

1. 2008 Special Town Meeting

Documents: [2008 SPECIAL TOWN MEETING.PDF](#)

2. 2008 Special Town Meeting Summary

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3. 2008 Special Town Meeting Voter Handout

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4. 2008 Special Town Meeting Warrant FC

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5. Warrant For Special Town Meeting II

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COMMONWEALTH OF MASSACHUSETTS

TOWN OF NANTUCKET



December 8, 2008
Special Town Meeting

**Town of Nantucket
16 Broad Street
Nantucket, MA 02554
508-228-7255
www.nantucket-ma.gov**

To the Constables of the Town of Nantucket:

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Nantucket qualified to vote in Town affairs to go to the Nantucket High School at 10 Surfside Road in said Nantucket, on

**MONDAY, THE EIGHTH DAY OF DECEMBER, 2008 AT 7:00 PM
THEN AND THERE TO ACT ON THE ARTICLES
CONTAINED WITH THE ENCLOSED WARRANT:**

ARTICLE 1

(Supplemental Appropriation: New Water Storage Tank/Wannacomet Water)

To see what sums the Town may vote to borrow pursuant to any applicable statute to fund an additional supplemental sum of money to increase the Five Million Dollar (\$5,000,000) appropriation approved by the vote pursuant to Article 13 of the April 11, 2005 Annual Town Meeting for additional costs relating to the construction of a new 2.0 million gallon water storage tank for the Nantucket Wannacomet Water Department, or to take any other action related thereto.

(Board of Selectmen for Nantucket Water Commission)

ARTICLE 2

(Supplemental Appropriation: Replacement Water Storage Tank/Siasconset Water)

To see what sums the Town may vote to borrow pursuant to any applicable statute to fund an additional supplemental sum of money to increase the Three Million Nine Hundred Thousand Dollar (\$3,900,000) appropriation approved by the vote to Article 13 of the April 11, 2005 Annual Town Meeting for additional costs relating to the construction of a new water storage tank for the Siasconset Water Department; or to take any other action related thereto.

(Board of Selectmen for Siasconset Water Commission)

ARTICLE 3

(Appropriation: Collective Bargaining Agreement/
Our Island Home)

To see what additional sums the Town may transfer from available funds or from adjustments to the Town's budgets for Fiscal Year 2009 as voted at the April 2008 Annual Town Meeting, to fund an increase of the appropriation approved by the vote pursuant to Article 19 of the 2008 Annual Town Meeting for cost items for Fiscal Year 2008, ending June 30, 2008, and to fund an increase in the cost items for Fiscal Year 2009 as described in a collective bargaining agreement between the Town of Nantucket (represented by the Board of Selectmen) and the Our Island Home union employees (represented by the Service

Employees International Union Local #1199) in accordance with Chapter 150E of the General Laws of the Commonwealth, and to amend the Town's classification and compensation plan accordingly to reflect such contract, or take any other action related thereto.

(Board of Selectmen)

ARTICLE 4

(Appropriation: Collective Bargaining Agreement/
Laborer's Union)

To see what sums the Town may transfer from available funds or from adjustments to the Town's budgets for Fiscal Year 2009 as voted at the April 2008 Annual Town Meeting, to fund the cost items for Fiscal Year 2009 in a collective bargaining contract between the Town of Nantucket (represented by the Board of Selectmen) and the Laborer's union employees (represented by the Massachusetts Laborers' District Council of the Laborers' International Union of North America, AFL-CIO) in accordance with Chapter 150E of the General Laws of the Commonwealth, and to amend the Town's classification and compensation plan accordingly to reflect such contract, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 5

(Appropriation: Collective Bargaining Agreement/Police)

To see what sums the Town may transfer from available funds or from adjustments to the Town's budgets for Fiscal Year 2009 as voted at the April 2008 Annual Town Meeting, to fund the cost items for Fiscal Year 2009 in collective bargaining contracts between the Town of Nantucket (represented by the Board of Selectmen) and the Police Department union employees (represented by the Massachusetts Coalition of Police, Nantucket Local Union 330 and 330A, IUPA, AFL-CIO) in accordance with Chapter 150E of the General Laws of the Commonwealth, and to amend the Town's classification and compensation plan accordingly to reflect such contract, or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 6

(Fiscal Year 2009 Budget Transfers)

To see what sums the Town will vote to transfer into various line items of the fiscal year 2009 operating budget from other line items of said budget and from other available funds; or, to take any other action as may be related thereto.

(Board of Selectmen)

ARTICLE 7

(Appropriation Amendment: Fiscal Year 2009 General Fund Operating Budget)

To see if the Town will vote to increase, decrease, adjust or otherwise amend the appropriations approved by the positive vote pursuant to Article 8 of the 2008 Annual Town Meeting for the purposes of supporting the offices, departments, boards and commissions of the Town of Nantucket for Fiscal Year 2009, to be funded by anticipated revenues of the general fund, or transfers from available funds or by borrowing pursuant to any applicable statute; or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 8

(Appropriation: Fiscal Year 2009 Solid Waste Enterprise Fund)

To see if the Town will vote to amend the appropriation approved by the positive vote of Article 12 of the 2008 Annual Town Meeting for the operation of the Solid Waste Enterprise Fund, out of anticipated revenues of the designated funds; or, to take any other action as may be related thereto.

(Board of Selectmen)

ARTICLE 9

(Real Estate Conveyance and Home Rule Petition: Muskeget Island)

To see if the Town will vote to authorize the Board of Selectmen to sell, grant or convey to the Nantucket Islands Land Bank, a governmental body of the Commonwealth of Massachusetts or a non-profit organization whose mission is to conserve natural resources or otherwise dispose of the fee title or lesser interests in, and reserving a Conservation Restriction to, all or any portions of that part of Nantucket known as Muskeget Island, described in that certain instrument of taking authorized by Chapter 442 of the Acts of 1895, dated November 25, 1895 and recorded at the Nantucket County Registry of Deeds in Book 79, Page 266; and further to authorize the Board of Selectmen to petition the General Court for enactment of a Home Rule special act set forth below and to request the Town's representatives to the General Court to introduce a Special Act set forth below, and to authorize the General Court, with the approval of the Board of Selectmen, to make constructive

changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage, or to take any actions related thereto.

AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO
GRANT, SELL, CONVEY OR OTHERWISE DISPOSE OF
MUSKEGET ISLAND SITUATED IN THE TOWN OF NANTUCKET
AND ACQUIRED FOR PURPOSES OF A PUBLIC PARK

Section 1. Pursuant to Article XCVII 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 Town of Nantucket, acting by and through its Board of Selectmen, is hereby authorized to sell, grant or convey to the Nantucket Islands Land Bank, a governmental body of the Commonwealth of Massachusetts or a non-profit organization whose mission is to conserve natural resources, or otherwise dispose of the fee title, a conservation restriction, or lesser interests in all or any portions of parkland being that part of Nantucket known as Muskeget Island, described in that certain instrument of taking authorized by Chapter 442 of the Acts of 1895, dated November 25, 1895 and recorded at the Nantucket County Registry of Deeds in Book 79, Page 266.

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

(Board of Selectmen)

ARTICLE 10

(Real Estate Acquisition)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain permanent easements or lesser title interests, for storm water drainage purposes, in all or any portions of that certain property known as Town of Nantucket Town Assessor Map 42.4.2, Parcel 10 and numbered One South Beach Street and that certain solid filled pier adjacent thereto and authorized by Commonwealth of Massachusetts Department of Public Works License No. 5041, dated April 13, 1966 and filed with the Land Court as Document No. 10016, as shown on sheet 7 of that certain set of plans entitled "Storm water Improvements, Phase I, Nantucket, Massachusetts," dated April 2008, and on file with the Town Manager's office, to the extent that others claim ownership of this location believed to be Town-owned land, or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 11

(Home Rule Petition: Amendment to NP & EDC Enabling Act)

To see if the Town will vote to petition the General Court and to request its representatives in the General Court to seek enactment of special legislation for the Town in the form set forth below, it being the intent of the Town to authorize the General Court to make constructive changes to the text hereof, subject to the approval of the Nantucket Board of

Selectmen, to accomplish the public policy purposes hereof, or to take any other action related thereto:

AN ACT TO AMEND THE NANTUCKET PLANNING & ECONOMIC DEVELOPMENT COMMISSION ACT

Section 1. The Act Establishing the Nantucket Planning and Economic Development Commission as set forth in Chapter 561 of the Acts of 1973, as amended by Chapter 98 of the Acts of 1981 and Chapter 458 of the Acts of 1991 is hereby amended by adding the following new section 6 thereof:

Section 6. The Commission established by this Act shall be deemed to be "a regional planning agency having regulatory authority" within the meaning of section 7(2) of Chapter 114 of the Acts of 2008."

Section 2. This Act shall take effect upon passage.

(Board of Selectmen for Nantucket Planning & Economic Development Commission)

ARTICLE 12

(Bylaw: Excavation and Trench Safety)

To see if the Town will vote to amend the Code of the Town of Nantucket by adding a new Chapter 128 (Excavation and Trench Safety) as follows:

Chapter 128. Excavation and Trench Safety

§ 128-1. Purpose.

The purpose of this chapter is to establish reasonable standards to protect the safety of the citizens of the Town of Nantucket from the hazards inherent in trenches and to provide for penalties for individuals who violate any provision of this chapter.

§ 128-2. Authority, Fee.

Pursuant to the provisions of MGL Ch. 82A, the regulations of the Division of Occupational Safety as promulgated under 520 CMR 14.00 regarding Excavation and Trench Safety are expressly incorporated into this bylaw by reference. A reasonable fee to defray the cost of administration incurred in the review and processing of permits shall be established pursuant to MGL Ch. 40, s. 22 F and Ch. 82A, s.2.

§ 128-3 Permitting Authority.

The Director of the Department of Public Works shall serve as the Local Permitting Authority for excavations to take place on property that is owned or controlled by a Public Agency or that a Public Agency otherwise has a property interest in, including but not limited to an easement. The Building Inspector shall serve as the Local Permitting Authority for excavations to take place on privately owned land.

§ 128-4. Application.

The provisions of this chapter shall apply to any Excavator in the Town of Nantucket.

§128-5 Violations.

Any person violating this Chapter shall be fined two hundred dollars (\$200.00) for each offense, each day constituting a separate offense. The enforcing persons for this bylaw shall be the Permitting Authority and any police officer of the town. Non-criminal disposition of violations shall be available to apply to violations pursuant to Chapter 1-2 of the Code of Nantucket.

And, further, that no substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket.

(Board of Selectmen)

To act upon and transact any business relative to the foregoing subjects which may, then and there, come before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

Given under our hands this 22nd day of October in the year Two Thousand Eight.

Michael Kopko, Chairman
Patricia Roggeveen
Brian Chadwick
Allen Reinhard
Rick Atherton

SELECTMEN OF NANTUCKET, MA



Town of Nantucket



OFFICE OF THE TOWN & COUNTY CLERK

16 Broad Street
NANTUCKET, MASSACHUSETTS 02554-3590

Catherine Flanagan Stover, MMC, CMMC
Town & County Clerk

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

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

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



2008 SPECIAL TOWN MEETINGS A & B 2008

The following is a summary of the articles called, and the vote taken by the 2008 Special Town Meetings A & B held at the Nantucket High School, Mary P. Walker Auditorium, 10 Surfside Road, on December 8, 2008.

Monday, December 8 – Meeting A called to order at 7:05 PM. There were 424 voters present. A quorum of 401 voters was needed (5% of 8014.) There were 840 voters at 7:22 PM. There was a final total of 904 voters in attendance.

Article 1: Supplemental Appropriation: New Water Storage Tank/Wannacomet Water (Called) Adopted by Declared 2/3 Majority Voice Vote.

