



## Town Council Meeting December 17, 2015



**A** quorum being duly present, Council President Jessica Rapp Grassetti called the December 17, 2015, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

An announcement was made by President Rapp Grassetti regarding the meeting being televised live and questioning if anyone was actively taping the session to please make their presence known. This session is recorded and broadcast on Channel 18.

**PRESENT:** Frederick Chirigotis, James Crocker, Jr., William Crocker, Jr., Jennifer Cullum, Sara Cushing, Debra Dagwan, John Flores, Jessica Rapp Grassetti, Paul Hebert, John Norman, Eric Steinhilber, James Tinsley, Jr., Philip Wallace. **Absent:**

The Pledge of Allegiance was led by President Rapp Grassetti, followed by a Moment of Silence for the Duarte family.

- **Members of the “Do Re Females” under the direction of Nhung Truong, Sturgis Charter Public School**

### **PUBLIC COMMENT:**

Aaron Kanzer spoke to the heroin issues and the needle exchange facilities for effective public health; we need to work with the Aids support group.

Laura Cronin read a letter from William Cronin regarding the issues facing our town, from tent cities; to homelessness and drugs. Then Laura voiced that we need to find the best solutions, we live in the area and have had items stolen from our yards. Our yards are littered with used needles and other detritus left by the folks that go to the needle exchange. She thanked Councilor Jen Cullum for her diligent efforts fighting for all of us

Hilary Sandler brought up the lead contaminated land used for a shooting range; need to reevaluate the goals regarding this parcel of land that has significant contamination; work with us to achieve the redefined goals.

Deb Krau developers called us about the expansion of the Champ House; asking the Council to work together with the people of the town; we need balance; we need economic development here in Hyannis. Figure out how you can be a part of this process.

Caleb Sonnabend, Matt Hersey, Carrie Osborn, Lily Sethares, Lianna Mitchell, and Brendan Clark representing the Youth Commission spoke to the need for more members on the Youth Commission. The students asked the Council for an expansion from the current 9 student members to 11 student members; and to allow school choice students to be a part of the Youth Commission.

Patrick Page right now you are criminals; recklessly endangering the lives of me and my wife; you have an obligation to us; has filed a 60 day notice.

Mike Hersey spoke as the Adult advisor to the Youth Commission; their time is sought by everyone; they represent this town, we need a few more students to spread the work out.

Richard Soares had his well tested and it is contaminated from the flow off from the Y. I need to know the process of getting remediation; how do we get town water and sewer?

Peter Cross asked the Council to be proactive nearly 19% of all the property in the village of Hyannis is tax exempt; we need a more balanced village. This is shoot-up heaven down here.  
Close public comment

**COUNCIL RESPONSE TO PUBLIC COMMENT:**

Councilor Dagwan as a Barnstable Town Councilor, I work for the entire town; right now Hyannis is struggling; all town Civic Associations should work together with the Hyannis Civic Association; we have a wonderful Youth Commission.

Councilor Hebert stated the social services are here due to our need; every store that sells the needles should be required to take back the used needles. We need to look at the water quality issues and the water resources; how do we spell relief?

Councilor Cushing we need leadership, we need to lead on these issues; she is committed to this in 2016; needle exchange is necessary; doing business the wrong way is not okay for any business; we need to see more accountability

Councilor Chirigotis contaminated drug paraphernalia is everywhere; the addiction is hurting people; the needles are making it easier to use drugs; we need to protect our innocent people.

Councilor J. Crocker we all work for all the villages; what can we do for each other; and about the problem; we need to take a look at the leadership issues and the laws; we can start at the COMM for water quality issues.

Councilor Cullum spoke about the article for saving Hyannis; we meet twice a month we are all isolated from one another; are the social services effective; we need to be in contact with the state and the county, the needle clinic went about it the wrong way; we need to work together. Hyannis is covering the costs for the EMS services on the drug addicted and homeless, the costs need to be shared.

**TOWN MANAGER COMMUNICATIONS:**

Distinguished Budget Presentation Award  
Court decision on the needle exchange program  
Still awaiting State money for snow storms of last year  
Capital budget ongoing  
Downtown of the month for Hyannis  
Pedi cab regulations  
Steamship Authority meeting

- Mark Ells Assistant Town Manager, attended multi modal committees, over the road, water and air came together regarding parking issues. RFP process to review how we are doing parking, looking for recommendations on how to manage parking

Island Air has suspended operations at the Barnstable Airport  
Superintendent search is done  
Two Grants for Arts  
Dredging project in Barnstable Harbor  
Monitoring wells at the range - awaiting official reports

**Councilor questions and comments:**

Execution of the budget is excellent; gives us a high bond rating; how can we balance off social services regionally; [Barnstable has been a leader; we have assumed a lot of responsibility; we need to work with other communities; partner with the social services] dredging in Barnstable Harbor need an

explanation of where the sand is going; [DPW Director, Dan Santos, half of the sand is going to the cottage colony; then the other half dewatered trucked to sandy neck] Congratulate Thomas K Lynch for Certificate.

