



Town Council Meeting
June 21, 2018



A quorum being duly present, Council President Eric Steinhilber called the June 21, 2018, 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 Steinhilber 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: Britt Beedenbender, Jennifer Cullum, James Crocker, Jr., Debra Dagwan (7:25 pm), John Flores, Jessica Rapp Grasseti, Paul Hebert, Matthew Levesque, Paul Neary, Paula Schnepf, Eric Steinhilber, James Tinsley, Jr., Philip Wallace.

The Pledge of Allegiance was led by President Steinhilber followed by a moment of silence.

PUBLIC COMMENT:

Tina Carey and Michel Mangalo spoke about their issues with the Business Improvement District, (BID); have been asking for relief from the BID. They have filed a lawsuit today against the Town and the Bid. (Exhibit A)

Joanne Uchman working for over 3 months to stop the antenna tower; has sought legal counsel to stop the permit for the radio tower at the Centerville Church; we have been waiting for a response from the town; should not take this long to solve this issue.

Kathy Duran regarding the memorandum of understanding (MOU) for the leaching of effluent on the athletic fields at the Barnstable High School; previously brought the information of the flooding on Dunn's Pond Road, and the fragile eco system of the pond. The fire department did come out to see the fire hydrant that was underwater; did the Fire Chief make any recommendations for a different location (Exhibit B).

Janet Davis here to address the rollout of 5G technology coming to our town; which is short distance technology; millimeter wave technology which means that it doesn't travel well. They are going to be installing cylinders onto the top of the telephone poles, do we need 5G? Is this worth the risk to the environment and the health of our residents, and also the infrastructure? What will happen to our property values? (exhibit C)

*Diane Kovanda is making a recording of the meeting.

Kris Clark from the Land Acquisition and Preservation Committee (LAPC) shared her experiences as a volunteer on the Committee. Some of the things the committee has accomplished is reviewed the open space and recreation plan; reviewed conservation restrictions, making recommendations; walking weekends in the spring and fall of open spaces, maintained the trails among just a few of the things we have done. (Exhibit C)

Farley Lewis a member of the LAPC, has served for several years, believes the LAPC should continue as a committee; or become an Open Space Committee.

Ann Canedy as LAPC Chair wants the committee to continue; spoke about the organization of the town; the citizens are at the top. We are volunteers on the committee, this group is talented and enthusiastic and active; please reconsider the repeal of this committee.

Allison Alessi as Chair of the Renewable Energy Commission, our mission is to promote energy conservation, efficiency and finding sources of renewable energy. We have an active committee, still has a roll to play in the town. Some of their accomplishments include: focused on the green communities act; worked with the cape light compact; supported charging stations for electric car and LED street lights. We would like to continue to promote renewable energy, this is an important issue.

Gordon Starr on the Renewable Energy Commission feels the commission has been doing great work, tonight isn't the end; tonight is your night to ask the questions how did we get here?

John Julius, spoke about the newly organized Greater Hyannis Taxpayers Association (GHTTA), stated the nonprofits are killing us. Sturgis just bought the Wings building, which means they won't be paying the taxes on that property as well. Gave an example of what Cambridge is doing to alleviate the tax issue on nonprofits. We need to work together.

Wendy Paquette a member of the Sandy Neck Board, indicated that at their last meeting on the 14th of May, one day prior to the due date the appointments committees form, three members filled out the form, but somehow it did not make to the Town Council office in time. She feels that of the Tom O'Neil, Rich French and she were wronged. Fortunately Tom was reappointed and two of us were not. Neither of our liaisons came to our last meeting to thank us for our years of service. Regarding the article in the newspaper, there is fresh blood; I do not consider myself stale blood or old blood. When did all the interviews happen, I am upset by the way I lost.

Bill Cimbrello concerned we are dismantling our Renewable Energy Commission, lets do the right thing, be a beacon of light, stand for the right thing, for the future of our country and economy.

Bill Carey member of the Sandy Neck Board, we have an interesting mix of members, we have a diverse group, and we hold respect for each others views. Rich French is a dedicated, tireless board member, as our Chair for over a decade. No one is more dedicated. Wendy attended all of the monthly board meetings for more than 10 years before becoming a member of the committee. Could you please address my concerns and reappoint Rich and Wendy to the Sandy Neck Board. Do a proper vetting process.

Joyce Flynn Chair of the Yarmouth Energy Committee, who has always admired the work done by the Town of Barnstable; grants, parking, and amazing solar installations, aspire to be like your Renewable Energy Commission

Susan Truitt in her opinion the Town of Barnstable is facing so many issues, now we have Vineyard Wind, people should be a major component, why dilute a group that could help you in this endeavor

Meg Loughran were all the new appointees to Sandy Neck Board interviewed?

John Boyle in favor of retaining the Renewable Energy Commission has observed the meetings whose primary role is to act as a resource to the town. What is most important is to work as a team with the town. All active, well informed committee members, hope you will reconsider, the committee adds expertise to the town.