Article 2: Supplemental Appropriation: Replacement Water Storage Tank/Siasconset Water (Called) Adopted by Declared 2/3 Majority Voice Vote

Article 3: Appropriation: Collective Bargaining Agreement/Our Island Home (Not Called) Adopted by Unanimous Voice Vote

Article 4: Appropriation: Collective Bargaining Agreement/Laborer's Union (Not Called) Adopted by Unanimous Voice Vote

Article 5: Appropriation: Collective Bargaining Agreement/Police (Not Called) Not Adopted by Unanimous Voice Vote

Article 6: FY 2009 Budget Transfers (Not Called) Adopted by Unanimous Voice Vote

Article 7: Appropriation Amendment: FY 2009 General Fund Operating Budget (Not Called) Adopted by Unanimous Voice Vote

**Article 8: Appropriation: FY 2009 Solid Waste Enterprise Fund (Called)
Adopted by Unanimous Voice Vote**

**Article 9: Real Estate Conveyance and Home Rule Petition: Muskeget
Island (Not Called) Adopted by Unanimous Voice Vote**

**Article 10: Real Estate Acquisition (Called) Adopted by Unanimous Voice
Vote**

**Article 11: Home Rule Petition: Amendment to NP & EDC Enabling Act
(Not Called) WITHDRAWN BY BOS**

**Article 12: Bylaw: Excavation and Trench Safety (Not Called) Adopted by
Unanimous Voice Vote**

**All Uncalled Articles: It was moved that the following articles be voted as
recommended and/or amended by the Finance Committee or as
recommended and/or amended by the Planning Board, as printed in the
Finance Committee Report, with technical amendments brought forward
during the course of the meeting:**

**Articles 3, 4, 5, 6, 7, 9, 11, and 12 from Special Town Meeting A, as moved
by the Finance Committee, were adopted by Unanimous Voice Vote.**

**2008 Special Town Meeting A was dissolved by Board of Selectman Chair
Michael O'Brien Kopko at 8:20 PM.**

SPECIAL TOWN MEETING B

**Monday, December 8 – Meeting B called to order at 8:23 PM. There were
860 voters present. No quorum was needed.**

**Article 1: Real Estate Acquisition: Madaket (Called) Adopted by Declared
2/3 Majority Voice Vote.**

**Article 2: Real Estate Disposition/Lease Authorization: Madaket (Called)
Adopted by Declared 2/3 Majority Voice Vote.**

**2008 Special Town Meeting B was dissolved by Board of Selectman Chair
Michael O'Brien Kopko at 9:05 PM.**

All Uncalled Articles: It was moved that the following articles be voted as recommended and/or amended by the Finance Committee or as recommended and/or amended by the Planning Board, as printed in the Finance Committee Report, with technical amendments brought forward during the course of the meeting:

Articles 3, 4, 5, 6, 7, 9, 11, and 12 from Special Town Meeting A, as moved by the Finance Committee, were adopted by Unanimous Voice Vote.

Town of Nantucket



December 8, 2008 Special Town Meeting I and II VOTER INFORMATION on WARRANT ARTICLES

SPECIAL TOWN MEETING I

Articles 1 and 2

See detailed informational handout from Wannacomet Water regarding these Articles.

Article 3

Seeks to complete funding for collective bargaining agreement with Our Island Home union. Funding is proposed to be transferred from existing funding source (**no new revenue is requested**). Article is on the warrant because the funding requires approval of Town Meeting. Town agreed with union that if there were to be a special town meeting prior to the annual, that a warrant article would be included.

Article 4

Seeks to fund first year of collective bargaining agreement with Laborer's union. Funding to come from the existing appropriation, approved at 2008 annual town meeting (**no new revenue is requested**). Article is on the warrant because the funding requires approval of Town Meeting. Town agreed with union that if there were to be a special town meeting prior to the annual, that a warrant article would be included.

Article 5

An agreement has not yet been reached with the Police union; therefore, there is no action to be taken on this Article; and the Finance Committee motion is simply not to adopt.

Article 6

Transfers between expense and salary line items require the approval of Town Meeting. Article seeks approval for transfers between line items, using existing funding sources (**no new revenue is requested**).

Article 7

Seeks to address a projected local revenue shortfall of \$1,000,000 for the current fiscal year (FY 2009) by utilizing existing funding from other areas (reduction in medical insurance appropriation) of the current General Fund budget. The shortfall results from a decline in

building permit, motor vehicle excise and Our Island Home revenue. **No new revenue is being requested.**

Article 8

There is a projected shortfall in the Solid Waste Enterprise Fund (SWEF) budget for FY 2009. This shortfall is primarily the result of: the state taking longer than expected to permit the new lined cell; and a significant decline in the tonnage of construction and demolition (C&D) waste being collected at the landfill. The four month delay in permitting the new lined cell caused the need to ship certain waste material off-island. These additional shipping costs were not budgeted. The decline in C&D waste collected at the landfill has also caused a decline in revenue generated at the landfill to support its operations.

No new revenue is being requested to address this current shortfall. This article requests the authority to reallocate existing funding in the current municipal budget to address the shortfall in the SWEF. The General Fund subsidizes the SWEF because revenue generated at the landfill is not sufficient to cover the costs of its operations. Twice, voters have approved an operating override specifically to pay for landfill operations. The Town is currently in discussions with the landfill operator to resolve long-standing SWEF budget issues.

EXPLANATORY NOTE for ARTICLES 7 & 8: Due primarily to revenue declines, Articles 7 and 8 are necessary to balance the current fiscal 2009 municipal budget. These articles seek to reallocate funding within the current municipal budget, which requires approval of Town Meeting. Articles 7 and 8 do not increase the current budget, and **new revenue is not being requested** with these articles.

The Department of Revenue (DOR) will not certify the Town's tax rate without evidence of a balanced budget. The current fiscal 2009 budget is not balanced because of unanticipated declines in revenue. Until the Town's tax rate is certified by DOR, short-term borrowing will continue to be necessary to fund the operations of the Town and Schools. Unbudgeted costs associated with short-term borrowing are \$40,000 a month.

The funds requested for reallocation are the general funds that were approved by the 2008 Annual Town Meeting to fund health insurance costs for the Town, School, and Enterprise Fund employees. If approved, funds previously approved for employee health insurance costs will be used to address the revenue shortfalls in the current budget. Monthly employee health insurance costs will then be paid by using, or drawing down, the fund balance in the Health Insurance Trust Fund.

Approval of Article 7 and 8 will balance the overall fiscal 2009 municipal budget within existing funding already approved by Town Meeting.

If reallocating existing funding in the fiscal 2009 budget is not approved, then significant reductions to the Town and School's budgets will need to be made to balance the municipal budget. This will result in immediate cuts to Town and School programs, services, and personnel (please see the related presentation on the FY 2009 budget dated December 3, 2008, which is available with the other handouts on the way into the NHS Auditorium; and also on the Town's website www.nantucket-ma.gov).

