



Town of Barnstable
Growth Management Department
Economic Development Commission
www.town.barnstable.ma.us/economicdevelopmentcommission

BEDC Meeting Notes
October 27, 2015

Members Present: Hank Farnham, Tom Geiler, Hartley Johnson, Chris Kehoe

Absent: Alan Feltham, Jonathan Gilmore, Eric Steinhilber, Ted Wurzburg

Also Present: Ruth Weil – Town Attorney, JoAnne Miller Buntich - Director, Growth Management, Stacey Peacock - Administrative Assistant

Chair Chris Kehoe called the meeting to order at 3:03 pm. Quorum not met.

Open Meeting Law (OML): Town Attorney Ruth Weil Handout - 'Balancing Government Transparency with Government Efficiency' (Exhibit B): Atty. Weil adapted this presentation from the Attorney General. Changes were made to the Open Meeting Law in 2009 which made procedures much more defined.

Geiler: Asked what about meeting with a business that doesn't want people to know yet?

Attorney Weil could not think of any exemptions to the open meeting law for this situation.

The presentation defined the following terms: Public Body, Meeting and Deliberation (Exhibit C 'Open Meeting Law Complaint Decision date July 21, 2015').

Key Points:

- Subcommittees are also covered by OML.
- Civic Associations are not public bodies. Neither are non-profits.
- If the EDC is going to attend a public meeting (with a quorum), it should be posted.
- The website is the town's official posting site for meetings. Notices need to be clocked in by the Town Clerk and then posted to the website.
- On the Attorney General's website (Mass.gov) you can browse topics & decisions that have been rendered.

The requirements of Meeting Notices and Minute criteria were both reviewed.

Atty. Weil: Our charter requires Public Comment at Town Council Meetings. Quasi – judicial committees (which are regulatory committees) have to allow the public to participate. The EDC is not a regulatory committee, they are an advisory commission.

Executive Session: Anyone requesting an Executive Session must contact the Legal Department first.

The Complaint Process was explained: You can go into Executive Session to discuss an Open Meeting Law complaint otherwise, Atty. Weil does not foresee the EDC needing executive session.

Johnson: Are we liable to being sued, as members?

Weil: Yes, there is potential however, the Attorney General's Office would look at intent of the individual. Before 2009, Open Meeting Law was handled by each individual District Attorney's Office. Now it is all administered under the Attorney General's Office which makes it more uniform.

Johnson: This is a huge obstruction. The law makes things more complicated and harder to do.

Weil: This is the constraint of the government sector. We cannot circumvent the Open Meeting Law.

Atty. Weil hands out the 'Open Meeting Law Guide March 2015' Exhibit D.

Training - General Session on December 10th for Open Meeting Law. Notifications will be sent out.

Attorney Weil leaves the meeting at 3:45 pm.

New Business:

Economic Development Self- Assessment Tool (EDSAT) Draft Report: Hand Out (Exhibit E)

Miller Buntich: We thought we would do a SWOT Analysis but the EDSAT draft is a SWOT Analysis. We will arrange the next workshop and have Barry Bluestone go over the EDSAT results. The audience response system was used to get the opinion based answers. This is a summary of strengths and weaknesses. When Barry Bluestone comes to the workshop he will go over next steps and how we compare with other communities. This is the same assessment that every community would complete Brewster, Cambridge, Hartford, CT even, not every question will be applicable to us.

Next month Agenda item – EDSAT follow up and discussion (45 minutes).

Farnham: Pg 16 and Pg 21 of the EDSAT Draft Report are very interesting.

Old Business:

Marketing Plan - Request For Proposal (RFP) Draft: Hand Out (Exhibit F)

Miller Buntich: I am hearing you want to do a Marketing and Branding Product. I reviewed the marketing plan and drafted an RFP. The parts that need refining are the scope of services & the deliverables.

Johnson: What is the intent of getting this project done? Who is going to take the leadership to do so?

Miller Buntich: This is the first attempt to put this into a format for you. We will have to provide the data and send invoices etc., (the administrative work). Once you pare down the deliverables we can start shopping around for the budget to see what you need to ask for.

