



Town of Nantucket



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2009 ANNUAL TOWN MEETING 2009

The following is a summary of the articles called, and the vote taken by the 2009 Annual Town Meeting held at the Nantucket High School, Mary P. Walker Auditorium, 10 Surfside Road, on April 6, 2009.

Monday, April 6 – Meeting called to order at 7:10 PM. There were ultimately 455 voters present. / At 10:35 PM, Unanimous Vote to recess until Tuesday, April 7, 2009 at 7 PM.

Monday, April 6 – Special Town Meeting called to order at 7:55 PM. There were 448 voters present. / At 7:59 PM, Unanimous Vote to recess until the 2009 Annual Town Meeting is dissolved.

Tuesday, April 7 – Meeting called to order at 7:17 PM. There were ultimately 446 voters present. / At 9:42 PM, BOS Chairman Michael Kopko moved to dissolve the 2009 Annual Town Meeting. The motion was adopted by Unanimous Voice Vote.

Tuesday, April 7 – Special Town Meeting called to order at 9:46 PM. There were 215 voters present. At 9:57 PM BOS Chairman Michael Kopko moved to dissolve the 2009 Special Town Meeting. The motion was adopted by Unanimous Voice Vote.

Article 1: Receipt of Reports (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

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

Article 3: Appropriation: Prior Year Articles (Not Called) Adopted by Unanimous Voice Vote

Article 4: Revolving Accounts: Annual Authorization (Not Called) Adopted by Unanimous Voice Vote

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

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

Article 7: Personnel Compensation Plans for FY 2010 (Not Called) Adopted by Unanimous Voice Vote

Article 8: Appropriation: FY 2010 General 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 by Majority Voice Vote

Article 11: Appropriation: Police Station (Not Called) Adopted by Unanimous Voice Vote

Article 12: Appropriation: Enterprise Funds Operation (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

Article 13: Appropriation: Enterprise Funds Capital Expenditures (Called, Call Withdrawn) Adopted by Unanimous Voice Vote.

Article 14: Enterprise Funds: Fiscal Year 2009 Budget Transfers (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

Article 15: Waterways Improvement Fund: Authorization to Establish (Not Called) Adopted by Unanimous Voice Vote

Article 16: Transfer of Funds from Park & Rec Budget to NPS Budget/Maltby (Not Called) Not Adopted by Unanimous Voice Vote

Article 17: Delinquent Tax Demand Charge Increase Authorization_(Not Called) Adopted by Unanimous Voice Vote

Article 18: Appropriation: County Assessment (Not Called) Adopted by Unanimous Voice Vote

Article 19: Appropriation: Finalizing Fiscal Year 2010 County Budget (Not Called) Moved to take No Action by Unanimous Voice Vote

Article 20: Rescind Unused Borrowing Authority (Not Called) Moved to take No Action by Unanimous Voice Vote

Article 21: Appropriation: Ferry Embarkation Fee (Not Called) Moved to take No Action by Unanimous Voice Vote

Article 22: Appropriation: Collective Bargaining Agreement/Police Union (Not Called) Adopted by Unanimous Voice Vote

Article 22A: Appropriation: Collective Bargaining Agreement/Police Union (Not Called) Adopted by Unanimous Voice Vote

Article 23: Appropriation: Collective Bargaining Agreement/Fire Union (Not Called) Not Adopted by Unanimous Voice Vote

Article 24: Appropriation: Community Preservation Committee/Beaugrand (Not Called) Adopted by Unanimous Voice Vote

Article 25: Feasibility Study RE: Solar Energy System for Community Pool/Maltby (Not Called) Not Adopted by Unanimous Voice Vote

Article 26: Acceptance of 41-81D Master Plan (Not Called) Adopted by Unanimous Voice Vote

Article 27: Zoning Bylaw Amendment: Residential and Commercial Uses (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

Article 28: Residential Parking (Not Called) Adopted by Unanimous Voice Vote

Article 29: Zoning Map Change: Madaket Southwest Quadrant (Not Called) Adopted by Unanimous Voice Vote.

Article 30: Zoning Map Change: Hummock Pond Rd. (Not Called) Adopted by Unanimous Voice Vote

Article 31: Zoning Map Change: 1 Milestone Rd./Wannacomet Water Company (Called) Adopted by Unanimous Voice Vote

Article 32: Zoning Map Change: Mary Ann Drive and Pine Crest Drive (Called, Call Withdrawn) Adopted by Unanimous Voice Vote.

Article 33: Zoning Map Change: Pine Tree Road and Hinsdale Road (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

Article 34: Zoning Map Change: Macys Lane and Hinsdale Road (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

Article 35: Zoning Map Change: Naushop (Called, Call Withdrawn) Adopted by Unanimous Voice Vote.