Article 9

Seeks to authorize the Board of Selectmen to convey the Town-owned portion of Muskeget Island to the Land Bank, as well as submittal of a Home Rule Petition as per the Commonwealth of Massachusetts Constitution which requires legislative approval whenever public conservation land is conveyed. No funding is involved with this Article.

Article 10

Seeks to authorize the Board of Selectmen to acquire an easement from the Nantucket Yacht Club by purchase, gift or eminent domain. Town Meeting's approval is only required for the eminent domain authority. As of printing, the Town and NYC were in the process of finalizing an agreement that would negate the need for this Article.

Article 11

Due to the need for further review and work to be done with this Article, it is being withdrawn with the intent that it be re-submitted for the 2009 Annual Town Meeting.

Article 12

The Commonwealth of Massachusetts, in 2007, mandated that all of its municipalities adopt excavation and trench safety bylaws or regulations by January 1, 2009. Since the Special Town Meeting warrant was adopted, that date has since changed to later in 2009; however, the motion is ready for consideration by Town Meeting. The bylaw that would be adopted by a "yes" vote, will enable the Town to establish and enforce safety standards regarding trenches, and designates certain town officials as enforcement and permitting agents.

SPECIAL TOWN MEETING II

Articles 1 and 2

These two companion articles seek to authorize the Board of Selectmen to acquire the privately owned property known as "Millie's Cottage" in Madaket, in exchange for a lease of Town-owned property in the immediate vicinity for a period of up to 12 years. A variety of conditions are associated with the transaction are detailed in a separate Memorandum of Agreement document executed by the Board of Selectmen and the property owner in October, 2008.

NOTE TO VOTERS REGARDING FY 2010 BUDGET: Budget development for FY 2010 is well underway. In general, expenses are growing faster than revenues. Closing that gap will require a combination of actions, including cuts in services, programs, personnel, and new revenue sources. Information regarding the various options under review may be found on the Town website at www.nantucket-ma.gov, or, please feel free to call the Town Administration office at 508-228-7255.

GLOSSARY OF TERMS

Collective Bargaining Agreement: Municipal employees in Massachusetts are typically covered by collective bargaining agreements, which are negotiated between the employer and employees represented by a union. The Town of Nantucket has 7 unions which cover 12 separate units. With the exception of school unions, the first year of funding of a collective bargaining agreement must be approved by Town Meeting.

Enterprise Fund: An enterprise fund is a separate fund from the General Fund, and allows for the total costs of a service to be recovered through user charges. Enterprise funds are intended to support the operations of a particular service. In Nantucket, the municipal budget has 5 enterprise funds: the Airport, Water Departments, Sewer, and Solid Waste. The only enterprise fund subsidized by the taxpayers is the Solid Waste Enterprise Fund.

General Fund: This fund consists of local property taxes, state revenue and local revenues, used to support municipal operations, which are primarily town services and the public school system. The General Fund is also used to pay debt service.

Health Insurance Trust Fund: The Town of Nantucket is self-insured for health insurance, which means bills associated with employee health care are paid directly to medical providers pursuant to an agreement with Blue Cross Blue Shield. The Health Insurance Trust Fund is a separate fund used to account for employee health benefits. Employer and employee health insurance payments are paid into the Fund, which is used to pay the costs related to employee health benefits. The Fund may only be used to pay health insurance costs.

Health Insurance Draw-down: The use of the fund balance in the Health Insurance Trust Fund to temporarily pay monthly health insurance costs for Town, School and Enterprise Fund employees. This allows general funds currently allocated to pay municipal health insurance costs to be reallocated to offset revenue shortfalls.

Due to lower than expected health care costs, and a one-time \$1.8 million refund in 2007, the Health Insurance Trust Fund has a sufficient balance to temporarily pay for monthly employee health benefits costs and maintain the necessary reserves in the trust fund.

Local Revenue: Locally-generated general fund revenues, other than real estate and personal property taxes. Examples include: motor vehicle excise, boat excise; investment income, room occupancy tax; licenses; permits; and charges for services.

Municipal Budget: The overall budget for the operations of the Town of Nantucket, which includes: Town; Schools; and Enterprise Funds (Airport, Solid Waste, Sewer, Wannacomet and Sconset Water).

The School and Town's operations are funded by general funds. Enterprise fund operations are funded by revenue generated from fees and charges assessed for services provided by the enterprise fund departments.

Nantucket Water Commission: a 3-member elected commission which oversees the functions of the Wannacomet Water Company, which is an enterprise fund of the Town of Nantucket.

Siasconset Water Commission: a 3-member elected commission which oversees the functions of the Siasconset Water Department, which is an enterprise fund of the Town of Nantucket.

COMMONWEALTH OF MASSACHUSETTS

TOWN OF NANTUCKET



December 8, 2008
Special Town Meetings I and II

Town of Nantucket
16 Broad Street
Nantucket, MA 02554
508-228-7255
www.nantucket-ma.gov

BOARD OF SELECTMEN

Michael Kopko, Chairman
Patricia Roggeveen, Vice-Chairman
Brian Chadwick
Allen Reinhard
Rick Atherton

FINANCE COMMITTEE

James Kelly, Chairman
Matt Mulcahy, Vice-Chairman
Michael Rosen
Christopher Kickham
Peter Morrison
Timothy Soverino
Charity Benz
John Tiffany
Steve McCluskey

MODERATOR

Sarah F. Alger

AMERICANS WITH DISABILITIES ACT NOTICE

The Town of Nantucket advises applicants, participants and the public that it does not discriminate on the basis of disability in, admission to, access to, treatment or employment in its programs, services and activities. The Town of Nantucket will provide auxiliary aids and services to access programs upon request. Inquiries, requests and complaints should be directed to the Town Manager, 16 Broad Street, Nantucket, MA 02554, (508) 228-7255.

