



TOWN COUNCIL MEETING February 1, 2007

A quorum being duly present, Council President Janet Joakim called the meeting of the Barnstable Town Council to order at 7:00 pm, on Thursday, February 1, 2007, in the 2nd Floor Hearing Room of Town Hall, 367 Main St.,

Hyannis, MA.

PRESENT: Richard Barry, Janice Barton, Gary Brown, Ann Canedy, Frederick Chirigotis, Henry Farnham, Janet Joakim, James Munafo, Jr., Tom Rugo and Harold Tobey. **ABSENT:** James Crocker, Jr., Leah C. Curtis, and J. Gregory Milne

Council President Joakim asked Vice President Gary Brown to lead the Council in the Pledge of Allegiance and moment of silence.

• **COMPREHENSIVE FINANCIAL ADVISORY COMMITTEE**

Chair James Sproul, Thomas Michael and Bill Brower were present and pleased to be able to communicate with council. Sproul said they are an advisory committee. He also recognized the fact that John Ladner resigned from the committee. They were very pleased to have had him work on the CFAC for so many years. CFAC originated in 1993 and has evolved over the years.

Last year the 7 members had over 21 meetings and put in hundreds of hours on behalf of the town. They have performed a wide range of activities. There are 4 members who are in senior management; and, many have a wide range of financial experience. They have the tools to provide you with a range of services. We are ready to find a common ground and projects to solve. The committee will grow to 9 and they feel that they will be able to do more.

Councilor Canedy asked if they were charged by the council, would they be able to undertake council compensation. Sproul said that they had looked at that and felt the council could address compensation. Mr. Michael said that we realize it is awkward for a group to figure out its own salary. It is difficult. At the time it was discussed, we felt we could develop a committee with representatives from the council as well others who would review like compensations. When it is suggested by that type of group, it is easier. It would take the issue of compensation away from the council as a whole. He sympathizes with the council on this issue.

Councilor Brown stated that Gov. Patrick is behind casinos. He asked if this would be something that the board could look at. Sproul said they would do it, because they respond to the needs of the council.

Councilor Barry noted that Councilor Barton (along with her committee) is looking at the possible merger of the fire districts. He asked if the CFAC could be a part of a possible study on this issue. Sproul said the impacts etc. could be looked at, but the labor and those types of issues are outside of their course of duty. Michael said the CFAC applauded the current effort. There have been reports completed on this in the past. We could look at two things: Is it going to become a revenue source for the town; and is any

consolidation going to impact response time. Those factors must be looked at. Why change it if there is no positive revenue impact.

Councilor Barton said two members of CFAC are on the current committee that is looking at the fire districts. We will have a presentation soon and then we need to decide whether to go forward with an actual study.

President Joakim asked if we could get an update on the lottery report. Sproul said they would enjoy doing it.

Councilor Munafo said it was a pleasure to serve as a liaison to this committee in the past. He asked them if they have any questions of the council. Do you have anything that you want to hear to help you take direction next year?

Sproul said we do soul searching to come up with solutions and ideas. How can we best implement our projects and recommendations? We will continue to define our goals, and will continue to reach out to you.

Councilor Farnham thanked the committee. He said you now have 9 members and you do have sub committees; therefore, he asked the public if anyone wants to work on the committee and or sub committees, please come forward.

President Joakim told the committee members, that as the budget calendar goes forward they will get more requests. Sproul thanked Councilor Farnham and other department representatives who have helped them.

- **PILOT Committee Final Report**

Bill Brower addressed the Payment in Lieu of Taxes Report. (See attachment marked "A"). The Committee has been in existence for 2 ½ years. They wanted to have focus groups with tax exempt property owners. We have a lot of land that is tax exempt.

We considered going a different path and considered a Barnstable Foundation. This would be a 501C3 made up of private entities and they would look at resources or needs of the towns. Then the group could possibly help the town with specific needs. Initially there was a lot of interest, but then they found that the costs, effort and resources needed were too high; and the United Way stepped aside. The town is not in a position, and it is not feasible to start a PILOT program.

