversations of Town Selectmen with other Town officials, nor the inquiry by the Board of Selectmen into any act or issue concerning Town Administration.

Section 4.2. Town Manager [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]

- (a) The Board of Selectmen shall appoint a Town Manager for an initial term of 2 years. Any successive terms shall not exceed 3 years each. The Town Manager so appointed shall, by education, experience and ability, be qualified to perform the duties established for the position. Such person need not be a resident of

Section 4.2

the Town at the time of appointment but shall be a resident during the term of office starting not later than six months following appointment.

- (b) The Town Manager shall devote full time to the duties of the office.
- (c) The Town Manager shall be responsible to the Board of Selectmen for the efficient operation of Town Administration, for acting in conformity with policies established by the Board with respect to budget and other matters, and for the proper implementation of legislation adopted by the Town pursuant to Article II. The Town Manager shall have all the powers, rights and duties delegated by the Board of Selectmen or as are commonly associated with the office of chief administrative officer of a local government unit.
- (d) In particular, the Town Manager:
 - (1) shall supervise, direct and be responsible for the efficient administration of all officers, boards, councils, commissions and committees appointed by the Town Manager, and all other Town functions for which the Town Manager is given responsibility by this Charter, Town bylaw, administrative code, or other legislation; and may issue administrative orders;
 - (2) shall have appointment powers as provided in Section 4.3;
 - (3) shall, with the assistance of the department heads, prepare and submit to the Board of Selectmen, all annual operating budgets and capital budgets, and any proposal for budget amendment; shall establish the schedules and procedures to be followed by all Town departments, boards, councils, commissions and committees in connection therewith and shall direct all phases of the budgetary process throughout each fiscal year;
 - (4) shall prepare the Town Meeting warrant for adoption by the Board of Selectmen pursuant to a schedule set by the Board, by administrative code or Town bylaw.
 - (5) may be present at all meetings of the Board of Selectmen and may participate in all deliberations, without the right to vote;
 - (6) shall, with the assistance of the Town department heads, ensure adequate inventory, care, construction and maintenance of all Town properties, owned or leased, and

Section 4.2

Section 4.2

Section 4.2

foster centralized purchasing including, if so requested, for the School Committee;

- (7) may require reports from and may examine the records, accounts and operations of any Town department, board, council commission or committee and shall recommend whatever actions or programs are deemed necessary or desirable for the Town, the welfare of its residents and of visitors to the Islands;
- (8) shall review, analyze and forecast trends of Town services and programs of all Town departments, boards, councils, commissions and committees and make reports and recommendations thereon to the Board of Selectmen;
- (9) shall negotiate and sign on behalf of the Town contracts and contract amendments for the Town and initiate contract terminations and enforcement actions, subject in each case to resolution of approval or disapproval of the Board of Selectmen, and including any Town employment (but not union) contracts, subject to the availability of funds;
- (10) shall have the authority, subject to resolution of approval or disapproval of the Board of Selectmen, to prosecute, defend and compromise, all litigation to which the Town is party. In the event that a board, council, commission or committee of the Town is a party defendant to litigation and the Town a party plaintiff, that board may vote to be represented by special counsel funded from the same appropriation as Town Counsel would otherwise be;
- (11) shall assure that all terms and conditions imposed in favor of the Town or its inhabitants in any statute, franchise or contract are faithfully kept and performed;
- (12) may order any Town Administration department head to undertake tasks for any other Town Administration department, on a temporary basis if deemed necessary for proper and efficient administration;
- (13) shall make recommendations to the Board of Selectmen of actions they might take for the improvement of the Town and for the welfare of its residents and Island visitors, also for provision of adequate working space and conditions of Town Administration and other Town agencies;
- (14) shall approve warrants for payment before such warrants are submitted to the Board of Selectmen; and

Section 4.2

- (15) perform any other duties as may be required by this Charter, by Town bylaw or by majority vote of a quorum of the Board of Selectmen.