Close Public Comment

COUNCIL RESPONSE TO PUBLIC COMMENT:

All thanked everyone for coming out!

Taxpayers have taken care of all our social, public education, libraries, and physical needs; the nonprofits do bring in jobs and investments; energy conservation is paramount. At the last Homelessness Committee meeting some of the members of GHYA joined the meeting to discuss what is actually happening, we are growing; make Hyannis drive its own bus, be part of the future. We hope to have all the Councilors serve on the various Hyannis Boards. Thank you for volunteering on the committees! Proud of the passion, we try to be as attentive as possible, conversation is going to continue. To address Ms. Duran's comment, after the last meeting, the Fire Chief, Peter Burke, dispatched someone to the submerged fire hydrant, he contacted the water department and they did take care of the fire hydrant. We need to do a better job vetting the process, needs to be more input and discussion; we work for the best interests of the town.

The process for appointments and reappointments are not automatic, must be vetted by the Appointments Committee and voted on by the entire council. Deadline of May 15th was communicated with the various committees in April. To be considered for reappointment you must send in the paperwork by May 15th to the Town Council office. The reason for the deadline is to cover the whole process which requires a first and second reading by the Council. Some people did miss the deadline; however we gave them the opportunity to apply.

TOWN MANAGER COMMUNICATIONS: Update June 8 through June 21(Exhibit D)

Budget completed

Continue to work with Mass Department of Fish and Wildlife

Vineyard Wind

The Community Development Block Grant

Opportunity Zone Program

2018 Open Space and Recreation Plan

Discussion for regulations for Adult use Marijuana Establishments

Inter Municipal Agreement between Mashpee, Sandwich, and Barnstable

Cape Cod RTA Sealine

Martin J Flynn Scholarship Recipients

Town Manager Mark Ells, introduced the the Scholarship Committee members present Jan Cliggott, John Marsden, and Joyce Persuitte gave out \$650 dollar scholarships to the winners as follows:

Alliston Carter
Laurel Fournier
Scott Hanson
Courtney McEneaney
Erin Richard
Norbu Sonam
Grady Sullivan
Meaghan Wiggin

Barnstable Town Council Workshop-Comprehensive Field Evaluation (Exhibit E)

Rob Steen, Assistant Director of Public Works Department introduced the team that worked on this study.

- What do we need for playing surfaces
- Evaluate what we have today
- Where are the gaps
- Twenty year plan
- Survey went out last year

Councilor questions and comments:

Cost effective excellent job on Lopes field, there is a need for a junior type baseball fields; more rectangle fields; parents want organized sports; concerned about the 15 year wait for the field in Barnstable Village, what about volunteers to help out in cleaning up the fields and fund raising for the fields; how does the filed study dovetail with the open space [Patty Machado, the field study was used with the Planning and Development Department - we looked at both together] any recreation needs not previously contemplated in the field study [will get back to you on that] survey on the Open Space are these results from that survey [no this was just the field survey] Would have been good to combine the two studies. Do you have a matrix for the entire town, [Yes] I would like to see that; Elizabeth Lowell field ranked at a medium level? [Yes, due to the turf conditions] So we have no fields that are considered number 5? [No] what fields can be used for multi-use [we do have soccer/rectangular fields] must be a tough grading process; Lorusso Field is the envy of many in the Little League District; many companies invested their time and energy to this field. Further discussion on how these rankings will interact with CPC discussions, how do we find value in the report [CPC was involved with this committee, they are using this to inform them of the need for a project] Funding was requested for some of these fields; we need to make sure you make a presentation to the CPC. Budgeted one tenth to one fifth necessary to maintain the fields [estimate is rough, not enough in the annual maintenance budgets of the DPW and School Department to keep and maintain an active field] not improving, just to mow, water, and feed the municipal field [Yes].

Town Manager, Mark Ells, findings of this report is not a surprise, majority of these fields are not under the maintenance of DPW. We need to notate which ones fall under the DPW and which ones fall under the Schools for maintenance; we need the volunteers; what you are hearing tonight, is the actual need for the fields. Once we make the capital improvements as we have with the high school, we need to maintain those fields. The CPC has had many conversations with us regarding the fields and plan to move forward.

Councilor questions and comments: The CPC had turned down the Osterville fields but gave the money to other fields; we do have community groups, companies, that want to help out; generosity of the people of the town, we need the community to step up and we need to embrace that as well.

Barnstable Town Council Workshop-National Guard Armory (Exhibit F)

Mark Ells, Town Manager gave the review of the progress of the Armory

- o Background
- o Recent History of Projects
- o Current Project
- o Discussion

Councilor questions and comments:

Open space between the Armory and Lopes Field is that build able? [Much of the property between the building and Lopes Field is wetlands] Timing of the design, [Phase one is to make it a functional, safe and usable building, before the FY20 requests we can answer that question, we will have a clear vision before we come in for more money] concerned about going into this large an investment without knowing the final outcome [anything we do in Phase One, would not be changing the physical building, we will need to upgrade the electric, and HVAC in the building] where are we going to park the cars, that has to be provided, and will be another cost factor.