**IF YOU NEED A LARGE PRINT VERSION OF
THIS DOCUMENT, PLEASE CONTACT THE
TOWN ADMINISTRATION OFFICE AT 228-7255**

SPECIAL TOWN MEETING I

ARTICLE 1

(Supplemental Appropriation: New Water Storage Tank/Wannacomet Water)

To see what sums the Town may vote to borrow pursuant to any applicable statute to fund an additional supplemental sum of money to increase the Five Million Dollar (\$5,000,000) appropriation approved by the vote pursuant to Article 13 of the April 11, 2005 Annual Town Meeting for additional costs relating to the construction of a new 2.0 million gallon water storage tank for the Nantucket Wannacomet Water Department, or to take any other action related thereto.

(Board of Selectmen for Nantucket Water Commission)

FINANCE COMMITTEE MOTION: Moved that the Five Million Dollar (\$5,000,000) appropriation approved by the vote pursuant to Article 13 of the April 11, 2005 Annual Town Meeting for construction of a new 2.0 million gallon water storage tank for the Wannacomet Water Department, be increased by Two Million Eight Hundred Fifteen Thousand Five Hundred Ten Dollars (\$2,815,510) for a new total of Seven Million Eight Hundred Fifteen Thousand Five Hundred Ten Dollars (\$7,815,510); and to meet the additional appropriation amount, that the Treasurer of the Town, with the approval of the Board of Selectmen, is authorized to borrow the sum of Two Million Eight Hundred Fifteen Thousand Five Hundred Ten Dollars (\$2,815,510), as a general obligation of the Town, with the intent that any and all repayments and debt service are to come from Wannacomet Water revenues.

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion.

ARTICLE 2

(Supplemental Appropriation: Replacement Water Storage Tank/Siasconset Water)

To see what sums the Town may vote to borrow pursuant to any applicable statute to fund an additional supplemental sum of money to increase the Three Million Nine Hundred Thousand Dollar (\$3,900,000) appropriation approved by the vote to Article 13 of the April 11, 2005 Annual Town Meeting for additional costs relating to the construction of a new water storage tank for the Siasconset Water Department; or to take any other action related thereto.

(Board of Selectmen for Siasconset Water Commission)

FINANCE COMMITTEE MOTION: Moved that the Three Million Nine Hundred Thousand Dollar (\$3,900,000) appropriation approved by the vote pursuant to Article 13 of the April 11, 2005 Annual Town Meeting for construction of a new water storage tank for the Siasconset Water Department, be increased by Two Million Four Hundred Seventy-three Thousand Four Dollars (\$2,473,004) for a new total appropriation of Six Million Three Hundred Seventy-three Thousand Four Dollars (\$6,373,004); and to meet the additional appropriation amount, that the Treasurer of the Town, with the approval of the Board of Selectmen, is authorized to borrow an additional sum of Two Million Four Hundred Seventy-three Thousand Four Dollars (\$2,473,004), as a general obligation of the Town, with the intent that any and all repayments and debt service are to come from Siasconset Water revenues.

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion.

ARTICLE 3

(Appropriation: Collective Bargaining Agreement/
Our Island Home)

To see what additional sums the Town may transfer from available funds or from adjustments to the Town's budgets for Fiscal Year 2009 as voted at the April 2008 Annual Town Meeting, to fund an increase of the appropriation approved by the vote pursuant to Article 19 of the 2008 Annual Town Meeting for cost items for Fiscal Year 2008, ending June 30, 2008, and to fund an increase in the cost items for Fiscal Year 2009 as described in a collective bargaining agreement between the Town of Nantucket (represented by the Board of Selectmen) and the Our Island Home union employees (represented by the Service Employees International Union Local #1199) in accordance with Chapter 150E of the General Laws of the Commonwealth, and to amend the Town's classification and compensation plan accordingly to reflect such contract, or take any other action related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that One Hundred Nineteen Thousand Three Hundred Dollars (\$119,300) be hereby appropriated to fund the cost items for Fiscal Year 2008, ending June 30, 2008, and One Hundred One Thousand Two Hundred Dollars (\$101,200) be appropriated to fund the cost items for Fiscal Year 2009 as described in a collective bargaining agreement between the Town of Nantucket (represented by the Board of Selectmen) and the Our Island Home union employees (represented by the Service Employees International Union Local #1199) in accordance with Chapter 150E of the General Laws of the Commonwealth; and to meet these appropriations that Two Hundred Twenty Thousand Five Hundred Dollars (\$220,500) be transferred from the Medical Insurance line item appropriation as voted pursuant to Article 8 of the 2008 Annual Town Meeting; and, further, to amend the Town's classification and compensation plan accordingly to reflect such contract.

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion.

ARTICLE 4

(Appropriation: Collective Bargaining Agreement/
Laborer's Union)

To see what sums the Town may transfer from available funds or from adjustments to the Town's budgets for Fiscal Year 2009 as voted at the April 2008 Annual Town Meeting, to fund the cost items for Fiscal Year 2009 in a collective bargaining contract between the Town of Nantucket (represented by the Board of Selectmen) and the Laborer's union employees (represented by the Massachusetts Laborers' District Council of the Laborers' International Union of North America, AFL-CIO) in accordance with Chapter 150E of the General Laws of

the Commonwealth, and to amend the Town's classification and compensation plan accordingly to reflect such contract, or take any other action in relation thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that One Hundred Fifty-one Thousand Three Hundred Dollars (\$151,300) be hereby appropriated to fund the cost items for Fiscal Year 2009 as described in a collective bargaining agreement between the Town of Nantucket (represented by the Board of Selectmen) and the Laborer's Union employees (represented by the Massachusetts Laborers' District Council of the Laborers' International Union of North America, AFL-CIO) in accordance with Chapter 150E of the General Laws of the Commonwealth, and to amend the Town's classification and compensation plan accordingly to reflect such contract, and to meet this appropriation One Hundred Fifty-one Thousand Three Hundred Dollars (\$151,300) be transferred from the Contractual Increases line item appropriation as voted pursuant to Article 8 of the 2008 Annual Town Meeting.

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion.

ARTICLE 5

(Appropriation: Collective Bargaining Agreement/Police)

To see what sums the Town may transfer from available funds or from adjustments to the Town's budgets for Fiscal Year 2009 as voted at the April 2008 Annual Town Meeting, to fund the cost items for Fiscal Year 2009 in collective bargaining contracts between the Town of Nantucket (represented by the Board of Selectmen) and the Police Department union employees (represented by the Massachusetts Coalition of Police, Nantucket Local Union 330 and 330A, IUPA, AFL-CIO) in accordance with Chapter 150E of the General Laws of the Commonwealth, and to amend the Town's classification and compensation plan accordingly to reflect such contract, or take any other action in relation thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved not to adopt the Article.