Article 36: Zoning Map Change: Witherspoon Drive (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

Article 37: Zoning Map Change: Old South Road, Mary Ann Drive, Pine Tree Road and Macys Lane (Not Called) Adopted by Unanimous Voice Vote

Article 38: Zoning Map Change: Codfish Park Road (Not Called) Adopted by Unanimous Voice Vote.

Article 39: Zoning Map Change: Broadway, Shell Street and King Street (Not Called) Adopted by Unanimous Voice Vote

- Article 40: Zoning Map Change: Windsor Road (Not Called) Adopted by Majority Voice Vote**
- Article 41: Zoning Map Change: Amelia Drive (Not Called) Adopted by Majority Voice Vote**
- Article 42: Zoning Map Change: Monomoy Road, Polpis Road and Chatham Road (Called) Adopted by Declared 2/3 Majority Voice Vote**
- Article 43: Zoning Bylaw Amendment: Moorlands Management District/Fisher (Not Called) Adopted by Unanimous Voice Vote**
- Article 44: Zoning Bylaw Amendment: Sconset Residential/Ryder (Not Called) Adopted by Unanimous Voice Vote**
- Article 45: Zoning Bylaw Amendment: Multi-Family Overlay District/Stackpole (Not Called) Adopted by Unanimous Voice Vote**
- Article 46: Zoning Bylaw Amendment: Preexisting, Nonconforming Lots (Not Called) Moved to Take No Action.**
- Article 47: Zoning Bylaw Amendment: Wind Energy Conversion Systems/Tupper (Called) Adopted as twice-amended by Handcount Vote (YES – 289; NO – 73 (2/3 = 241)**
- Article 48: Bylaw Amendment: Poles and Wires, Removal of (Not Called) Adopted by Unanimous Voice Vote**
- Article 49: Bylaw Amendment: Peace and Good Order (Called) Adopted as amended by Hicks by Majority Voice Vote**
- Article 50: Bylaw Amendment: Shellfish, Taking of (Not Called) Adopted by Unanimous Voice Vote**
- Article 51 Bylaw Amendment: Signs, Satellite Dishes, Rooflines/Barnes (Not Called) Not Adopted by Unanimous Voice Vote**
- Article 52 Bylaw Amendment: Board of Sewer Commissioners/Bamber (Not Called) Not Adopted by Unanimous Voice Vote**
- Article 53: Bylaw Amendment: Board of Sewer Commissioners/Barnes (Not Called) Adopted by Unanimous Voice Vote**
- Article 54: Charter Amendment: Town Meeting Warrant (Not Called) Not Adopted by Unanimous Voice Vote**
- Article 55: Charter Amendment: Town Administration/Barnes (Called) Not Adopted by Unanimous Voice Vote**
- Article 56: Separate Board of Health/Barnes (Not Called) Adopted by Unanimous Voice Vote**

Article 57: Adoption of Policy Regarding Solar Energy Systems/Barnes (Called) Adopted by Majority Voice Vote

Article 58: Prohibition of Cell Phone Use While Driving/Glidden (Called) Favorable Support via “Sense of the Meeting” Majority Voice Vote

Article 59: Relocation of Loading Zone/Willauer (Called) Favorable Support to Request BOS to reconsider decision by Handcount Vote (YES – 134; NO – 126)

Article 60: Home Rule Petition: Nantucket Historic District Commission (Called) Adopted by Majority Voice Vote

Article 61: Home Rule Petition: Establish a Post-Employment Benefits Trust Fund (Not Called) Not Adopted by Unanimous Voice Vote

Article 62: Home Rule Petition: Community Housing Bank (Not Called) Adopted by Unanimous Voice Vote

Article 63: Home Rule Petition: Nantucket Islands Land Bank Act Amendment (Not Called) Adopted by Unanimous Voice Vote

Article 64: Home Rule Petition: 7 Miacomet Road (Not Called) Adopted by Unanimous Voice Vote

Article 65: Home Rule Petition: Expansion of Room Occupancy Tax (Not Called) Not Adopted by Unanimous Voice Vote

Article 66: Home Rule Petition: Harbor and Shellfish Advisory Board (Not Called) Adopted by Unanimous Voice Vote

Article 67: Home Rule Petition: Ocean Management Planning Process (Called) Adopted by Majority Voice Vote

Article 68: Home Rule Petition: Pay for Town Employees Serving in Armed Forces/Ross (Not Called) Not Adopted by Unanimous Voice Vote

Article 69: Home Rule Petition: Pay for William J. Higgins/Murphy (Not Called) Adopted by Unanimous Voice Vote

Article 70: Acceptance of Massachusetts General Law: Military Pay/Ross (Not Called) Not Adopted by Unanimous Voice Vote

Article 71: Acceptance of Statute Regarding Local Tax Options (Not Called) Not Adopted by Unanimous Voice Vote