ACT ON MINUTES: Upon a motion duly made and seconded it was voted to approve the minutes of the June 7, 2018

VOTE: PASSES UNANIMOUS

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

Planning Board meeting for recreational marijuana

July 4th Parades

Old Kings Highway Meeting regarding cutting of trees

Congratulations to Barnstable High School Girls Golf Team

Transfer Station Hazardous Materials collection

Child car seat safety installation

Awards for Kindness at the Elementary School

Jump to 166

2018-166 ADMINISTRATIVE CODE AMENDMENT- TERM LIMITS FOR CHAIRS OF MULTIPLE MEMBERS BOARDS, COMMITTEES AND COMMISSIONS INTRO: 06/07/18, 06/21/18
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Upon a motion duly made and seconded it was

ORDERED:

Section 1.

That §241-8E of the Administrative Code be amended by adding the following sentence after the first full sentence contained therein: “No Chair shall serve more than three (3) consecutive terms.” So that §241-8E shall read:

E. Multiple-member board internal organization. Each multiple-member board shall, at a minimum, annually elect from its membership a chair, vice chair and clerk. Boards may

further elect a treasurer, and such other officer or officers as are deemed necessary or as is required by statute. No Chair shall serve more than three (3) consecutive terms. The annual election shall occur in July of each year, or as near after appointment of new members by the Town Council. The Town Council shall be notified of the officers of the board upon their election. The chair shall preside over all meetings of the board, and shall be the official representative of the board in all proceedings before the Town Council and other officials of the Town. The vice chair shall perform the chair's functions, in the absence of the chair. The clerk shall be responsible for the certification of the board's meeting minutes, observance of the public records law, and maintenance of other records of the board.

Section 2.

That this amendment shall take effect on July 1, 2019

VOTE: Indefinitely postponed-unanimous

<p>2018-151 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$340,000 PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM REGARDING BUTLER AVENUE, OCEAN AVENUE, CLARK AVENUE, PROSPECT AVENUE, HOTEL AVENUE, SUMMERBELL AVENUE, LAKE ELIZABETH DRIVE, VALLEY AVENUE, LAUREL AVENUE, VINE AVENUE IN CENTERVILLE INTRO: 06/07/18, 06/21/18</p>

Rob Steen, Assistant Director of Public Works gave the rationale

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$340,000** be appropriated for the purpose of making temporary repairs to Butler Avenue, Ocean Avenue, Clark Avenue, Prospect Avenue, Hotel Avenue, Summerbell Avenue, Lake Elizabeth Drive, Valley Avenue, Laurel Avenue, Vine Avenue in the Village of Centerville, and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$340,000** and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, and that the Town Manager is further authorized to assess betterments and to accept any grants and/or gifts in relation thereto.

VOTE: PASSES 13 YES

Appointment Committees Overview

President Steinhilber explained the leadership gave a task to the Appointments Committee to look at all the boards, committees and commissions to take an inventory of the committees to see if there were any redundancies, streamlining; making them more impactful, cutting back on the hours of the volunteers while utilizing the talent but possibly aligning committees. This is the beginning of the recommendations:

Appointments Committee Chair Rapp Grassetti gave an overview of the process and the people involved in reviewing all boards, committees and commissions; , a list was formulated, for instance the Agricultural Committee has not met in years, has vacancies that were never filled. This was a way to analyze all the boards committees and commissions with a new view. Being on the Appointments Committee is really an honor; the citizens bring their varied backgrounds and expertise. Over the years this town and the staff have grown considerably, sometimes you just have to reset; tasking the committees is important and should follow the direction of our strategic plan. We want to see more task forces charged with specific things to come back with recommendations; we would like to align the Renewable Energy Commission charges more closely with the

DPW, because it falls under their purview.

The Land Acquisition and Preservation Committee, has done a great job, have worked on conservation restrictions, assisted Planning and Development to come up with a new document. Maybe a new committee to protect our open space, to promote our pathways; I would be in favor of exploring that.

Councilor Levesque, encouraged meeting and interviewing the volunteers to our boards/committees/commissions; encouraged by the passion of the residents, the knowledge they bring to our community; the idea was to become more efficient; my hope is to move forward and work together more effectively.

Councilor Neary, treat to interview and speak with the very knowledgeable volunteers; my belief is that it will bring renewable energy more to the table in a stronger position in the new committee. This is a very important committee in the town, going from 18 members to 7 members. I hope to get feedback; many of the people we spoke with they felt they were not being heard; not a good enough give and take.

President Steinhilber: Thank you to the Appointments Committee, this is the thought process that has gone on over the last months; the survey's that went out to all the committees, common theme was meeting for the sake of meeting. We want to make the volunteers time more impactful.

