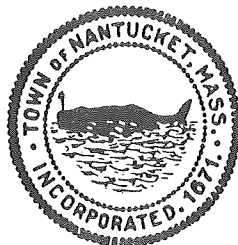


Town and County of Nantucket
Board of Selectmen • County Commissioners

Rick Atherton, Chairman
Robert R. DeCosta
Michael Kopko
Patricia Roggeveen
Whiting Willauer



16 Broad Street
Nantucket, Massachusetts 02554

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C. Elizabeth Gibson
Town & County Manager

*AGENDA FOR THE MEETING OF THE
COUNTY COMMISSIONERS
22 JUNE 2011 - 6:00 PM
PUBLIC SAFETY FACILITY COMMUNITY ROOM
4 FAIRGROUNDS ROAD
NANTUCKET, MASSACHUSETTS*

I. ANNOUNCEMENTS

*II. PUBLIC COMMENT**

*III. NEW BUSINESS**

IV. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Minutes of 6 May 2011 at 12:00 PM; 9 May 2011 at 12:45 PM; 25 May 2011 at 6:00 PM.
2. Approval of Payroll and Treasury Warrants for June 2011.

V. OFFICIAL BUSINESS

1. Request for Execution of Deed from County to Town for Lots 1 and 2 on Plan Titled "Plan of Land in Nantucket, Mass." dated 10 November 2010, Prepared by Charles W. Hart and Associates Pursuant to Chapter 138 of the Acts of 2008; Article 64 of 2007 Annual Town Meeting; Article 85 of 2008 Annual Town Meeting.

VI. COMMISSIONERS REPORTS/COMMENTS

VII. ADJOURNMENT

** Identified on Agenda Protocol Sheet.*

County Commission Agenda Protocol:

- *Roberts Rules. The County Commission follows Roberts Rules of Order to govern its meetings as per the Town Code and Charter.*
- *Public Comment. Public Comment is for bringing matters of public interest to the attention of the Commission. The Commission welcomes concise statements on matters that are within the purview of the County Commission. At the Commission's discretion, matters raised under Public Comment may be directed to County Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Commission takes action. Except in emergencies, the Commission will not normally take any other action on Public Comment. Any personal remarks or interrogation or any matter that appears on the regular agenda are not appropriate for Public Comment.*
- *New Business: For topics not reasonably anticipated 48 hours in advance of the meeting.*
- *Public Participation. The Commission welcomes valuable input from the public at appropriate times during the meeting with recognition by the Chair. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Commissioners may have questions on the clarity of information presented. The Commission will hear any staff input and then deliberate on a course of action.*
- *Commissioner Report and Comment. Individual Commissioners may have matters to bring to the attention of the Commission. If the matter contemplates action by the Commission, Commissioners will consult with the Chair and/or County Administrator in advance and provide any needed information by the Thursday before the meeting. Otherwise, except in emergencies, the Commission will not normally take action on Commissioner Comment.*

DEED

The **COUNTY OF NANTUCKET**, acting by and through its County Commissioners, having an address of Nantucket Town & County Building, 16 Broad Street, Nantucket, Massachusetts 02554 (“Grantor”), pursuant to the authority granted by Chapter 138 of the Acts of 2008, for consideration of One Dollar (\$1.00) paid, hereby releases all of the Grantor’s right, title and interest to the **TOWN OF NANTUCKET**, a Massachusetts municipal corporation, acting by and through its Board of Selectmen, having an address of Nantucket Town & County Building, 16 Broad Street, Nantucket, Massachusetts 02554, (“Grantee”), the following parcels of land:

Two parcels of land on Milestone Road, Nantucket, Massachusetts being shown as Lots 1 and 2 on a plan entitled “Plan of Land in Nantucket, Mass., Prepared for County of Nantucket, Milestone Road, Scale: 1= 100’, Date: November 10, 2010” prepared by Charles W. Hart and Associates, Inc., recorded herewith.

For Grantor’s title see Order of Taking dated _____ recorded with said Deeds in Book_____, Page_____.

No deed stamp taxes are due on this conveyance pursuant to G.L.c.64D, §1.

WITNESS our hands and seals this _____ day of _____, 2011.

