

TOWN COUNCIL MEETING
March 15, 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, March 15, 2007 at the Barnstable Town Hall, 2nd Floor Hearing Room, 367 Main Street, Hyannis, MA.

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

Vice President Brown led the Council in the Pledge of Allegiance and a moment of silence, remembering Donald Neil, killed in Iraq, and Terrence Maloy, found dead in an Osterville shed.

SCHOOL BASED HEALTH PROCLAMATION

President Joakim announced that the proclamation from the council, a copy of which is attached as Exhibit A, was delivered earlier this week.

SUSAN RASK PROCLAMATION

President Joakim invited Susan Rask to the podium and presented her with a proclamation (Exhibit B) acknowledging her public service on the Board of Health and stewardship of the town's natural resources. Rask thanked all and said she was very much honored.

President Joakim announced that Item 2007-102 will be forwarded to a public hearing at a later date.

PUBLIC COMMENT

Alan Burt spoke about lack of county funding for health and human services. The Assembly of Delegates' human services committee will be making a presentation the next week and the final vote will be in mid-April. He asked councilors to become involved and, if funding is not restored, pull some money out of reserves to meet the shortfall.

Jon Julius felt his name was used and his character was defamed after he spoke at public comment last time. He has refrained from doing that to others. He read from the minutes of March 31, 2005 on the purchase of the water company, comparing the financial figures estimated then to the reality of those increased figures today. He continues to feel that the vote on the water company was a huge mistake.

John Alden supports the charter movement and feels changes are needed. He has seen things done both right and wrong. He would like the council to listen to all points of view.

Robert Tucker expressed concern about the gas prices going up and out of sight. He fears tourists will not come down (to the Cape) with such prices. He also compliments the action of the police chief in a recent incident.

Peter Doiron said he was displeased by the actions and comments made at the last meeting on various subjects, especially the recall issue and length of public comment.

Steve Berglund commented on the DCPC coming forth as a public hearing at the next meeting. The people who love the area are trying to preserve esthetics, lay of the land, etc. He would like the council to look favorably upon it.

COUNCIL RESPONSE TO PUBLIC COMMENT

Councilor Crocker wanted all to understand what it takes to run a first-class water system and benefit the users. He compared the purchase and expenses of the Hyannis Water Company to those of the

COMM water department and a smaller system from Eastham. Water systems require that kind of money spent on them. False financial information should not be used to scare the public. Millions of dollars are spent for good water.

Councilor Munafo feels it is ironic that the group that complains on spending the money on the water system also complains when there are repairs that haven't been made.

Mark Ells, Director of Public Works, reviewed the history of the Hyannis Water Co. since its purchase in 2005 explaining how there is good information on what money needs to be spent now, and in the future. The town has not moved from a flat rate which it adopted at the point of acquisition. There are no looming financial unknowns. The condition of the system is good and they have been doing a lot of the maintenance that was inherited at the time of purchase. The water board will hold a public hearing before there is a change in the rates. The department is working towards maintaining control of the system's condition so there are no unexpected emergencies, etc.

Councilor Curtis said that all the conditions that are there were known at the acquisition. Ells added that something would have to have been done sooner or later by whoever owned the company.

Councilor Milne asked Ells to comment on the speculation of a 30% rate increase and give a few examples of what could have happened if the maintenance had been delayed. Ells explained that there are many rate scenarios. The board put forth a scenario for a complete refurbishing; however, they are not in a panic mode. The board is just planning for the capital that will be needed. There needs to be a planned scenario and it all costs money.

Town Manager John Klimm said the committee has offered one approach which involved a 30% increase. There are grants, etc. that have yet to be explored for some funding. So far there have been no increases and a proposed 5% to 6% per year is not off base. No rates have been raised and will not be until the staff has had a chance to finalize its evaluation.

Councilor Crocker pointed out that Hyannis delivers more water than COMM therefore it has more expense.

ACT ON MINUTES

Upon motion duly made and seconded it was voted to approve the minutes of March 1, 2007 as written.

VOTE: Unanimous

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

Councilor Barry congratulated the Barnstable girls' hockey team for becoming state champions and the Cotuit Kettleers who were awarded a Yawkee Foundation Grant.

Councilor Munafo asked about the condition of the road in the Smith Street/Craigville Beach Road area where there have been several serious accidents. Ells said they are looking at the area to decide what road changes can be made and will present recommendations. Police Chief Paul McDonald said there were a total of 20 motor vehicle accidents, four of which were fatalities. Speed has been the single common denominator.

Councilor Curtis commended the staff at the two golf courses who have been working very hard; they continue to serve the public and improve the infrastructure.

Councilor Barton asked for consensus from the council to write a letter to the Assembly of Delegates in support of the Human Services budget. (No one objected.) Operation in From the Streets has

sheltered 30 people to date. The group is still accepting donations. She thanked everyone who has contributed.