Councilor Dagwan, we looked at this because quite a few committees were not meeting at all or having issues with a quorum; concerned about the process, we have to give people time to accept the change. We do not need duplication, some committees were overstepping their bounds; we have to respect the people who put in the effort. Through this process, we have to take the views of the public into consideration.

JUMP to 2018-177

2018-177 AMEND SECTION 241-30 of the BARNSTABLE ADMINISTRATIVE CODE, PUBLIC WORKS COMMISSION, TO CREATE AN INFRASTRUCTURE AND ENERGY COMMITTEE AND REPEAL SECTION 241-36 OF THE ADMINSTRATIVE CODE, WATER POLLUTION CONTROL BOARD INTRO: 06/21/18
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Upon a motion duly made and seconded it was

ORDERED that:

SECTION 1.

The Town Council hereby amends the Administrative Code by striking Section 241-30, Public Works Commission, in its entirety and by substituting in place thereof the following: "§ 241-30. Infrastructure and Energy Committee,

A.

Term of office. There shall be an Infrastructure and Energy Committee consisting of seven regular members. Members of the Infrastructure and Energy Committee shall serve for terms of three years, so arranged that as equal a number of terms as possible shall expire each year.

B.

Authorities and responsibilities. The Infrastructure and Energy Committee is a standing committee serving as an advisory board to the Town Council, Town Manager and Department of Public Works. The Committee's charge is to:

(1) provide the Town Manager and the Director of Public Works with recommendations

concerning the development of rules and regulations for the maintenance and sanitary operation of the solid waste transfer station, water pollution control facilities, public roads, bridges, sidewalks, parking lots, parks, bulkheads, docks, Town landings, beaches, playgrounds, recreation and conservation areas, cemeteries, Town forests, and public buildings, excluding schools.

(2) recommend viable methods for achieving energy conservation and for utilizing renewable sources of energy within the Town.

(3) promote energy efficiency programs available through the Cape Light Compact in residential and commercial sectors.

C.

Interrelationships.

(1)

Town Council: The Infrastructure and Energy Committee interacts with the Town Council to advise the Council on those policies and legislative matters concerning public works and energy conservation and renewable energy activities within the Town.

(2)

Town Manager: The Infrastructure and Energy Committee provides the Manager with recommendations in order to accomplish and effectuate its mission.

(3)

Other boards: The Infrastructure and Energy Committee interacts, as necessary, with any town board requiring or requesting assistance in matters of public works and energy conservation and renewable energy activities in the Town.”

SECTION 2.

The Town Council hereby amends the Administrative Code by repealing §241-36, Water Pollution Control Board.

VOTE: Continue to a 2nd reading 7/189/18 - 10 yes, 3 opposed (Cullum, Beedenbender, Schnepf)

2018-154 REPEAL OF SECTION 241-44.1 OF THE TOWN OF BARNSTABLE ADMINSTRATIVE CODE, AGRICULTURAL COMMISSION INTRO: 06/07/18, 06/21/18
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Councilor questions and comments:

Point of information when was the last time this committee meet? [2014] Did they have enough members to maintain; not met, has not acted as an advisor to the Town Council or Town Manager? [They made two recommendations, regarding the Danforth property for agricultural purpose and also the Paine Black House for a farmers market, people just lost interest in the committee] This committee was educational group; aquaculture, shellfish farming, beekeeping and livestock presentations. Will it terminate or be picked up and covered by another committee; what is the plan. The focus of this committee was the development of the Danforth Property. As we go forward we can always change the code to add additional committees/commissions. There was crossover with the shellfish; and aquaculture. Farming or agriculture within the town was very difficult to get any group to move any project forward. We need to update the boards/committees/commissions application to remove any non existing committees.

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby amends the Administrative Code by repealing Section 241-44.1, Agricultural Commission

VOTE: PASSES 13 YES

2018-155 REPEAL OF §241-27 OF THE TOWN OF BARNSTABLE ADMINISTRATIVE CODE, PERSONNEL BOARD AND AMENDMENTS TO CHAPTER 242 OF THE BARNSTABLE CODE, PERSONNEL AND CHAPTER 401, ARTICLE VIII, PERSONNEL REGULATIONS. INTRO: 06/07/18, 06/21/18

Upon a motion duly made and seconded it was to amend:

I would like to make a friendly amendment to Item # 2018-155 Section 3, fourth to the last paragraph, which references Section 401 without referencing the proper section with is Section 401-93. So I move to amend the fourth to last paragraph

VOTE: PASSES UNANIMOUS

Councilor questions and comments: The duties that were charged to the Personnel Board are now redundant, has not met since July of 2016 due to a lack of quorum; the HR department has been able to handle all issues

Upon a motion duly made and seconded it was

ORDERED that:

SECTION 1.

The Town Council hereby amends the Administrative Code by repealing §241-27, Personnel Board.

SECTION 2.

