

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
<p>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]</p>	

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.