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion.

ARTICLE 6

(Fiscal Year 2009 Budget Transfers)

To see what sums the Town will vote to transfer into various line items of the fiscal year 2009 operating budget from other line items of said budget and from other available funds; or, to take any other action as may be related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the amounts shown below be transferred between the various Fiscal Year 2009 accounts and expenditures as follows:

FROM	TO	AMOUNT
Health Department, Expense	Health Department, Salaries	\$2,300
Selectmen, Expense	Selectmen, Salaries	\$27,000
Selectmen, Expense	Human Resources, Salaries	\$30,000
Park & Recreation, Salaries	Marine Department, Salaries	\$40,000
Medical Insurance Appropriation	Debt Service Interest	\$80,000
Medical Insurance Appropriation	Solid Waste Enterprise Fund	\$750,000

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion.

ARTICLE 7

(Appropriation Amendment: Fiscal Year 2009 General Fund Operating Budget)

To see if the Town will vote to increase, decrease, adjust or otherwise amend the appropriations approved by the positive vote pursuant to Article 8 of the 2008 Annual Town Meeting for the purposes of supporting the offices, departments, boards and commissions of the Town of Nantucket for Fiscal Year 2009, to be funded by anticipated revenues of the general fund, or transfers from available funds or by borrowing pursuant to any applicable statute; or to take any other action related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the medical insurance appropriation for the Fiscal Year 2009 Operating Budget as approved by the positive vote of Article 8 of the 2008 Annual Town Meeting be adjusted by decreasing the total amounts to be expended by One Million Dollars (\$1,000,000) for a new reduced total appropriation of Seven Million One Hundred Thousand Dollars (\$7,100,000).

FINANCE COMMITTEE COMMENT: Article 7 is necessary to adjust the General Fund budget for fiscal year 2009 to offset revenue declines in Building Permits, Motor Vehicle Excise Tax, and Our Island Home revenues. The balance of the Health Insurance Trust Fund will remain sufficient to cover anticipated costs.

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion and comment.

ARTICLE 8

(Appropriation: Fiscal Year 2009 Solid Waste Enterprise Fund)

To see if the Town will vote to amend the appropriation approved by the positive vote of Article 12 of the 2008 Annual Town Meeting for the operation of the Solid Waste Enterprise Fund, out of anticipated revenues of the designated funds; or, to take any other action as may be related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the appropriation for the annual operations of the Solid Waste Enterprise Fund as approved by the positive vote of Article 12 of the 2008

Annual Town Meeting be adjusted by decreasing the total amounts to be expended and by changing the sources of funds for the new lower expenditures, as follows:

the operating expense line item voted pursuant to Article 12 is hereby reduced by One Million Three Hundred Three Thousand Nine Hundred Thirty Dollars (\$1,303,930) for a new reduced total appropriation of:

Salaries:	\$66,550
<u>Operating expense:</u>	<u>\$7,518,450</u>
Total:	\$7,585,000

And, that the means to meet the appropriation as voted by the town pursuant to Article 12 of the 2008 Annual Town Meeting is hereby amended by reducing Solid Waste revenues by Two Million Fifty-three Thousand Nine Hundred Thirty Dollars (\$2,053,930) and by increasing the transfer from the General Fund by Seven Hundred Fifty Thousand Dollars (\$750,000) for a new summary of funding sources to meet the appropriation as follows:

Revenue:	\$4,051,000
<u>Transfer from General Fund:</u>	<u>\$3,534,000</u>
Total:	\$7,585,000

FINANCE COMMITTEE COMMENT: Article 8 is necessary to adjust the Solid Waste Enterprise Fund budget for fiscal year 2009. The article decreases the total budget by reducing projected revenue; and, increases the amount of funding from other sources. Historically, the General Fund has provided additional support for the Solid Waste Enterprise Fund throughout the year when the budgetary limits of the Solid Waste Fund have been exceeded. We understand that the Board of Selectmen has established a work group to address the solid waste fund budget issues and is examining ways to systemically address them, including the possibility of expense/service reductions, operations modifications and contractual issues with the landfill operator. Approval of the Town's tax rate is being withheld by the Department of Revenue until a revised fiscal year 2009 Solid Waste budget is submitted.

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion and comment.

ARTICLE 9

(Real Estate Conveyance and Home Rule Petition: Muskeget Island)

To see if the Town will vote to authorize the Board of Selectmen to sell, grant or convey to the Nantucket Islands Land Bank, a governmental body of the Commonwealth of Massachusetts or a non-profit organization whose mission is to conserve natural resources or otherwise dispose of the fee title or lesser interests in, and reserving a Conservation Restriction to, all or any portions of that part of Nantucket known as Muskeget Island, described in that certain instrument of taking authorized by Chapter 442 of the Acts of 1895, dated November 25, 1895 and recorded at the Nantucket County Registry of Deeds in Book 79, Page 266; and further to authorize the Board of Selectmen to petition the General Court for enactment of a Home Rule special act set forth below and to request the Town's representatives to the General Court to introduce a Special Act set forth below, and to

authorize the General Court, with the approval of the Board of Selectmen, to make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage, or to take any actions related thereto.

AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO
GRANT, SELL, CONVEY OR OTHERWISE DISPOSE OF
MUSKEGET ISLAND SITUATED IN THE TOWN OF NANTUCKET
AND ACQUIRED FOR PURPOSES OF A PUBLIC PARK

Section 1. Pursuant to Article XCVII 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 Town of Nantucket, acting by and through its Board of Selectmen, is hereby authorized to sell, grant or convey to the Nantucket Islands Land Bank, a governmental body of the Commonwealth of Massachusetts or a non-profit organization whose mission is to conserve natural resources, or otherwise dispose of the fee title, a conservation restriction, or lesser interests in all or any portions of parkland being that part of Nantucket known as Muskeget Island, described in that certain instrument of taking authorized by Chapter 442 of the Acts of 1895, dated November 25, 1895 and recorded at the Nantucket County Registry of Deeds in Book 79, Page 266.