The Town Council hereby amends Chapter 242, Personnel, as follows:

By striking the phrase "Personnel Director" wherever it appears in §§242-5, 242-6 and 242-7 and substituting in place thereof the phrase "Human Resources Director".

By striking the phrase "Personnel Board and" where it appears in §242-5B(2), §242-7A and §242-7B.

By striking the phrase "and the Personnel Board" in §242-6A.

By striking §242-3 and §242-4 in their entirety and sequentially renumbering the remaining sections under Chapter 242.

SECTION 3.

The Town Council hereby amends Chapter 401, Article VIII, Personnel Regulations as follows:

By striking the word "Personnel" wherever it appears in Chapter 401, Article VIII, Personnel Regulations, of the Barnstable Code and by substituting in place thereof the phrase "Human Resources" except under 401-82B and §401-97B(2)-(4).

By striking the phrase "except for persons under the control of the School Committee" in §401-81H.

By striking the phrase "Personnel Board" and substituting in place thereof the phrase "Human Resources Director" in §401-82B.

By adding the phrase “to the Human Resources Department” at the end of the second sentence in §401-83.

By striking out the definition of “Personnel Board” in its entirety under §401-84.

By striking §401-85B in its entirety and substituting in place thereof the following:

“B.
Administration of classification plan. Each classified position is allocated to a grade. The Human Resources Director is responsible for classifying all positions. The Human Resources Director will recommend changes to the Town Manager for approval. When a new position is established or when a position has changed substantially as to the kind and/or level of work, the Town Manager, a department manager, an employee, or a recognized labor union may initiate a request for a change in classification by submitting a written request to the Human Resources Department accompanied by a position description questionnaire. The Human Resources Director shall document any changes in the position, its duties and/or responsibilities, evaluate the position and shall make a recommendation concerning the reclassification request to the Town Manager. The Town Manager's decision concerning the classification or reclassification request shall be final.”

By striking the phrase “Town Accountant” and substituting in place thereof “Finance Director” in §401-85C.

By striking the second sentence of §401-88A in its entirety.

By striking the first sentence under §401-89D(1)(a) and substituting in place thereof “The vacation accrual for the calendar year in which employees were hired will be as follows:”

By striking the number “five” under §401-89D(4) and substituting in place thereof the number “ten”.

By striking the phrase “Effective July 1, 1998” under §401-89E(4)(b) and by capitalizing the word “After” which follows the stricken phrase.

By striking the phrase “Effective January 1, 2016” under §401-89E(7) and by capitalizing the word “An” which follows the stricken phrase.

By striking the phrase “Effective July 1, 1998” under §401-89G(2) and by capitalizing the word “Upon” which follows the stricken phrase.

By adding the following subsections under §401-89J (1)(a):

“[4]

To care for covered service members and veterans who incurred a serious illness or injury in the line of duty; or

[5]

Any “qualifying exigency” arising out of the fact that a covered military member serving in the National Guard, Reserves, or Regular Armed Forces, called to active duty status in support of a contingency operation. Exigency defined as short notice deployment (limited to 7 calendar days from notice); military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation (limited to 5 days from FMLA leave per leave), post deployment activities (up to 90 days from end of deployment)., additional activities agreed to by the Town and employee.”

By striking the second sentence under §401-90B(4)(b).

By striking the phrase “Personnel Director under §401-90D(1)(b)(2) and substituting in place thereof the phrase “department manager or their designee.”

By adding the phrase “or their designee under §401-90D(3)(a).

By adding the phrase “that requires a pre-employment physical” after “position” under §401-90D(4).

By striking the sentence fifth sentence under §401-92D(2) which currently reads: “The Personnel Director shall make every effort to conduct an exit interview with each employee who resigns and will verify the employee's reasons for leaving.”

By striking the phrase “and be removed two years after the appraisal year” under **§401-93**

By striking the “Effective July 1, 1998 under §401-94D(2).

By striking “Personnel Board” under §401-97B(2)-(4) and substituting in place thereof “Human Resources Director.”

By striking §401-79 Personnel Board in its entirety and sequentially renumbering the remaining sections in Chapter 401, Article VIII

VOTE: AS Amended PASSES 13 YES

2018-156 REPEAL OF CHAPTER 241-45.2 OF THE TOWN OF BARNSTABLE ADMINISTRATIVE CODE, RENEWABLE ENERGY COMMISSION INTRO: 06/07/18, 06/21/18

Councilor questions and comments:

Would like to address the process, I was appointed as a liaison to this committee, listened to the accomplishments achieved by this committee, listened to their ideas; these are engaged citizens coming to the table offering their expertise to the town. I found the lack of transparency disturbing, checking the website, there was no information on the website on the members of the Appointments Committee or no reference to the Renewable Energy Commission in the minutes; this put me in a very awkward position; having no understanding as to why; reducing redundancies does not make sense to me. Renewable energy is at the forefront; with Vineyard Wind we have the opportunity to take a leadership role, I doubt that the new committee will have renewable energy front and center. How is this going to roll out? Going from 18 to 8 members, troubled by how it all went down, will not vote for this item.