We have some recommendations that the town should keep its eye on. Twenty-five percent of the land area is tax exempt. Maybe we need to look at that in the future to see what impact other acquisitions will have on the taxpayers.

Vice President Brown established the committee 3 years ago. Brown said they have done a banner job. Thanks for looking for a loop hole that did not exist.

President Joakim said that maybe we can watch the state and attempt to get more money for the state land such as CCCC, the county facilities etc.

- **UPDATE OF LOCAL COMPREHENSIVE PLAN**

Joanne Miller Bundage was present to give an update on the Local Comprehensive Plan. She is a consultant with Growth Management on the LCP. The handouts (see B) included maps and flow charts which speak to the process.

The Planning Board met and wanted a plan that was map based and more user friendly than the last plan. We are working on the maps and want to use the GIS to convey information in a clear and concise way.

She had a land use map that identified all the types of land and it mirrors the zoning map fairly well. There is a data development map that shows when the development patterns existed. They will use the base information to develop another series of maps.

The other piece will be a land use plan that shows how the town hopes to use the land in the future. Some areas might be re-developed; some will be targeted for growth, etc.

The LCP that was developed in 1997 is good and lengthy. Now we have a format for a new plan which is very brief. The full inventory and research data will be separated out in another volume in appendices.

The last thing we want to deal with is implementation. Senior staff will review the action items and will deal with the feasibility, time tables, budget and staffing. All will be reviewed within the budget. The last thing is the 1997 plan had a lot of issue specific detail. Now we are looking for resource specific plans such as coastal resources, water supply assessments etc.

Councilor Canedy asked if there is any effort to make the heritage map more accurately reflect the age of the historic buildings in town. Some of the historic buildings fall off the list because of an addition....is there any effort being made to deal with another database? Bundage said that Planner Jackie Etsten is working on such a database. It may not come together in time, but we will reference it in order for it to be able to be shared.

Councilor Farnham asked for an update on the sections. Ms. Bundage said the sections on Economic Development, Community Housing and Heritage Preservation are on the website and anyone can review them. The next section that will go up will be the Natural Resources section. They are targeting May as a date for completion.

President Joakim also thanked the Planning Board.

PUBLIC COMMENT

Robert Tucker said he wants to see Public Comment remain. (President Joakim said it was not going to be removed.) Tucker added that we need jobs for people who live here.

Alan Burt acknowledged the Dennis/Yarmouth High School students. He spoke to them today and they presented him with a check for over \$200 to help with the homeless. The children are going to the selectmen and are asking them to donate to the cause. He gave the check to Councilor Barton for the Project In From the Streets. He feels there is still a need for hearing the public comment and comment between the councilors.

Lois Andre is Chair of the Economic Development Committee and urged the council to approve a Factor of 1 for 2007 taxes. She urged them to also adopt the residential exemption. The Factor of 1 does not unfairly tax the businesses. We need to keep the businesses here and viable. Do away with the split tax rate.

Lou Gonzaga agreed with the last speaker. This town needs to become business user friendly along with Cape Cod. There is a town that is near to us who is going to vote on getting out of the Cape Cod Commission. As far as the pay raise he thinks you will vote it down again, and there are better needs for the money. You should be in it to serve the public, and not for the money. He did acknowledge that the council does work a lot of hours. If you are here to make money, you are in the wrong business.

John Alden thinks changes need to be made with the council but it does not involve money – it involves the way it is set up and elected. The way it is now, I can't see justification for a pay raise. He sees no need for an increase.

Peter Doiron recommended before that he would go along with getting rid of the second public comment. He is concerned with the amount of workshops that have been loaded in front of public comment. Some are redundant. The new salary goes against a stipend; you should not have a salary. Some buildings are crumbling and we need road repairs and there are lots of law suits. There are large hopes for the harbor and airport. There are so many needs. Gov. Patrick wants to raise the meals tax.

Patricia Austin noted that as a homeowner, she had a problem and had to turn for help to Councilor Brown, and was surprised at the results.

Frank Paparo strongly suggests the council consider the casino and consider it carefully. He is concerned about the public comment and how we can't mention names. I guess you are now Mr. 9 and Mrs. 6. He handed out a cartoon on the right of dissent. (See C). The pay raises should be reconsidered, this is public service. The power remains with the people.