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

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to sell, grant or convey to the Nantucket Islands Land Bank, a governmental body of the Commonwealth of Massachusetts or a non-profit organization whose mission is to conserve natural resources or otherwise dispose of the fee title or lesser interests in, and reserving a Conservation Restriction to, all or any portions of that part of Nantucket known as Muskeget Island, described in that certain instrument of taking authorized by Chapter 442 of the Acts of 1895, dated November 25, 1895 and recorded at the Nantucket County Registry of Deeds in Book 79, Page 266; and further to authorize the Board of Selectmen to petition the General Court for enactment of a Home Rule special act set forth below and to request the Town's representatives to the General Court to introduce a Special Act set forth below, and to authorize the General Court, with the approval of the Board of Selectmen, to 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 TOWN OF NANTUCKET TO
GRANT, SELL, CONVEY OR OTHERWISE DISPOSE OF
MUSKEGET ISLAND SITUATED IN THE TOWN OF NANTUCKET
AND ACQUIRED FOR PURPOSES OF A PUBLIC PARK

Section 1. Pursuant to Article XCVII 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 Town of Nantucket, acting by and through its Board of Selectmen, is hereby authorized to sell, grant or convey to the Nantucket Islands Land Bank, a governmental body of the Commonwealth of Massachusetts or a non-profit organization whose

mission is to conserve natural resources, or otherwise dispose of the fee title, a conservation restriction, or lesser interests in all or any portions of parkland being that part of Nantucket known as Muskeget Island, described in that certain instrument of taking authorized by Chapter 442 of the Acts of 1895, dated November 25, 1895 and recorded at the Nantucket County Registry of Deeds in Book 79, Page 266.

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

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion.

ARTICLE 10

(Real Estate Acquisition)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain permanent easements or lesser title interests, for storm water drainage purposes, in all or any portions of that certain property known as Town of Nantucket Town Assessor Map 42.4.2, Parcel 10 and numbered One South Beach Street and that certain solid filled pier adjacent thereto and authorized by Commonwealth of Massachusetts Department of Public Works License No. 5041, dated April 13, 1966 and filed with the Land Court as Document No. 10016, as shown on sheet 7 of that certain set of plans entitled "Storm water Improvements, Phase I, Nantucket, Massachusetts," dated April 2008, and on file with the Town Manager's office, to the extent that others claim ownership of this location believed to be Town-owned land, or to take any other action related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to acquire by purchase, gift or eminent domain permanent easements or lesser title interests, for storm water drainage purposes, in all or any portions of that certain property known as Town of Nantucket Town Assessor Map 42.4.2, Parcel 10 and numbered One South Beach Street and that certain solid filled pier adjacent thereto and authorized by Commonwealth of Massachusetts Department of Public Works License No. 5041, dated April 13, 1966 and filed with the Land Court as Document No. 10016, as shown on sheet 7 of that certain set of plans entitled "Storm water Improvements, Phase I, Nantucket, Massachusetts," dated April 2008, and on file with the Town Manager's office, to the extent that others claim ownership of this location believed to be Town-owned land.

BOARD OF SELECTMEN COMMENT: The Board of Selectmen supports the Finance Committee motion.

ARTICLE 11

(Home Rule Petition: Amendment to NP & EDC Enabling Act)

To see if the Town will vote to petition the General Court and to request its representatives in the General Court to seek enactment of special legislation for the Town in the form set forth below, it being the intent of the Town to authorize the General Court to make constructive changes to the text hereof, subject to the approval of the Nantucket Board of Selectmen, to accomplish the public policy purposes hereof, or to take any other action related thereto:

AN ACT TO AMEND THE NANTUCKET PLANNING & ECONOMIC DEVELOPMENT
COMMISSION ACT

Section 1. The Act Establishing the Nantucket Planning and Economic Development Commission as set forth in Chapter 561 of the Acts of 1973, as amended by Chapter 98 of the Acts of 1981 and Chapter 458 of the Acts of 1991 is hereby amended by adding the following new section 6 thereof:

Section 6. The Commission established by this Act shall be deemed to be "a regional planning agency having regulatory authority" within the meaning of section 7(2) of Chapter 114 of the Acts of 2008.

Section 2. This Act shall take effect upon passage.

(Board of Selectmen for Nantucket Planning & Economic Development Commission)
FINANCE COMMITTEE MOTION TO BE PROVIDED AT THE TOWN MEETING

BOARD OF SELECTMEN COMMENT: The Board of Selectmen is withdrawing Article 11 from this Town Meeting, with the intent of re-submitting it to the 2009 Annual Town Meeting.

ARTICLE 12

(Bylaw: Excavation and Trench Safety)

To see if the Town will vote to amend the Code of the Town of Nantucket by adding a new Chapter 128 (Excavation and Trench Safety) as follows:

Chapter 128. Excavation and Trench Safety

§ 128-1. Purpose.

The purpose of this chapter is to establish reasonable standards to protect the safety of the citizens of the Town of Nantucket from the hazards inherent in trenches and to provide for penalties for individuals who violate any provision of this chapter.

§ 128-2. Authority, Fee.

Pursuant to the provisions of MGL Ch. 82A, the regulations of the Division of Occupational Safety as promulgated under 520 CMR 14.00 regarding Excavation and Trench Safety are expressly incorporated into this bylaw by reference. A reasonable fee to defray the cost of administration incurred in the review and processing of permits shall be established pursuant to MGL Ch. 40, s. 22 F and Ch. 82A, s.2.

§ 128-3 Permitting Authority.

The Director of the Department of Public Works shall serve as the Local Permitting Authority for excavations to take place on property that is owned or controlled by a Public Agency or that a Public Agency otherwise has a property interest in, including but not limited to an easement. The Building Inspector shall serve as the Local Permitting Authority for excavations to take place on privately owned land.

§ 128-4. Application.

The provisions of this chapter shall apply to any Excavator in the Town of Nantucket.

§128-5 Violations.

Any person violating this Chapter shall be fined two hundred dollars (\$200.00) for each offense, each day constituting a separate offense. The enforcing persons for this bylaw shall be the Permitting Authority and any police officer of the town. Non-criminal disposition of violations shall be available to apply to violations pursuant to Chapter 1-2 of the Code of Nantucket.