Section 4.4

Section 4.3. Town Manager Appointments [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]

The Town Manager:

- (a) shall appoint the heads of all Town Administration departments (other than any elected heads), subject to resolution of disapproval pursuant to Section 3.4(a)(4) by the Board of Selectmen;
- (b) shall appoint members of Town boards, councils, commissions and committees, but only to the extent that the power of appointment of the Board of Selectmen under Section 3.4 of this Charter to make such appointments is delegated by the Board of Selectmen to the Town Manager and then subject to resolution of disapproval pursuant to Section 3.4(a)(4) by the Board of Selectmen;
- (c) may, at the Manager's discretion and for cause, remove, suspend or otherwise discipline any appointee of the Manager, subject, however, to any grievance procedure as may be established by Town bylaw, rule or regulation or any applicable union contract provisions; and
- (d) may, if the Board of Selectmen creates the office of Assistant Town Manager, appoint and, subject to the limitations set out in Section 4.3(c) above, remove, suspend or otherwise discipline the Assistant Town Manager. Such Assistant Town Manager shall serve as acting Town Manager during the temporary absence or disability of the Town Manager.

Commented [LFG8]: Consider inserting the word "department" prior to the word "heads".

Section 4.4. Town Administration Departments [Amended 4-10-2002 ATM by Art. 46, approved 4-1-2003 ATE]

- (a) The Town Administration shall include the Building, Finance, Fire, Health, Island Home, Marine and Coastal Resources, Police, Public Works, and Visitors Services departments; provided, however, that nothing in this Charter mandates the continued existence of any such Town Administration department or continuance of a department name or function.
- (b) The Town Administration shall not include the Airport, the Park and Recreation, the School and the Water departments.

Section 4.4

Section 4.7

In addition to the foregoing, the following boards, commissions and agencies shall be hereby classified as town administration departments:	
•	Board of Appeals
•	Conservation Commission
•	Council on Aging
•	Council for Human Services
•	Historic District Commission
•	Planning Board
•	Park & Recreation Commission
•	Shellfish & Harbor Advisory Board
All town employees in the employ of these boards, and commissions, and agencies as staff, assistants and the like shall, on the effective date of this amendment, come under the appointment, removal or other authority of the Town Manager in accordance with section 4.3 and 4.6 of the Charter; provided, however, that the method of appointment or election of members of such boards and commissions (which boards and commissions shall be "Department Head" within the meaning of section 4.6 of the Charter of the Town for each of their respective jurisdictions) shall not be changed by this amendment. [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]	

Section 4.5. Department Head Responsibilities [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]

The heads of Town Administration departments shall be responsible to the Town Manager for the efficient operation of their respective departments and for the proper implementation of the laws and regulations of the Commonwealth and of Town bylaws applicable to their departmental functions.

Section 4.6. Department Personnel [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]

With authorization of the Town Manager and subject to availability of budgeted funds, the heads of Town Administration departments shall appoint and hire the personnel of their respective departments. With authorization of the Town Manager, the department heads may remove, suspend or otherwise discipline such personnel, subject, however, to any grievance procedures as may be established by Town bylaw, rule or regulation or any applicable union contract provisions.

Section 4.7

Section 4.7. Town Clerk

The Town Clerk shall be elected and shall have such duties and powers as are provided by General Law, including the power to appoint an Assistant Town Clerk.

**Section 4.8. Town Boards not within Town Administration
[Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]**

The Town Manager shall not exercise any control over the discretionary power vested by the laws of the Commonwealth in any Town board, council, commission, or committee not within Town Administration.

**Section 4.9. Staff of Boards not within Town Administration
[Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]**

Each Town board, council, commission or committee not within the Town Administration shall have the power to appoint its respective staff personnel, subject to availability of budgeted funds and (except staff of the School Committee) subject to prior written notification to the Town Manager. Such staff personnel shall be responsive to the Town Manager only in matters of the Town's general administrative procedures but not as to substantive decisions entrusted to such board, council, commission or committee. With prior written notification to the Town Manager, such boards may remove, suspend or otherwise discipline their staff personnel, subject, however, to any grievance procedures as may be established by Town bylaw, rule or regulation or any applicable union contract provisions.