Geiler: Where is it written that committees can't get funded for a project?

Miller Buntich: It's not, but we (the town) will have to manage the administrative side of it for you.

Johnson: Every project needs leadership to make sure the project goes on as we would like to see it. Would like to see creativity, passion & leadership added as deliverables.

Miller Buntich: What's missing from the RFP are the qualifications for the consultant. This is what the EDC needs to come up with.

Kehoe: We do not have the abilities or the time to monitor the consultant on a regular basis. My understanding is that we would give it to the Town Council and then have a committee that reports to the Town Council and we would be advisory as well.

Miller Buntich: What needs to be defined by the EDC:

1. Consultant Qualifications (what does the EDC want)
2. Scope of Work (make sure everything is included time-frame etc.)
3. How it will be Administered
4. Deliverables

Johnson: Is there a timetable on this? Thinks the EDC should go to the Council right now.

Miller Buntich: First define the parameters and we can put the RFP together. We then take the RFP and shop around to consultants to get a ball park figure of what you need to ask for.

Farnham: I agree we have to go to the Council with a number. Would like to change radio to TV. If using media other than the web, TV is more effective than radio. Submitted his written comments to Miller Buntich at the meeting. Farnham thinks we should get answers to Miller Buntich to get this final format in order to bring it to the Town Council (quickly). Maybe we should talk to Lynne Poyant, she put together a regional marketing plan when she was at the Chamber.

Geiler: Shouldn't we be talking to the County? The Cape Cod EDC? They should be at the top of the list to invite them here.

Miller Buntich: Look at their website, they have Grant opportunities there. We could help you apply for those. Thursday at 8:00 am the Cape Cod Commission is having a regional policy meeting. Maybe you should attend.

Johnson: We have to sit down with the Cape Cod Commission.

GMD to email the RFP Draft to the EDC. Please respond in accordance with the Open Meeting Law.

Kehoe: Can we vote via email before next meeting?

Miller Buntich: You can never vote via email (OML). I don't see this as something you need to vote on.

Geiler: Any offerings from the Mass Municipal Assoc.? Who else has done this?

November / December looking into earlier meetings (dates). Meeting time changed to 2:30-4:30 pm.

Johnson: Should have a few people go out to talk with companies and people ie. Sencorp White, Fire Departments, Cape Cod Young Professionals (CCYP), Chambers. The question of Affordable Housing? We want better jobs so people can afford the housing here.

Zoning Update: Miller Buntich is working on this.

Minutes: *Due to lack of quorum Minutes were tabled until November.*

Meeting Dates for 2016: Fourth Tuesday of the month 2:30 - 4:30 pm.

Member Liaison Updates:

Kehoe: The Hyannis Chamber is planning the annual breakfast with Santa and we need help. Usually it is at the British Beer Company. Help is needed to set up & serve food. It is the same day as the Christmas stroll. Sponsors are also needed.

Farnham would like to get a copy of the Business Use Survey from Growth Management.

Kehoe: There are 10 businesses currently leaving or that have just left Main Street. The Hyannis Chamber is looking for first floor store front location, small 300-400 sq ft.

Public Comment: None

Adjourn: The BEDC, having no further business, The meeting was adjourned at 4:36 pm.

Next BEDC meeting November 24, 2015.

List of documents / exhibits used by the Commission at the meeting

Exhibit A: Agenda dated October 27, 2015

Exhibit B: OML - Balancing Government Transparency with Government Efficiency

Exhibit C: Open Meeting Law Complaint dated July 21, 2015

Exhibit D: Open Meeting Law Guide March 18, 2015

Exhibit E: Exhibit F: EDSAT (Economic Development Self-Assessment Tool) Draft

Exhibit F: RFP (Request for Proposal) initial draft

Exhibit G: Meeting Dates for 2016

Respectfully submitted,
Stacey Peacock - Administrative Assistant
Growth Management

Public files are available for viewing during normal business hours in the Growth Management office located on the 3rd floor of Town Hall, 367 Main Street, Hyannis

*** Further detail may be obtained by viewing the video via Channel 18 on demand at <http://www.town.barnstable.ma.us> ***