Article 72: Acceptance of MGL Ch. 44, Sections 55C-109 of the Acts of 2006/Affordable Housing Trust Fund (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

Article 73: Termination of Leases, Licenses with Siasconset Beach Preservation Fund/Stover (Called) Not Adopted by Handcount Vote (YES – 110; NO – 123)

Article 74: Exemption Regarding Cemeteries/Stover (Not Called) Not Adopted by Unanimous Voice Vote

Article 75: Real Estate Disposition: Long-term Lease Authorization/2 Fairgrounds Road (Called) Tabled by Handcount Vote (YES – 173; NO – 68 2/3 = 161)

Article 76: Real Estate Conveyance: Conservation Restriction (Not Called) Adopted by Unanimous Voice Vote

Article 77: Real Estate Conveyance: 12 Weweeder Ave. (Called) Adopted by 2/3 Majority Handcount (YES – 182; NO – 50 2/3 = 155)

Article 78: Real Estate Conveyance: Pochick Ave., Surfside (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

Article 79: Real Estate Conveyance: 19 Masaquet Ave. (Called) Adopted by Majority Handcount Vote: (YES – 169; NO – 38)

Article 80: Real Estate Conveyance: 58A Orange Street (Not Called) Adopted by Unanimous Voice Vote

Article 81: Real Estate Conveyance: 28A Arlington Street (Not Called) Adopted by Unanimous Voice Vote

Article 82: Real Estate Conveyance: 24 Berkley Street (Called, Call Withdrawn) Adopted by Unanimous Voice Vote

Article 83: Real Estate Conveyance: 29 Shell Street (Called) Not Adopted by Lack of 2/3 Majority by Handcount Vote (YES – 86; NO – 129 2/3 = 143)

Article 84: Real Estate Conveyance: Utah Avenue (Not Called) Adopted by Unanimous Voice Vote

Article 85: Real Estate Conveyance: 34 Nobadeer Ave. (Not Called) Adopted by Unanimous Voice Vote

Article 86: Real Estate Conveyance: 6 Easy Street (Not Called) Adopted by Unanimous Voice Vote

Article 87: Real Estate Conveyance: Surfside (Not Called) Adopted by Unanimous Voice Vote

Article 88: Real Estate Conveyance: Surfside (Not Called) Adopted by Unanimous Voice Vote

Article 89: Real Estate Conveyance: Surfside (Not Called) Moved to Take No Action by Unanimous Voice Vote

Article 90: Real Estate Conveyance: Clifford Street (Not Called) Adopted by Unanimous Voice Vote

Article 91: Real Estate Disposition: Vernon Street (Not Called) Adopted by Unanimous Voice Vote

Article 92: Real Estate Acquisitions: Uncatena Street (Not Called) Adopted by Unanimous Voice Vote

Article 93: Yard Sale Conveyances: Uncatena Street (Not Called) Adopted by Unanimous Voice Vote

Article 94: Real Estate Acquisitions: Off Low Beach Road (Not Called) Adopted by Unanimous Voice Vote

Article 95: Yard Sale Conveyances: Low Beach Road Parcels (Not Called) Adopted by Unanimous Voice Vote

Article 96: Real Estate Acquisition: Laurel Street (Not Called) Adopted by Unanimous Voice Vote

Article 97: Yard Sale Conveyance: Laurel Street (Not Called) Adopted by Unanimous Voice Vote

Article 98: Real Estate Disposition: Ticcoma Way (Not Called) Adopted by Unanimous Voice Vote

Article 99: Real Estate Conveyance: Miacomet Park (Not Called) Adopted by Unanimous Voice Vote

Article 100: Real Estate Disposition: Dreamland Theatre (Not Called) Adopted by Unanimous Voice Vote

Article 101: Appropriation: Stabilization Fund (Called, Call Withdrawn) Not Adopted by Unanimous Voice Vote

Article 102: Appropriation: Free Cash (Not Called) Moved to Take No Action by Unanimous Voice Vote

Moved that the following articles be voted 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, 15, 16, 17, 18, 19, 20, 21, 22, 22A, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, 44, 45, 46, 48, 50, 51, 52, 53, 54, 55, 56, 61, 62, 63, 64, 65, 66, 68, 69, 70, 71, 72, 74, 76, 78, 80, 81, 82, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, and 102.

2009 Annual Town Meeting was dissolved at 9:42 PM, on April 7, 2009.

Tuesday, April 7 – Special Town Meeting called to order at 9:47 PM. There were approximately 197 voters present.

STM 09

Article 1 7 Miacomet Road (Called) Adopted by Declared 2/3 Majority Voice Vote.

At 10:07 PM, BOS Chairman Michael Kopko moved to dissolve the 2009 Special Town Meeting. The motion was adopted by Unanimous Voice Vote.