Section 4.9

Section 5.1

Section 5.4

ARTICLE V
Elections, Dismissals and Recalls

Section 5.1. Elections

The regular elections to any Town office shall be by official ballot for the annual Town election. Except as may be provided generally for town governments by the General Laws of the Commonwealth or as provided for recalls in Section 5.4, nothing in this Charter shall grant any power to remove or dismiss any elected Town official.

**Section 5.2. Actions Not to be Influenced by Selectmen
 [Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]**

No Selectman shall individually or collectively seek to influence the Town Administration to dismiss any person from or to appoint or to promote any person to any position in the Town Administration. However, the Board of Selectmen may, pursuant to Section 3.4(a)(4), adopt a resolution of disapproval as to appointments which the Town Manager is empowered to make in accordance with Section 3.4(b) or 4.3 of this Charter.

Section 5.3. Indemnification of Town Officials

The Town shall indemnify and hold harmless all Town officers pursuant to Chapter 258, Section 13 of the General Laws.

Section 5.4. Recall of Elected Officials

- (a) Any holder of elective Town office may be recalled by the voters of the Town. Any two-hundred registered voters may file with the Town Clerk an affidavit identifying the name of the officer sought to be recalled and stating in full the specific grounds for the recall. The affidavit shall be signed by each voter under pains and penalty of perjury and shall include the street address of each voter.
- (b) Within ten days, the Town Clerk shall certify the signatures and, if sufficient, shall deliver upon request to any of the certified voters a blank recall petition form naming such voter. Each such petition form shall carry the Clerk's signature and seal and date of the certification, shall be addressed to the Board of Selectmen, shall identify the officer's name and the stated grounds for recall, and shall demand election of a successor to the office.
- (c) If, within 21 days after the certification date, such recall petition forms signed by at least 20% of registered voters with Town

Commented [LFG9]: Newer recall acts require the recall petitioners to identify the first 10 signers of the petition and the lead petitioner.

Commented [LFG10]: It would be useful to identify when this number should be measured. Perhaps at the last regular Town Election?

Section 5.4

residence address shown are returned to the Town Clerk, the Clerk shall, within 14 days, certify the signatures of registered voters, to determine sufficiency of the petition.

- (d) If sufficient the Town Clerk shall thereupon submit the petition with date of its certification to the Board of Selectmen which shall forthwith give written notice thereof to the officer sought to be recalled. If the officer does not resign within 7 days, the Board of Selectmen shall order a recall election to be held concurrently with the next annual election for Town officers not less than 75 days after such certification date. The recall election, once ordered, shall proceed, even if the office becomes vacant, in the same manner as for an annual Town election.
- (e) The officer sought to be removed may seek renomination, may serve until expiration of the current term of office unless and until a successor is sooner elected, and may not be put twice to the recall process in the same term.
- (f) Recall election ballots shall first submit the question:

For the recall of (name of officer)	☐
Against the recall of (name of officer)	☐
and then the heading "Candidates" followed by a listing of the names of candidates nominated for the office. Only if the majority of votes counted upon the question of recall is in the affirmative shall the votes upon the candidates be effective to elect the one receiving the highest number.	

Section 5.4

Commented [LFG11]: This is a REALLY long time...

Commented [LFG12]: Most similar provisions provide only 5 days.

Commented [LFG13]: This needs to be moved, in my opinion. The language should be inserted before the words after the words "the Board of Selectmen shall"

Commented [LFG14]: Consider revising to state, "name and title of officer"

Commented [LFG15]: See previous comment.

Section 6.1

Section 6.5

ARTICLE VI General Provisions

Section 6.1. Application of Laws of the Commonwealth

The provisions of this Charter shall govern notwithstanding any General or Special Law of the Commonwealth to the contrary. Where not contrary to or inconsistent with the provisions of this Charter, the Town shall remain subject to the laws of the Commonwealth.