**ACT ON MINUTES:** Upon a motion duly made and seconded it was voted to approve the minutes of the December 3, 2015 meeting as written

**VOTE: PASSES UNANIMOUS**

**COMMUNICATIONS – from elected officials, boards, committees, staff, commission reports, correspondence and announcements:**

- Human Rights Commission awards ceremony
- Recognition of the town employees – Citizen’s Academy
- Forms finalized for the Town Manager Evaluation
- Plan for economic development in the three bays area
- HBO documentary Heroin Cape Cod - please watch it
- Difficult film to see
- DPW readying for the snow season

**2016-053 RESOLVE APPROVING A CONSERVATION RESTRICTION ON LAND CONTAINING APPROXIMATELY 2.11 ACRES MORE OR LESS AT 230 OLD COLONY ROAD, HYANNIS, MAP 325, PARCEL 33, TO BE PURCHASED BY THE TOWN WITH COMMUNITY PRESERVATION FUNDING INTRO: 12/03/15, 12/17/15**

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council approves the grant of a conservation restriction to the Barnstable Land Trust as recommended by the Land Acquisition and Preservation Committee on a parcel of vacant land to be purchased by the Town totaling approximately 2.11 acres more or less, with an address of 230 Old Colony Road, Hyannis shown on Assessors Map 325 as Parcel 33 for and in consideration of satisfaction of the requirements of the Community Preservation Act, G.L. c 44B § 12(a); and that the Town Manager is authorized to execute, deliver and record any written instruments necessary for this purpose

**VOTE: PASSES UNANIMOUS**

**2016-059 AMENDING THE ADMINISTRATIVE CODE, CHAPTER 241, ARTICLE III MULTIPLE MEMBER APPOINTIVE ORGANIZATIONS, CHAPTER §241-39A YOUTH COMMISSION INTRO: 12/03/15, 12/17/15**

Chair of Youth Commission Brendan Clark gave the rationale

**Councilor questions and comments:**

Agree to raise the numbers; but we have excluded home school children can we add an amendment to this chapter? Add to that motion identified by the Barnstable School Superintendent; much support from the Councilors

A motion was duly made and seconded to amend as follows:

**§ 241-8J**, as long as a member is enrolled as a full-time student at a school located within the Town, **or a home school resident student identified by the Barnstable School Superintendent**, s/he does

VOTE: Passes Unanimous

Upon a motion duly made and seconded it was

**ORDERED:** That the General Ordinances of the Code of the Town of Barnstable, Chapter §241-39A, Youth Commission, be amended as follows:

**Section A:** That **§ 241-39A** is amended as follows:

By striking out the number eleven (11) in the first sentence and by substituting in its place the number fifteen (15)

By striking out the number nine (9) in the first sentence and by substituting in its place the number thirteen (13)

By adding after the first sentence the following new sentence: "Notwithstanding anything to the contrary in § 241-8J, as long as a member is enrolled as a full-time student at a school located within the Town, s/he does not have to be a resident of the Town."

**So that § 241-39A as revised shall read as follows:**

A.Composition; Term of Office. There shall be a Youth Commission consisting of fifteen members, thirteen of whom will be between the ages of 13 and 19. These thirteen members shall serve for a one-year term and may be reappointed as long as they continue to qualify, and they will be the only voting members. Notwithstanding anything to the contrary in § 241-8J, as long as a member is enrolled as a full-time student at a school located within the Town, **or a home school resident student identified by the Barnstable School Superintendent**, s/he does not have to be a resident of the Town. Two members shall be adults and will serve for three-year terms, overlapping, as determined by the Appointments Committee. The two adult members will be nonvoting members and serve in an advisory capacity. All members appointed shall provide for a balanced and diverse representation of the community's interests and concerns. One member of the Youth Commission shall serve as a liaison to the Town Council, reporting either in person or in writing, as they are able."