On May 16th, when I look back at our minutes, which were taped, I asked the Town Council Administrator, to draft amended minutes to add the Renewable Energy

Commission which should reflect the discussion that took place. We deferred voting on the action on the item to the end of the meeting.

Have a problem with casting aside these people that have been devoted to the Commission. Isolates people and things like this should be more inclusive. I can't support it.

Two main reasons I can't support this because this commission is not meeting just for the sake of meeting. The new committee, which is combining three committees to one, I think renewable energy will fall into the third position. They are fighting so hard for this Commission, I cannot support this item.

By blending two committees that have each have a major impact, is a blow to our citizens; the talent, the creativity of our citizens to help us run this town. I cannot support his item,

We are at a crossroad, we have been conscientious of energy, it started with Mark Ells, when he was the Director of the DPW; it started with the windmills; the largest photo array; the most energy efficient group on Cape Cod is our DPW; the 2nd largest budget in the town is in the DPW. We are going to make this work, this is about a restructuring, lets just go forward and try something; in two meetings can always change the code.

I see this as an end run, trying to avoid the conversation of the Green Communities Act in our town. We are on the forefront on many energy issues, but when it comes to something controversial, we want to take a side step. To move this committee, I will not be supporting this item.

I need to let you know that the Town Manager is currently looking at the Green Communities Act. The Manager is looking at the Green Communities Act a long with the Building Commissioner is currently underway and will be making a recommendation to the Council.

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby amends the Administrative Code by repealing Chapter 241-45.2, Renewable Energy Commission

VOTE: PASSES 7 YES, 6 NO (Beedenbender, Cullum, Dagwan, Hebert, Schnepf, Tinsley)

2018-157 REPEAL OF CHAPTER 241-44.5 OF THE TOWN OF BARNSTABLE ADMINISTRATIVE CODE, LAND ACQUISITION AND PRESERVATION COMMITTEE INTRO: 06/07/18, 06/21/18

Councilor questions and comments:

The Land Acquisition and Preservation Committee (LAPC), just help draft the open space and recreation plan, this is another example of a committee that can help us get the work done; I do not agree with the dissolution of this committee.

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby amends the Administrative Code by repealing Chapter 241-44.5, Land Acquisition and Preservation Committee

VOTE: DOES NOT PASS - 9 NO, 4 YES (Flores, Levesque, Neary, Steinhilber)

2018-158 AMEND §241-45.1A OF THE ADMINISTRATIVE CODE AMENDMENT, HUMAN SERVICES COMMITTEE, BY REDUCING THE NUMBER OF MEMBERS FROM NINE TO SEVEN INTRO: 06/07/18, 06/21/18

Councilor questions and comments:

Support this item, a good thing to do to lower the quorum so they can get things done, not easy to do, but a positive step. There is a lot of work that this committee covers, I will vote for this because I have seen the issues we need to have a quorum.

Upon a motion duly made and seconded it was

ORDERED: That §241-45.1A of the Administrative Code (Composition and term of office) be amended by striking the phrase “of at least nine” in the first sentence therein and by substituting in place thereof the number “seven.”

So the first sentence of §241-45.1A would read “There shall be a Human Services Committee consisting of seven members, representing Barnstable’s diverse community.”

VOTE: PASSES 13 YES

Jump to 2018-164

**2018-164 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION
INTRO: 06/07/18, 06/21/18**

Councilor questions and comments:

The process for appointments and reappointments was covered again; the Appointments Committee holds applications for two years in a file in the Town Council Office, which allows the Appointments Committee to put their names into the mix. Each Committee member will need to respond when your term is coming due, to respond whether or not you want to be reappointed. One person was put forth because I have worked with her on the Town Council, and many other committees, we put very good people forward. Thank you to all the folks who have worked on the Sandy Neck Committee, giving of your time and hard work.

Upon a motion duly made and seconded it was

RESOLVED, That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Board of Assessors:** William Garreffi, 22 Thornberry Lane, Centerville as a regular member to a term expiring 06/30/2021; **Board of Health:** John Norman, 1625 Old Post Road, Marstons Mills as a regular member to a term expiring 06/30/2021; **Planning Board:** Steven Costello, 255 Scudder Road, Osterville, as a regular member to a term expiring 06/30/2021; **Sandy Neck Board:** Ann Canedy, 70 Van Duzer Road, Cummaquid as a regular member to a term expiring 06/30/2021; Robert Lovell, 12 New London Ave, Marstons Mills as a regular member to a term expiring 06/30/2021; Thomas O’Neill, 58 Holway Drive, West Barnstable as a regular member to a term expiring 06/30/2021

VOTE: PASSES 12 YES, 1 Abstention (Schnepp)

**2018-165 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION
INTRO: 06/07/18, 06/21/18**

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member board/committee/commission: **Cultural Council:** Kimberly Rumburger as a

regular member to a term expiring 06/30/2021; Georgia Kreth as a regular member to a term expiring 06/30/2021

VOTE: PASSES 13 YES

Upon a motion duly made and seconded it was voted to go beyond 11 PM

VOTE: PASSES 12 YES, 1 NO (Tinsley)

**2018-167 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$29,000
PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM
REGARDING LAURA ROAD IN CENTERVILLE INTRO 06/21/18**

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$29,000** be appropriated for the purpose of making temporary repairs to Laura Road in the Village of Centerville, and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$29,000** and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, and that the Town Manager is further authorized to assess betterments and to accept any grants and/or gifts in relation thereto.