Section 6.2. Code of the Town of Nantucket

Unless expressly altered or superseded by the provisions of this Charter, the Code of the Town of Nantucket shall remain in force and effect notwithstanding ratification of this Charter unless and until amended, added to or repealed in accordance with this Charter and the laws of the Commonwealth.

Section 6.3. Town Clerk to have Custody of Charter

The Town Clerk shall have custody of the original of this Charter and any amendments thereto.

Section 6.4. Charter Interpretation

- (a) To the extent any specific provision of this Charter shall conflict with any provision expressed in general terms, the specific provision shall prevail. The provisions are severable, the remaining provisions being unaffected if a Charter provision is held to be invalid.
- (b) To facilitate bringing Town governmental organization and operations into conformity with this Charter, the members of the Town and County Charter Commission elected April 4, 1995 shall serve ex officio as members of a Committee on Charter Conformance, but only during the continuance of the Charter Commission and, in any event, not later than April 4, 2000. Such Committee shall serve in an advisory capacity to the Board of Selectmen, the Town Manager and to such boards, councils, commissions and committees as may request advice. **[Amended 4-11-2007 ATM by Art. 44, approved 5-21-2007]**

Section 6.5. Amendment of Charter

- (a) This Charter may be replaced, revised or amended in accordance with the procedure set forth in either Chapter 43B of the General Laws of the Commonwealth or in c. 328 of the Acts of 1992.

Section 6.5

- (b) As permitted by Article II, Sec. 4, of the Articles of Amendment of the Constitution of the Commonwealth, this Charter may also be amended as follows:

The Town Meeting may, by a two-thirds vote, propose amendments of this Charter. All proposed Charter amendments so voted shall be published and submitted for approval at the next annual Town election in the same manner as provided for the adoption or revision of a charter upon the recommendation of a charter commission. Notwithstanding the foregoing, any change in the Charter relating in any way to the composition, mode of election or appointment, or terms of office of the Town Meeting or the Board of Selectmen or a town manager shall be made only by the procedure of charter revision set forth in Section 3 of Article II of the Articles of Amendment of the Constitution of the Commonwealth.

Section 6.6

Section 6.6. Time of Taking Effect

This Charter shall take effect on July first next following ratification by the voters of the Town. All Town officers, boards, councils, commissions and committees shall continue to perform their duties until re-appointed or re-elected or until successors to their respective positions are fully appointed or elected or until their duties have been transferred and assumed by another.

Any person holding a Town office or employment under the Town shall continue to retain such office or such employment and shall continue to perform the duties of the office or of the employment until such time as provisions shall have been made in accordance with this Charter for the performance of such duties by another person or agency. No person in the permanent, full time service or employment of the Town shall forfeit pay grade or time in service by reason solely of the adoption of this Charter. All such persons, unless removed in accordance with this Charter, shall be retained in an employment capacity as similar to their former employment capacity as is feasible.

Commented [LFG16]: This entire section, including the chart, can be deleted. These were “transitional provisions”.

Section 6.6

Section 6.6

SECTION 2. Continuance of the Charter Commission.	
The Town and County Charter Commission elected April 4, 1995 pursuant to Chapter 328 of the Acts of 1992 shall continue to exist until thirty days after the enactment of this Act and any act that it may recommend in furtherance of a merger of the Town and County of Nantucket, provided that it shall submit a final report of its recommendations as to such a merger by December 31, 1998 and provided further that in no event shall such Commission continue beyond April 4, 2000.	
SECTION 3. Ratification by the Voters.	
On the official ballot to be used by the Town of Nantucket at the next annual election for Town officers at least two months after enactment of this Act by the General Court, the question shall be placed substantially as follows:	
"Shall an act passed, by the General Court in the year 1996 entitled 'An Act providing for a Charter for the Town of Nantucket' be accepted?"	
A summary of the Charter to be prepared by the Town and County Charter Commission shall accompany the ballot question described herein.	
If the majority of the votes cast in answer to such question is in the affirmative, this Act shall take full effect but not otherwise.	
	Ratified April 8, 1997