And, further, that no substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Code of the Town of Nantucket be amended by the addition of a new Chapter 128, entitled Excavation and Trench Safety, as follows:

Chapter 128. Excavation and Trench Safety.

§ 128-1. Purpose.

The purpose of this chapter is to establish reasonable standards to protect the safety of the citizens of the Town of Nantucket from the hazards inherent in trenches and to provide for penalties for individuals who violate any provision of this chapter.

§ 128-2. Authority, Fee.

Pursuant to the provisions of MGL Ch. 82A, the regulations of the Department of Public Safety in conjunction with the Division of Occupational Safety as promulgated under 520 CMR 14.00 regarding excavation and trench safety are expressly incorporated into this bylaw by reference. A reasonable fee to defray the cost of administration incurred in the review and processing of permits under this bylaw shall be established pursuant to MGL Ch. 40, s. 22F and Ch. 82A, s. 2.

§ 128-3. Permitting Authority.

The Director of the Department of Public Works or his designee shall serve as the "Permitting Authority" for excavations to take place on both property that is owned or controlled by a public agency or that a public agency otherwise has a property interest in, including but not limited to an easement, and for excavations to take place on privately owned land. Designees of the Director of the Department of Public Works may include the Building Inspector and the Fire Chief or their respective designees.

§ 128-4. Fire Department Detail.

In the event that the Permitting Authority becomes aware or is notified of an unattended trench during a time when the permit holder is unavailable, it may require a fire department detail to attend such unattended trench to protect the general public, the cost of which shall be assessed to the permit holder.

§ 128-5. Application.

The provisions of this chapter shall apply to any excavator in the Town of Nantucket.

§ 128-6. Violations.

Any person violating this chapter shall be fined three hundred dollars (\$300.00) for each offense, each day constituting a separate offense. The enforcing persons for this bylaw shall be the Permitting Authority or his designees and any one fire shift commander of the Town of Nantucket. Non-criminal disposition of violations shall be available to apply to violations pursuant to Chapter 1, Article II of the Code of the Town of Nantucket.

And, further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket.

SPECIAL TOWN MEETING II

ARTICLE 1

(Real Estate Acquisition: Madaket)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain or to otherwise accept, the fee title or lesser title interests in all or any portion of that certain parcel of land located off Ames Street, known as Town Assessor Map 60.2.4, Parcel 62, shown as Lot 1 on that certain plan entitled "Subdivision Plan of Land in Nantucket, Massachusetts," dated November 5, 1992 and recorded at the Nantucket County Registry of Deeds in Plan File 43M, or to take any other action related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to acquire by purchase, gift or eminent domain or to otherwise accept, the fee title or lesser title interests in all or any portion of that certain parcel of land located off Ames Street and shown as Lot 1 on that certain plan entitled "Subdivision Plan of Land in Nantucket, Massachusetts," dated November 5, 1992 and recorded at the Nantucket County Registry of Deeds in Plan File 43M, which lot is also known as Town Assessor Map 60.2.4, Parcel 63.1.

ARTICLE 2

(Real Estate Disposition/Lease Authorization: Madaket)

To see if the Town will vote to authorize the Board of Selectmen to sell, grant, convey or otherwise dispose of a lease, easement or lesser title interests, not to exceed twelve (12) years, in all or any portion of that certain parcel of land to be acquired by the Town, located off Ames Street, known as Town Assessor Map 60.2.4, Parcel 62, shown as Lot 1 on that certain plan entitled "Subdivision Plan of Land in Nantucket, Massachusetts," dated November 5, 1992 and recorded at the Nantucket County Registry of Deeds in Plan File 43M, or to take any other action related thereto.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Board of Selectmen is hereby authorized to sell, grant, convey or otherwise dispose of a lease, easement or lesser title interests, not to exceed twelve (12) years, in all or any portion of that certain parcel of land to be acquired by the Town, located off Ames Street and shown as Lot 1 on that certain plan entitled "Subdivision Plan of Land in Nantucket, Massachusetts," dated November 5, 1992 and recorded at the Nantucket County Registry of Deeds in Plan File 43M, which lot is also known as Town Assessor Map 60.2.4, Parcel 63.1.

COMMONWEALTH OF MASSACHUSETTS

TOWN OF NANTUCKET



Warrant for
Special Town Meeting II

December 8, 2008

Town of Nantucket
16 Broad Street
Nantucket, MA 02554
508-228-7255
www.nantucket-ma.gov

To the Constables of the Town of Nantucket:

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Nantucket qualified to vote in Town affairs to go to the Nantucket High School at 10 Surfside Road in said Nantucket, on

**MONDAY, THE EIGHTH DAY OF DECEMBER, 2008 AT 7:00 PM
THEN AND THERE TO ACT ON THE ARTICLES
CONTAINED WITH THE ENCLOSED WARRANT:**

ARTICLE 1

(Real Estate Acquisition: Madaket)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain or to otherwise accept, the fee title or lesser title interests in all or any portion of that certain parcel of land located off Ames Street, known as Town Assessor Map 60.2.4, Parcel 62, shown as Lot 1 on that certain plan entitled "Subdivision Plan of Land in Nantucket, Massachusetts," dated November 5, 1992 and recorded at the Nantucket County Registry of Deeds in Plan File 43M, or to take any other action related thereto.

(Board of Selectmen)

ARTICLE 2

(Real Estate Disposition/Lease Authorization: Madaket)

To see if the Town will vote to authorize the Board of Selectmen to sell, grant, convey or otherwise dispose of a lease, easement or lesser title interests, not to exceed twelve (12) years, in all or any portion of that certain parcel of land to be acquired by the Town, located off Ames Street, known as Town Assessor Map 60.2.4, Parcel 62, shown as Lot 1 on that certain plan entitled "Subdivision Plan of Land in Nantucket, Massachusetts," dated November 5, 1992 and recorded at the Nantucket County Registry of Deeds in Plan File 43M, or to take any other action related thereto.

(Board of Selectmen)

To act upon and transact any business relative to the foregoing subjects which may, then and there, come before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

Given under our hands this 29th day of October in the year Two Thousand Eight.

Michael Kopko, Chairman
Patricia Roggeveen
Brian Chadwick
Allen Reinhard
Rick Atherton

SELECTMEN OF NANTUCKET, MA