VOTE: TO A PUBLIC HEARING 7/19/18 passes unanimous (Hebert off Dais)

**2018-168 RESOLVE AUTHORIZING SALE OF TAX POSSESSION PARCELS
INTRO: 06/21/18**

Andy Clyburn, Assistant Town Manager gave the rationale

Councilor questions and comments

Price not less than? [We will not sell for less than that amount]

Upon a motion duly made and seconded it was

RESOLVED: The Assistant Town Manager is hereby authorized to dispose of all right, title and interest in the following surplus Town Land for the respective prices indicated below, each being the highest bids received that was not withdrawn and to execute, deliver and record any and all documents necessary in accordance with the terms of this Order.

Street Address	Assessors Map & Parcel	Price Not Less Than
39 North Precinct, Centerville	148/130	\$12,500
0 Pioneer Path, West Barnstable	128/017/004	\$4,348
0 Guildford Road, Centerville	172/080	\$5,500
139 Guildford Road, Centerville	172/079	\$779
4 Windrush Lane, Osterville	093/072	\$3,510
10 Bosuns Way, Marstons Mills	046/120	\$1,879
39 St. Francis, Circle, Hyannis	291/032	\$500
0 Patriots Way, Centerville	193/230	\$7,679
131 Brittney Drive, Cotuit	026/017	\$10,109
0 Brittney Drive, Cotuit	026/004	\$30,109
0 Bridget's Path, Centerville	169/096	\$17,500
15 Woodbury Ave, Hyannis	307/047	\$22,000
1411 Phinneys Lane, Hyannis	274/038	\$12,700
227 Old Yarmouth Road, Hyannis	344/043	\$131,000
Two Parcel Bundle		\$150,000

96 Pine Ridge Road, Cotuit	018/015	
39 Cherry Tree Road, Cotuit	018/024	
Four Parcel Bundle		\$31,500
125 Oakwood Street, Cotuit	018/049	
117 Oakwood Street, Cotuit	018/050	
121 Oakwood Street, Cotuit	018/055	
63 Pine Ridge Road, Cotuit	018/052/002	

VOTE: PASSES 11 YES, (Crocker left dais, Cullum left dais)

2018-169 ACCEPTANCE OF A \$50,000 GRANT FROM THE MASSACHUSETTS DEPARTMENT OF MENTAL HEALTH INTRO 06/21/18

Sergeant Jennifer Ellis from the Barnstable Police Department gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: That the Barnstable Town Council does hereby accept a grant in the amount of \$50,000 from the Massachusetts Department of Mental Health to fund a Component Jail/Arrest Diversion Project under the Massachusetts Jail/Arrest Diversion Project.

VOTE: PASSES UNANIMOUS

2018-170 RESOLVE TO CHANGE PRECINCT ONE (1) POLLING LOCATION TO THE ZION UNION CHURCH, LOCATED AT 805 ATTUCKS LANE, HYANNIS, MA 02601 INTRO: 06/21/18

Ann Quirk, Town Clerk gave the rationale

Councilor questions and comments:

Very concerned we are moving polling locations in town, we have to notify all the voters in this precinct [We have to follow Massachusetts General Laws requires a postcard sent to the voters, on Channel 18, press releases to the newspapers. Do we pay for these locations, [this one yes about \$400 per election]

Upon a motion duly made and seconded it was

RESOLVED: The Barnstable Town Council does hereby change the polling location for Precinct One (1) beginning on the September 4, 2018 election to the Zion Union Church, located at 805 Attucks Lane, Hyannis, MA 02601.