COUNCIL AND TOWN MANAGER RESPONSE TO PUBLIC COMMENT

President Joakim read a part of the council rules that stated that there shall be a period for public comment. All comments shall be addressed to the council as a whole and not specifically to one member. (This follows MGL Ch. 39 section 3C).

Councilor Munafo thanked Pres. Joakim for her organization of the council. We are hearing opinions on the council pay raise and there will be some people who will never believe there should be an increase. Stipend has a negative connotation. We receive a salary. Stipend was not chosen in the charter. We have a professional form of government and many comments come from the fact that the speakers do not like the charter. Whether we choose to look at ourselves, we represent more than 25,000

registered voters. There is no slight on the management branch. We are doing what the charter asks us to do.

REPORTS FROM TOWN COUNCIL, BOARDS, AND COMMITTEES

Councilor Barton thanked the D/Y students for their contribution. We have a little over \$30,000 and it is an ongoing effort. We are looking at a year round program and are still accepting donations. The School Committee had their first budget forum and went over some of the issues, goals, strengths, needs and budget assumptions. There will be additional public hearings.

Councilor Barry said the Shellfish and Waterways Committees will be meeting on the growing of oysters. They will be discussing the process that has floating bags.

ACT ON MINUTES

Prior to the vote on the minutes, Councilor Canedy gave the clerk some clarifications on her statements in the minutes which will be made.

Upon motion duly made and seconded it was voted to approve the minutes of January 18, 2007.

VOTE: Unanimous

ORDERS OF THE DAY

OLD BUSINESS

2007-067 - SUBSTITUTE MOTION - TOWN COUNCIL RULE CHANGE RE: AGENDA ORDER OF BUSINESS INTRO.: 01/04/07; 02/01/07

Councilor Munafo asked to see Public Comment stricken on the end. He also liked having liaisons be able to speak. Now with that out and workshops in, it does not make sense. He likes the workshops and likes that people have an understanding of what is going on. He is not in favor of the changes here or in the original.

Upon a motion duly made and seconded it was moved to just remove the public comment at the end of the meeting; and he wanted the public comment to be before the workshops and presentations.

Councilor Farnham said we could get confused since we do not have it in front of us, so Councilor Munafo withdrew the motion.

Councilor Canedy is concerned about council communications not being on the agenda. She wants reports from committees and staff. Therefore, she asked for a friendly amendment in #6 to add communications from elected officials.

Vice Pres. Brown noted that if you just eliminate the last public comment, then everything else would stay the same.

Pres. Farnham wants an amendment.

Councilor Barton agreed with Councilor Munafo on the removal of the second public comment.

Councilor Canedy asked that #6 would be response to public comment.

Councilor Barry believes that it should be status quo since some people may very well have public comment for the end of the meeting.

Councilor Munafo said we can always suspend the rules to allow any public comment if needed.

More comments were made regarding response to public comment, staff reports, and placement of public comment. Since the clerk asked for clarity, President Joakim requested that some councilors put in writing the order of business. She announced that the council would go forward with the next item, and take a break after to allow for the creation of a new motion.

OLD BUSINESS

**2007-069 - COMMUNITY PRESERVATION FUND APPROPRIATION FOR COMMUNITY HOUSING AND HISTORIC RESOURCES FOR ASSESSOR MAP AND PARCEL NUMBERS 326-020 AND 326-019 (46 & 50 PEARL ST., HYANNIS)
INTRO.: 01/04/07; 01/18/07; 02/01/07**

Upon motion duly made and seconded, it was voted to go into a public hearing for the purpose of discussing 2007-069.

VOTE: Unanimous in favor

Paul Niedzwiecki, Asst. Town Manager, Lindsay Counsell from the CPC and staff were present. Counsell said they are bringing forward the Pearl Street project. This will combine with the Guyer Barn to be a 3 parcel new facility. We need to acquire the land before we can do the work. The funding is split because we have received some grant money already. He identified the monies needed. They are required for a 10% match. This is important because it protects the 1830 house and provides an incentive for the affordable housing side. Growth Management has worked hard on this.