COUNTY OF NANTUCKET,
By its County Commissioners

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this _____ day of _____, 2011, before me, the undersigned Notary Public, personally appeared _____, and proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as County Commissioner of the County of Nantucket.

Notary Public

My Commission Expires:

ACCEPTANCE OF DEED

The undersigned Board of Selectmen of the Town of Nantucket hereby accept the foregoing deed pursuant to the authority granted by Chapter 138 of the Acts of 2008, this _____ day of _____, 2011.

TOWN OF NANTUCKET
BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this _____ day of _____, 2011, before me, the undersigned notary public, personally appeared _____, proved to me by satisfactory evidence of identification, being _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, as Selectman of the Town of Nantucket.

Notary Public
My Commission Expires: _____



Acts 2008 CHAPTER 138 AN ACT RELATIVE TO THE CONVEYANCE OF PROPERTY BY THE COUNTY OF NANTUCKET. (see Senate, No. 2224) Approved by the Lieutenant-Governor, Acting Governor, June 20, 2008

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

SECTION 1. The county of Nantucket may convey 2 parcels of land to the town of Nantucket without consideration and to take any action necessary to transfer ownership of the following parcels:

(1) a parcel of land, formerly part of a county roadway known as Sherburne Turnpike at its intersection with Hamblin road, as shown on a plan entitled "Proposed Modification of Sherburne Turnpike", dated February, 2007, on file with the Nantucket planning office; and

(2) a parcel of land, formerly part of a county roadway known as Milestone road at its intersection with Polpis road, as shown on a plan entitled "Proposed Modification of Milestone Road", dated February, 2007, on file with the Nantucket planning office.

SECTION 2. A majority of the voters at an annual or special town meeting shall approve acceptance of any transfer authorized in section 1 before the conveyance shall take effect.

SECTION 3. Chapter 30B of the General Laws and any rights of first refusal in the commonwealth under section 14 of chapter 34 of the General Laws shall not apply to a conveyance authorized in this act.

SECTION 4. This act shall take effect upon its passage.

Approved June 20 , 2008

April 12, 2007

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 9, 2007 ANNUAL TOWN MEETING adopted **Article 64: "Home Rule Petition: Conveyance of Land by County"** at the April 11, 2007 adjourned session when A...the adoption of all articles not heretofore acted upon as recommended by the Finance Committee, or as recommended by the Planning Board@ was duly motioned and seconded.

VOTE: The vote on the motion pursuant to Article 64, as recommended by the Finance Committee, was by Unanimous Voice Vote. The motion was adopted.

Catherine Flanagan Stover, CMC, CMMC
Town and County Clerk

ARTICLE 64

(Home Rule Petition: Conveyance of Land by the County)

To see if the Town will vote to petition the General Court for enactment of a Home Rule special act set forth below and to request Nantucket's representatives to the General Court to introduce a Special Act set forth below, and further 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 other action with respect thereto:

AN ACT APPROVING THE CONVEYANCE OF PROPERTY BY THE COUNTY OF NANTUCKET

Section 1. The County of Nantucket is hereby authorized to convey land owned by the County of Nantucket to the Town of Nantucket without any consideration therefore and to take whatever actions are necessary to transfer ownership of the following parcels:

- A parcel of land, formerly part of a County roadway known as Sherburne Turnpike at its intersection with Hamblin Road, as shown on a plan entitled "Proposed Modification of Sherburne Turnpike" dated February 2007 on file with Nantucket Planning Office; and
- A parcel of land, formerly part of a County roadway known as Milestone Road at its intersection with Polpis Road, as shown on a plan entitled "Proposed Modification of Milestone Road" dated February 2007 on file with Nantucket Planning Office.

Section 2. A majority of the voters at an Annual or Special Town Meeting shall approve acceptance of any and all transfers authorized in Section 1, prior to such conveyances taking effect.

Section 3. The provisions of Chapter 30B General Laws and any rights of first refusal in the Commonwealth under the provisions Section 14 of Chapter 34 of General Laws shall not be applicable to any conveyance authorized hereunder.

Section 4. This Act shall take effect upon passage.