**VOTE: PASSES UNANIMOUS AS AMENDED**

**2016-060 RESOLVE UNDER THE PROVISIONS OF G.L. C. 268A §20(D), THE INTEREST OF ASSISTANT HARBORMASTER, ARTHUR J. BALIAN, A SPECIAL MUNICIPAL EMPLOYEE OF THE MARINE & ENVIRONMENTAL AFFAIRS DIVISION INTRO: 12/17/15**

Eric Shufelt gave the rationale

Upon a motion that duly made and seconded it was

**RESOLVED:** That the Barnstable Town Council hereby exempts under the provisions of G.L. c. 268A§20(d), the interest of Assistant Harbormaster, Arthur J. Balian, a special municipal employee of the Marine & Environmental Affairs Division, in an annual slip assignment awarded through a lottery drawn on July 24, 2015.

**VOTE: PASSES UNANIMOUS**

**2016-061 AUTHORIZE THE ESTABLISHMENT OF A GIFT ACCOUNT FOR THE COTUIT CIVIC ASSOCIATION INTRO: 12/17/15**

Dan Santo, DPW Director gave the rationale.

Upon a motion duly made and seconded to amend as follows:

Striking out the phrase "for the Cotuit Civic Association" and by adding in its place the phrase "from the Cotuit Civic Association for the purpose of funding enhancement for the Village of Cotuit"

**VOTE: PASSES UNANIMOUS**

Upon a motion duly made and seconded it was

**RESOLVED,** that the Town Council, pursuant to the provisions of General Law Chapter 44, §53A, hereby establishes an account for the purposes of receiving gifts **from the Cotuit Civic Association for the purpose of funding enhancement for the Village of Cotuit** and hereby authorizes the Town Manager to approve the expenditure of monies from said gift account for that purpose.

**VOTE: PASSES UNANIMOUS AS AMENDED**

➤ **Town Council Election of Officers**

Ladies and Gentlemen I wish to open the Election of officers for the Barnstable Town Council for the year 2016.

We will first hold the election for the office of President.

- I will announce the names of the candidates,
- then nomination speeches by and for the candidate for President will be allowed
- Upon completion of the speeches, the vote will be taken by roll call all that is necessary is a majority

The same procedure will then be repeated for the office of Vice President.

Election for the office of President

The nominees are:

- Councilor Cullum
- Councilor Rapp Grassetti

Do the candidates wish to make a statement at this time, if so please raise your hand?

Jen Cullum:

- Looking at this role for over a year now
- by our charter this is meant to be a part time job
- Very fortunate to have AAA rating
- Work hard on the Council have shown strong leadership
- Outreach to community
- This Council could do more about the substance abuse and homeless issues
- Sub committees should be formed regarding the Noah Shelter
- We are in a position to lead
- Lack of affordable housing
- Time to pass the baton
- Everyone should have the opportunity to lead

Jessica Rapp Grassetti

- As President - set the agenda and preside over the meetings, represent the town
- Open and inclusive civil engagement
- Born and raised in this community
- Chose not to grand stand
- Roads Committee reinstated – four major connector roads in town
- Legislation of private roads using public monies
- Water quality and waste water most important issue-active participant
- Seniors want to age in place-need to make that affordable
- Homeless, drugs and crime - lengthy summit
- Federal State and County agencies to share the burden of services
- Open air parking – put forth changes in zoning regulations
- Job description of the Town Manager - modified after twenty years
- Will require a Contract Committee
- Restore the governing responsibilities of the Town Council

Debra Dagwan

- supports Jen Cullum;
- during my presidency it was brought up that the leadership position should be rotated every year or every two years; not designed for extended periods of time
- we have many talented people on this council, we need to give the opportunity to others
- we need to move forward with new leadership; people from the community spoke highly of her
- No one should have a leadership role for three years, would like to see someone else in a leadership position.

Fred Chirigotis

- Nominated Jen Cullum for a reason
- does not believe in term limits;
- elect whoever rises to the top;
- a couple of years ago we did discuss that the leadership should rotate, others should get an opportunity to lead
- By definition the Town Council does not run the town,
- the Town Council is a legislative body, we set policy; we do not manage the day to day operation
- every two years we are going to look for a new Town Manager; it's the winds of change
- we are in a position where we need change fully support Jen

Paul Hebert

- two years ago and witnessed the first bitter battle over the presidency;
- something has changed on the Council;
- this Council got very arrogant and full of itself; insulted our Town Manager
- will work for the next two years to seek change,
- my obligation is to the citizens of this town;
- we do not respect our town managers,
- will support Jen

Sarah Cushing

- Don't believe in term limits
- There are a lot of responsibilities we owe to our constituents
- an election provides the ability to pick the person;
- respect the job Jessica has done
- I support Jen, our constituents deserve leadership;
- Jen has pushed through more legislation; and engaged stakeholders
- she has the drive to be our President

James Crocker

- all of us have the ability to be leaders;
- what it is you bring forward makes us unique
- I don't feel the despair; applaud everyone who chooses to run;
- We make the tough decisions on this council, we will do very well, vote with your head and heart

Are there any additional speeches in support?