Assistant Manager Niedzwiecki said there is an arts strategy; more people will be likely to stop and shop in Hyannis drawn by more arts and cultural activities. After a survey it was found that 66.7% of artists would be willing to move to or open work space in the downtown. This all began with the Harbor Your Arts Shanties which is a strategy for local artists. The projects continued this year in Aselton Park with a performing arts series. We had Shakespeare and music; and added the buoys and dories (which provided signage). Last year we had the whales and now there is a sculpture program which may be displayed this summer. We had many partnerships as well.

Benefits to the community are these places where artists will live and work near each other. It stabilizes neighborhoods, stimulates new business, enriches the culture and it has a great benefit to the artists. Niedzwiecki showed on a Power Point presentation, a

number of places throughout the state such as Barre, Amesbury, Westford, Becket, and Provincetown, that currently have such a program in place.

Artists must be income eligible, (income cannot exceed \$40,150), and they must be certified. The artist must have recently created a work, be trained, recently exhibited their art and have recommendations. Niedzwiecki identified the various funding sources. There is potential revenue generation. The parcels are unique and offer a truly unique opportunity, so the value of the real estate exceeds the value to a single homeowner. It links nicely to the harbor as well. The 50 Pearl Street home has Vernon Coleman murals on some walls. It has been vacant and is in need of repairs. The 46 Pearl Street location is good for living quarters.

Maggie VanSciver from the Arts Foundation stated that they are supportive of this project and the other arts projects that have been presented in recent years. They applaud the vision. Artists draw residents and visitors. You are creating something unique and attractive. She applauds everyone involved in this and looks forward to it. She urges the passage of the item.

Leonard Gobeil had an interest in public speaking when he was in high school and at CCCC which originally was in the now Town Hall. Then he went to Emerson College and received a degree. He has worked on the JFK statue and worked with Harbor Your Arts. BHS students performed at Aselton Park and multi generations sat and watched Shakespeare. This would be a wonderful dedication to Shirley Flynn who worked for the town.

Frank Paparo commended the town; it is a good place for this as it is centrally located. He would like to see still photographers or video artists involved as well.

Felicia Penn spoke in favor and asked for the support. One of the sections from the LCP deals with how the creative economy is important for the success of Hyannis. One of the steps is to develop living art centers. This is in the right direction.

Patricia Austin said the Guyer Barn is close to her heart, and this project is so positive. This is so innovative and we have a possibility of being an example to the whole state.

Paul Sullivan said this is an exciting project; it will bring a lot of excitement to Hyannis and the Town of Barnstable. Give it strong consideration.

Lois Andre noted that artists need places to live and places for their art to be shown. Barnstable is beginning to get on the map as a destination for artists. This would be exciting for them.

President Joakim read a piece from Rep. Demetrius Atsalis who added his support to the item. He felt it was a unique opportunity to advance Hyannis and it had his whole-hearted support.

Upon motion duly made and seconded, it was voted to go out of a public hearing at:
VOTE: Unanimous at 8:53 p.m.

Councilor Brown asked about economic development and how we compare to say McMillan Wharf. Niedzwiecki said the shanties are ahead of McMillan Wharf, comparing costs and income. They are less expensive and more productive (shanties).

Councilor Rugo asked what about taking property off the tax rolls. Will this be self generating? Niedzwiecki said a non-profit could come in and create 20 units of housing and work spaces (in total) that could generate \$180,000 a year to pay the note. Developers would then be interested. Right now \$3,500 each is generated from taxes. We could let someone else develop it. Short term rentals could generate \$30,000 vs. \$3,500.

Councilor Canedy asked what makes it historic and will there be a restriction and how many of the units will be affordable? How can you restrict it to artists? Is the certification established or do we create it and who makes it up? How does the money break down?

President Joakim said the delineation of the amounts is in the rationale.

Niedzwiecki said the appropriation is \$375,000 for each property (includes a \$10,000 contingency on each). 50 Pearl St is funded all from historic since it is an 1830 home and actually historic. This property is better for a gallery. Funding for 46 Pearl St. is coming from a Community Block Grant in the amount of \$265,000. At least 51% of the units would have to be affordable because we used a block grant. There will be a restriction for housing on one and historic on the other. Niedzwiecki said the state has certification requirements; and it is allowable to restrict under the Fair Housing Act.