VOTE: PASSES UNANIMOUS

2018-171 RESOLVE TO CHANGE PRECINCT TEN (10) POLLING LOCATION TO THE SEVENTH DAY ADVENTIST COMMUNITY BUILDING, LOCATED AT 2736 FALMOUTH ROAD (ROUTE 28), MARSTONS MILLS, MA INTRO: 06/21/2018

Ann Quirk, Town Clerk gave the rationale

Councilor questions and comments:

Has the association of town clerks seen this move out of the schools nationwide? [This is happening all over New England]

Upon a motion duly made and seconded it was

RESOLVED: The Barnstable Town Council does hereby change the polling location for Precinct Ten (10) beginning on the September 4, 2018 election to the Seventh Day Adventist Community Building, located at 2736 Falmouth Rd, Marstons Mills, MA.
VOTE: PASSES UNANIMOUS

2018-172 RESOLVE TO CHANGE PRECINCT TWELVE (12) POLLING LOCATION TO THE SEVENTH DAY ADVENTIST COMMUNITY BUILDING, LOCATED AT 2736 FALMOUTH ROAD (ROUTE 28), MARSTONS MILLS, MA INTRO: 06/21/18

Ann Quirk, Town Clerk gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: The Barnstable Town Council does hereby change the polling location for Precinct Twelve (12) beginning on the September 4, 2018 election to the Seventh Day Adventist Community Building, located at 2736 Falmouth Rd, Marstons Mills, MA.
VOTE: PASSES UNANIMOUS

2018-173 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$4,425,000 FOR THE CONSTRUCTION OF A WATER FILTRATION PLANT AT THE MAHER WELLFIELD INTRO: 06/21/18

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$4,425,000** be appropriated for the purpose of constructing a water filtration plant at the Maher wellfield, including the payment of costs incidental or related thereto, and that to meet this appropriation, the Town Treasurer with the approval of the Town Manager, is authorized to borrow **\$4,425,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: To a public hearing on 7/19/18-PASSES UNANIMOUS

2018-174 APPROPRIATION ORDER IN THE AMOUNT OF \$700,000 COMMUNITY PRESERVATION FUNDS FOR REHABILITATION OF JUDY WALDEN SCARAFIELD AT MCKEON PARK, HYANNIS INTRO: 06/21/18

Upon a motion duly made and seconded it was

ORDERED: That pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the sum of Seven Hundred Thousand and NO/100 (**\$700,000.00**) Dollars be appropriated and transferred from the undesignated amount in the Community Preservation Fund effective upon receipt of a signed public active recreation use agreement; and that following receipt of a signed agreement for public active recreation use the Town Manager through the Department of Public Works is authorized to contract for and expend the amount appropriated for rehabilitation consisting of soil sampling/lab testing, erosion control, installation of sod and topsoil, grading, installation of irrigation and drainage systems, engineering design and permitting, excluding dugouts, of the open space and recreation land consisting of the baseball field at the Judy Walden Scarafield Field at McKeon Park in Hyannis, subject to oversight by the Community Preservation Committee.

VOTE: To public hearing 7/19/18-PASSES UNANIMOUS

2018-175 ACCEPTANCE OF GRANT IN THE AMOUNT OF \$35,500 FROM THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE PURPOSE OF HIRING A QUALIFIED PROFESSIONAL TO CONDUCT MUNICIPAL VULNERABILITY PREPAREDNESS PLANNING TO ACHIEVE MVP CLIMATE COMMUNITY DESIGNATION INTRO: 06/21/18

Planning and Development Director, Elizabeth Jenkins gave the rationale

Councilor questions and comments:

Who wrote the grant application [started with Planning and Development Department then worked with DPW, MEA and other departments] Information from previous focus groups talking about climate change is this going to dovetail on that planning [climate change planning and hazard mitigation planning, two major efforts, we are utilizing the climate change risk assessment from 2014. Currently we are working on a local hazard mitigation plan]

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby accept the Municipal Vulnerability Preparedness (MVP) Climate Resiliency Planning Grant award in the amount of **\$35,500** from The Commonwealth Of Massachusetts Executive Office Of Energy And Environmental Affairs for the purpose of hiring a qualified professional to conduct municipal vulnerability preparedness planning to achieve MVP climate community designation and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

VOTE: PASSES UNANIMOUS

2018-176 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 06/21/18

Upon a motion duly made and seconded it was to correct the street address of F. P. Tom Lee to 1081 Putnam Avenue, and from a regular member to an associate member
VOTE Passes unanimous

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Board of Health:** F. P. Tom Lee, 1081 **Putnam Avenue**, Marstons Mills, as an **Associate** member to a term expiring 06/30/21; **Disability Commission:** Sarah Nicholson 67 Hamden Circle, Hyannis as a regular member to a term expiring 06/30/21; **Shellfish Committee:** Jacob Angelo, 15 Putnam Ave, Cotuit as a member at large to a term expiring 06/30/21; Robert Lancaster, 21 Hannah Circle, Cotuit as a regular member holding a family permit to a term expiring 06/30/21; William Shumway, 278 Capn Lijah's Road, Centerville as a regular member to a term expiring 06/30/21

VOTE: to a 2nd reading on 7/19/18 As Amended - PASSES UNANIMOUS

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED TO ADJOURN:

Adjourned at 11:25 PM

Respectfully submitted,

Ann M. Quirk, CMMC/MMC
Assistant Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: JULY 19, 2018

EXHIBITS:

- A. Lawsuit
- B. Email and Cape Cod Commission report
- C. Wireless Technology
- D. Town Manager's Update