Nomination speeches are now closed.

Voting will begin for the President of the Barnstable Town Council. When I call your name please state the name of the candidate for whom you wish to cast your vote.

Chirigotis - Cullum

Crocker J – Rapp Grassetti

Crocker W- Rapp Grassetti

Cullum - Cullum

Cushing - Cullum

Dagwan - Cullum

Flores – Rapp Grassetti

Rapp Grassetti – Rapp Grassetti

Hebert – Cullum

Norman – Rapp Grassetti

Steinhilber – Rapp Grassetti

Tinsley – Cullum

Wallace – Rapp Grassetti

Voting results:

- Cullum 6 Votes
- Rapp Grassetti 7 Votes

We will now hold the election for the office of Vice President:

The nominees are:

- Councilor Cushing
- Councilor Steinhilber

Sarah Cushing

- We are a Board of Directors for the town
- Our town has to have the resources to take care of our constituents
- Need to collaborate with our peers
- Dedicated to this town – seeking a leadership position to tackle the big things facing our town
- Bring integrity and my commitment to this town
- Professional relationship with my fellow councilors
- Raise important questions and demonstrating integrity
- Would be honored to be the vice president in 2016

Eric Steinhilber

- Honor to serve with everyone here
- Uniquely talented group of people everyone has their own areas of expertise
- Build on unity and a sense of purpose
- Okay to disagree; need to respect each other
- Worked with Councilors on different items
- Leadership role on the Town Manager Search Committee
- Transition coming up, need a steady hand to go through that process
- Need new development, new growth dollars
- Ask for your support, would be honored to serve

James Crocker

- These are the two finest group of leaders
- Seen them work together

Debra Dagwan

- My first impression of Sarah was her warmth; sense of respect; a strong and fair leader
- She works with everyone, collaborates with her fellow councilors
- Leadership ability, inclusive of everyone
- Respect each and everyone on this council
- Supporting Sarah

Jen Cullum

- Supporting Sarah
- Met Sarah before she was on the Council
- Forthright, honest and hard working
- Asks good questions
- Tireless in asking hard questions, and data searching
- Determination and diligence pay off in the end

Paul Hebert:

- Kudos to both of you for running for the position
- This is an opportunity for us to show we are not divisive
- Indicative of where we are today
- Sarah asks tough questions
- Works very hard, will be voting for Sarah

Are there any additional speeches in support?  
Nomination speeches are now closed

Voting will begin, when I call your name please give me the name of the candidate for whom you wish to cast your vote.

Chirigotis - Cushing  
Crocker, J – Steinhilber  
Crocker, W- Steinhilber  
Cullum - Cushing  
Cushing - Cushing  
Dagwan - Cushing  
Flores – Steinhilber  
Rapp Grassetti – Steinhilber  
Hebert – Cushing  
Norman – Steinhilber  
Steinhilber – Steinhilber  
Tinsley – Cushing  
Wallace – Steinhilber

Voting Results:

- Cushing – 6 Votes
- Steinhilber 7 Votes

The President for 2016 is: Jessica Rapp Grassetti  
The Vice President for 2016 is: Eric Steinhilber  
Election is closed

President Rapp Grassetti declared that the discussion of litigation strategy in open session with respect to the case of *AIDS Support Group of Cape Cod, Inc. v. Town of Barnstable, et al.* may have a detrimental effect on the litigating position of the Town.

President Rapp Grassetti moved to go into Executive Session to discuss litigation strategy with respect to the case of *AIDS Support Group of Cape Cod, Inc. v. Town of Barnstable, et al.* based on the Chair's declaration that an open meeting may have detrimental effect on the litigating position of the Town, and not to reconvene in Open Session."

**VOTE: ROLL CALL 13 YES**

Seasons Greetings to all

**ADJOURNMENT:**

Upon a motion duly made and seconded it was

**VOTED to adjourn:**

**Unanimous**

**Adjourned at 9:35 PM**

Respectfully submitted,

Ann M Quirk, CMC  
Town Clerk – Town of Barnstable

NEXT REGULAR MEETING: January 7, 2016