Councilor Chirigotis asked how you established the \$365,000 cost. Are the homes on the market, and who are you buying them from?

Niedzwiecki said the Town will be buying from private owners. We had an appraisal in April of 2006. One was appraised at \$375,000 and one at \$377,000. We have two P&S agreements, which are in place until March 15. He recently spoke to the appraiser to see if the market was different in Hyannis. If he had to re-evaluate, the appraiser said he might adjust down 4 or 5% and we might be a little under the \$365,000. Niedzwiecki said we feel comfortable with that. He referenced a Warren Report that highlighted some of the percentages that towns have gone up and down as far as parcel value. He addressed some of the downtown properties that recently sold which maintained good value.

Councilor Farnham asked about the finished product. Who pays for fixing this and how much will that cost? How does it get paid? Niedzwiecki said the second phase will have a business plan. The town will not pay for it. Non-profits and developers do this – and make the density work for this purpose. It will take about \$1.2 M to renovate. The developer will create the 10 units in each property, one for housing and one for the gallery. The income will support the debt. We need to acquire it and then work to get a developer. If we cannot come to a business plan within 5 years then we have to repay the monies.

Pres. Joakim said the CPC funding is nothing that we can use for something else. This is CPC money so there is no bonding. Councilor Farnham said his concern is with Phase 2.

Councilor Tobey worked at the Hyannis Library and said in the summer time one of the questions was “where is the Guyer Barn?” He said Mrs. Flynn used to make sure the sign

was out there. This will draw interest in the area. This is a great project and will generate even more interest in the arts in the area.

Councilor Munafo looks at it positively and noted that we do have a fiduciary responsibility. He noted that the purchase will not be a tax burden. If things don't work out for the proposed use, in the future we could use the property for a different purpose. However, we would have to pay back the funds. As far as a business plan, we are doing a good job. He is reluctant to pass this with the wording on eminent domain.

Niedzwiecki said we have a valid purchase and sale agreement on each property, and it will be a friendly environment. For clearing titles, we might need the eminent domain language. He believes it would be helpful to keep it in.

Upon motion duly made and seconded it was moved to strike out "or take by eminent domain".

VOTE: 2 in favor 8 No (President Joakim confirmed that the 8 votes were "no" votes).

Town Manager John Klimm said that the person responsible for this project is Shirley Flynn not John Klimm. She was a visionary and understood our needs and the critical roll that cultural arts plays in a community. It was always Shirley Flynn who reminded folks not to forget cultural arts. Shirley gave 20 to 30 years on the creation and workings of the Guyer Barn. Not only did she believe in it, but she believed in this project and the future of it. Even toward the end of her life, Shirley wanted to talk about this. If you move tonight to approve this item, we will call the center the **Shirley Blair Flynn Center for the Creative Arts**. This is an important part of Hyannis. Klimm thanked all who have been involved with the project; and then asked the council to support Shirley Flynn by approving the item.

Upon motion duly made and seconded it was:

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of One Hundred Fifteen thousand and No/100 (\$115,000.00) Dollars be appropriated and transferred from the amount set aside for Community Housing in the Community Preservation Fund on June 15, 2006 under agenda item number 2006-144 and the sum of Three Hundred Seventy Five thousand and No/100 (\$375,000.00) Dollars be appropriated and transferred from the amount set aside for Historic Resources in the Community Preservation Fund on June 15, 2006 under agenda item number 2006-144; that the Growth Management Department is authorized to contract for and expend the amount of (\$375,000.00) with the prior approval of the Town Manager for the purpose of acquiring by purchase or taking by eminent domain in order to undertake preservation, rehabilitation or restoration of the Historic Resources contained on the property having the address of 50 Pearl Street, Hyannis, MA, map and parcel number 326-020; that the Growth Management Department is authorized to contract for and expend the amount of (\$115,000.00) with the prior approval of the Town Manager for the purpose of acquiring by purchase or taking by eminent domain in order to undertake preservation, rehabilitation, restoration and creation of Community Housing on the property having the address of 46 Pearl Street, Hyannis, MA, map and parcel number 326-019, consisting of a minimum of two affordable units for low and moderate income persons; and that the foresaid resources be placed under custody and control of the Town Manager and the Town Manager is authorized to carry out the purposes described through appropriate dedication or restriction and accept any gifts or grants in relation to.