(Board of Selectmen)

FINANCE COMMITTEE MOTION: Moved that the Home Rule petition set forth below be presented to the General Court, that the town's representatives in the General Court be requested to introduce legislation set forth below, and that the General Court be authorized, with the approval of the Nantucket Board of Selectmen, to vary the specific text of the requested legislation within the scope of the public policy objectives of the Home Rule Petition set forth below:

*AN ACT APPROVING THE CONVEYANCE OF PROPERTY BY THE COUNTY
OF NANTUCKET*

Section 1. The County of Nantucket is hereby authorized to convey land owned by the County of Nantucket to the Town of Nantucket without any consideration therefore and to take whatever actions are necessary to transfer ownership of the following parcels:

- A parcel of land, formerly part of a County roadway known as Sherburne Turnpike at its intersection with Hamblin Road, as shown on a plan entitled "Proposed Modification of Sherburne Turnpike" dated February 2007 on file with Nantucket Planning Office; and
- A parcel of land, formerly part of a County roadway known as Milestone Road at its intersection with Polpis Road, as shown on a plan entitled "Proposed Modification of Milestone Road" dated February 2007 on file with Nantucket Planning Office.

Section 2. A majority of the voters at an Annual or Special Town Meeting shall approve acceptance of any and all transfers authorized in Section 1, prior to such conveyances taking effect.

Section 3. The provisions of Chapter 30B General Laws and any rights of first refusal in the Commonwealth under the provisions Section 14 of Chapter 34 of General Laws shall not be applicable to any conveyance authorized hereunder.

Section 4. This Act shall take effect upon passage.

April 15, 2008

TO WHOM IT MAY CONCERN:

I, Catherine Flanagan Stover, duly elected Clerk of the Town and County of Nantucket, hereby certify that the April 7, 2008 ANNUAL TOWN MEETING adopted **Article 85: "Home Rule Petition: Real Estate Conveyance by County"** at the April 8, 2008 adjourned session when A...the adoption of all articles not heretofore acted upon as recommended by the Finance Committee, or as recommended by the Planning Board@ was duly motioned and seconded.

VOTE: The vote on the motion pursuant to Article 85 as recommended by the Finance Committee, was by Unanimous Voice Vote. The motion was adopted.

Catherine Flanagan Stover, CMC, CMMC
Town and County Clerk

ARTICLE 85

(Home Rule Petition: Real Estate Conveyance by County)

To see if the Town will vote to request its representatives in the General Court to introduce legislation seeking 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 perfecting the language of this proposed legislation in order to secure passage, such legislation to read substantially as follows:

AN ACT APPROVING THE CONVEYANCE OF PROPERTY BY THE COUNTY OF NANTUCKET

SECTION 1. The County of Nantucket is hereby authorized to convey land owned by the County of Nantucket to the Town of Nantucket without any consideration therefore and to take whatever actions are necessary to transfer ownership of the following parcels:

(1) A parcel of land, formerly part of a County roadway known as Sherburne Turnpike at it's intersection with Hamblin Road, as shown on a plan entitled "Proposed Modification of Sherburne Turnpike" dated February 2007 on file with Nantucket Planning Office; and

(2) A parcel of land, formerly part of a County roadway known as Milestone Road at its intersection with Polpis Road, as shown on a plan entitled "Proposed Modification of Milestone Road" dated February 2007 on file with Nantucket Planning Office.

SECTION 2. A majority of the voters at an Annual or Special Town Meeting shall approve acceptance of any and all transfers authorized in Section 1, prior to such conveyances taking effect.

SECTION 3. The provisions of Chapter 30B General Laws and any rights of first refusal in the Commonwealth under the provisions Section 14 of Chapter 34 of General Laws shall not be applicable to any conveyance authorized hereunder.

SECTION 4. This Act shall take effect upon passage.

Or, to take any other action related thereto.

(Board of Selectmen)

NOTE: The above home rule petition was approved as Article 64 of the 2007 Annual Town Meeting. Home rule petitions currently pending before the legislature, which were not acted upon by December 31, 2008, will expire unless renewed by a confirmatory town meeting vote.

FINANCE COMMITTEE MOTION: Moved that the Town's petition to the General Court for a special act as voted pursuant to Article 64 of the 2007 Annual Town Meeting be hereby reauthorized in the form as previously voted and printed again in this Warrant.