VOTE: Roll Call – 9 Yes 1 No (Farnham)

A break was taken from 9:23 – 9:31 p.m.

**2007-067 - SUBSTITUTE MOTION - TOWN COUNCIL RULE CHANGE RE: AGENDA
ORDER OF BUSINESS INTRO.: 01/04/07; 02/01/07**

A copy of the proposed Order of Business was distributed. Councilor Munafo stated that this is the current order but with the omission of #11. After brief discussion it was also agreed to switch #7 and 8, and eliminate #9 (due to redundancy).

Upon motion duly made and seconded it was:

RESOLVED: that the Town Council Rules are hereby amended by striking out Rule 5E and inserting in place thereof the following:

“RULE 5E - ORDER OF BUSINESS.

At every regular meeting of the Town Council, the order of business shall be as follows:

1. Roll Call
2. Pledge of Allegiance
3. Moment of Silence
4. Public Comment
5. Council Response to Public Comment
6. Act on Minutes
7. Communications from Elected Officials, Boards, Commissions, Staff,
Correspondence, Announcements and Committee Reports
8. Orders of the Day – A. Old Business B. New Business
9. Town Manager Communications
10. Adjournment

VOTE: 8 Yes 2 No

**2007-074 - APPROPRIATION ORDER FOR FY 2007 AIRPORT CAPITAL AND
OPERATING BUDGETS INTRO.: 02/01/07**

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on February 15, 2007.

VOTE: 10 yes

**2007-075 - ACCEPTANCE OF GRANT OF \$5,000 TO THE BARNSTABLE SENIOR
CENTER FROM CAPE COD FIVE CENTS SAVINGS BANK’S CHARITABLE
FOUNDATION TO SUPPORT CARE FOR CAREGIVERS PROJECT INTRO.: 02/01/07**

Lynne Poyant, Dir. Of Community of Services, said that Rose DiGregorio, Asst. Director of the Senior Center, wrote a grant to implement an outreach and access project. This will provide resources to caregivers. Cape Cod Five is giving them \$5,000.

Councilor Munafo thanked Cape Cod Five for their community support.

Upon motion duly made and seconded it was:

RESOLVED: that the Town of Barnstable hereby accept a grant in the amount of \$5,000 to support the Care for Caregivers Project.

VOTE: 10 yes - unanimous

2007-076 - ORDINANCE AMENDMENT PROVIDING FOR A INCREASE IN COMPENSATION FOR MEMBERS OF THE TOWN COUNCIL	INTRO.: 02/01/07
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Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on February 15, 2007.

VOTE: 9 yes 1 no

2007-077 - ACCEPTANCE OF A 2006-2007 TRAFFIC ENFORCEMENT GRANT FROM THE GOVERNOR'S HIGHWAY SAFETY BUREAU	INTRO.: 02/01/07
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Manager Klimm said this is a continuation of a grant that allows us to beef up the traffic enforcement division. This grant is most helpful and provides for funding for overtime. All monies are going specifically to this purpose.

Councilor Farnham asked about the specific dates for the activities. Chief McDonald said it is time specific and media specific because all towns across the state will be operating at the same time – like the Click It or Ticket program.

Upon motion duly made and seconded it was:

RESOLVED: that the Town Council hereby accepts a Traffic Enforcement Grant award in the amount of \$10,000 from the Governor's Highway Safety Bureau.

VOTE: 10 yes

2007-078 - ACCEPTANCE OF A FY 2007 COMMUNITY POLICING PROGRAM GRANT AWARD IN THE AMOUNT OF \$90,356.38 FROM THE EXECUTIVE OFFICE OF PUBLIC SAFETY	INTRO.: 02/01/07
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Manager Klimm stated that this is detailed in the agenda summary. It assists with the Community Policing Program. The residents of Hyannis are pleased and the police department is enthused.

Councilor Farnham said the mountain bike team does a great job. He asked about the reconditioning of mountain bikes and he asked about the cost of a new one. Chief McDonald said that there are 24 bikes that date back to 1992 and they are replacing 6 each year for the next few years.

Upon motion duly made and seconded it was:

RESOLVED: that the Town Council hereby accepts a FY 2007 Community Police Program Grant award in the amount of \$90,356.38 from the Executive Office of Public Safety.

VOTE: 10 yes

2007-079 - ACCEPTANCE OF A 2006 VIOLENCE AGAINST WOMEN STOP GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY IN THE AMOUNT OF \$13,000 AND THE SUPPLEMENTAL APPROPRIATION OF \$4,336 AS MATCHING FUNDS INTRO: 02/01/07

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on February 15, 2007.

VOTE: 10 yes

**2007-080 - SUBSTITUTE MOTION - ACCEPTANCE OF A 2007 STATE GRANT FROM THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
INTRO.: 02/01/07**

Town Attorney, T. David Houghton explained that the substitute motion was needed to include "gifts" which could be accepted.

Manager Klimm said we are involved because of the state funding. This amount will get the group to a point where they are ready to go.

Upon motion duly made and seconded it was:

RESOLVED: that the Town Council authorizes acceptance of gifts and grants including a grant award in the amount of \$75,000.00 from the State Department of Housing and Community Development for the delivery, design, casting and mounting of a statue of President John F. Kennedy to be located on Main St., Hyannis in front of the JFK Museum

VOTE: 10 yes

2007-082 - TOWN OF BARNSTABLE ZONING ORDINANCE FOR LAND-BASED WIND ENERGY CONVERSION INTRO.: 02/01/07

Upon motion duly made and seconded it was voted to refer this item to a joint public hearing with the Planning Board to be held on March 1, 2007.

VOTE: 10 yes

COMMUNICATIONS FROM ELECTED OFFICIALS, BOARDS, COMMISSIONS AND STAFF, CORRESPONDENCE AND ANNOUNCEMENTS

Councilor Munafo thanked the Police Chief not only for the recent meetings but for his time and vision for the future. He is excited and feels the community will be as well.

Councilor Tobey on behalf of the Senior Center invited the public to Heart and Soul on Feb. 10 in celebration of Black History Month. Armstead Christian, who is a jazz musician will entertain. This is in collaboration with the NAACP. This is an event that sells out and he has always enjoyed it and the food.

Councilor Farnham said Saturday West Barnstable will have its public dinner.

The Marstons Mills Village Association will be meeting next week according to Councilor Barton.

Pres. Joakim thanked Assistant Manager Niedzwiecki for his presentation at the Centerville Civic Association.

PUBLIC COMMENT

Frank Paparo commended the town for their arts program and suggests that they should expand it in size in different parts of Hyannis. The town needs to ask the state for more money for traffic enforcement. We are the largest town and have the biggest problems. We have a problem at the intersections of Old Stage Rd. and Phinneys Lane with Route 28. Get on the state highway department to address this.

Pres. Joakim said the Lumberts Mill Rd. and Route 28 intersection will be redesigned and we will have a hearing.

Lynne Poyant said we have partnered with the American Heart Association and we are going to light the harbormaster's house at Bismore Park in red. This will be in honor of John Mitchell a former harbormaster who died of heart disease.

Lou Gonzaga thanked the Barnstable Police Department and councilors who were recently at a meeting for businessmen and residents of Hyannis. The police are doing a great job under the new Chief. We as citizens have to let them know what is happening.

Robert Tucker asked for no name calling please. There are a lot of people who don't get their driver's licenses. We need to go after them.

Councilor Tobey said that it was unprofessional for him to say what it did but it was all taken in good humor.

ADJOURNMENT.

Upon motion duly made and seconded it was voted to:

ADJOURN.

Adjourned at: 10:02 p.m.

Respectfully submitted,

Linda E. Hutchenrider, MMC/CMMC
Town Clerk/Town of Barnstable