Councilor Milne reported on a Mass. Conservation Commission conference at Holy Cross College which he attended with Councilor Canedy and several members of Barnstable's ConCom.

President Joakim also congratulated the gymnastics team and the hockey team. She is planning to write a letter of comment on the Cape Wind DRI.

Lynne Poyant, Director of Community Services, announced that Councilor Barton will receive a special award from the Housing Assistance Corporation recognizing her work on behalf of the homeless. The town has received recognition from the National League of Cities for being awarded the Kenneth E. Pickard Memorial Innovation Award recently presented by the Massachusetts Municipal Association. The town has also received the Massachusetts Campaign for Open Government, 2007 E-Government Award, given by Common Cause. This recognizes towns who post key government records on their websites. Barnstable is held as a standard to other communities.

**ORDERS OF THE DAY
OLD BUSINESS**

2007-076 ORDINANCE AMENDMENT PROVIDING AN INCREASE IN TOWN COUNCILOR COMPENSATION

Councilor Farnham made a motion which was seconded to substitute the following:

ORDERED,

SECTION 1. That **Sections 220-12, 220-13 and 220-14 and 220-15 of the Code of the Town of Barnstable** is hereby amended by striking out said sections and substituting in place thereof the following:

“§ 220-12. Town Councilors.

The compensation for town councilors shall be \$8,000.00 per year.

§ 220-13. President.

The compensation for the president shall be \$12,000.00 per year.

§ 220-14. Vice President.

The compensation for the vice president shall be \$10,000.00 per year.”

§ 220-15. Expense Allowance,

There will be an expense allowance for town councilors and the Vice President of \$1,200.00 per year, and for the President, an expense allowance of \$1,800.00 per year.

SECTION 2. That Section 1 shall take effect on January 1, 2008 and be reviewed by the Town Council annually thereafter for possible change as required under Section 2-12 of the Charter of the Town of Barnstable.

Upon a motion duly made and seconded it was voted to open a public hearing on this item at 7:52 PM.

VOTE: Unanimous

Peter Doiron would rather wait for charter reforms before raising councilor pay. He is not in favor.

Nancy Clark spoke in favor. The councilors spend a lot of time for the town.

John Alden feels the amendment makes a little more sense than the original motion.

Upon a motion duly made and seconded it was voted to close the public hearing at 7:55 PM.

VOTE: Unanimous

Councilor Barry read a letter from the Comprehensive Financial Advisory Committee, responding to the request of the councilor compensation committee. (See exhibit C.) CFAC recommends \$7,000 per councilor, \$8,500 for the vice president and \$10,000 for the president, with no expense allowance.

Councilor Canedy supports the CFAC recommendations. She was not happy with the amount or the process, which needed a more arms-length approach. Councilors should take a modest increase of 3% and start the clock now.

Councilor Farnham explained that the gist of the amendment is to be fair to the council and to the taxpayer.

Councilor Munafo pointed out that CFAC just used the salary that was in the original item which does not include expenses. He explained how the original numbers were determined by looking at community size, budget size and number of councilors. The original figures were the median salary amounts from the survey results.

Councilor Brown said that being servants does not mean slaves. Efforts should be recompensed. This amount of money will not make anyone rich.

Councilor Tobey feels the council has evolved over the years. Years ago the major workload was on the president; now it has increased and is shared by all councilors. There is total immersion, more sophistication required, and better preparation.

Councilor Milne is not in favor of changing the compensation in this fashion. The charter needs to be changed on this subject. The bottom line is that this is a volunteer job, not a plum part-time job. The school committee was not considered and they are also unpaid. Milne feels the current money is adequate.

Councilor Barton pointed out that every job is a 'volunteer job' unless there is conscription. She explained more about how the numbers were derived. There should be recognition that it is a job and it should be compensated. She supports the amendment.

Councilor Crocker pointed out that some councilors have more time to apply to these duties, while others don't. He has never taken any salary and will not start now. Those who do not want the salary do not have to take it.

Councilor Curtis has struggled with this. Her choice would be a higher rate of compensation. She can support the rates in the amendment and is not sure of how the expense portion would be allotted.

Councilor Munafo clarified how the expense portion would work: it will be treated as salary. Finance Director Mark Milne said it was an administrative matter that can be received as salary if they like, or by submittal of receipts for reimbursements.

A motion was made and seconded to move the question.

VOTE: Unanimous

On the substitute motion which was submitted by Councilor Farnham and printed above,

VOTE: 11 Yes, 2 No (roll call – No: Canedy, Milne)

A motion was made and seconded to move the question.

VOTE: Majority

On the main motion under Item 2007-076, as amended and written above.

VOTE: 11 Yes, 2 No (roll call - No: Canedy, Milne)

2007-082 AMENDMENT TO ZONING ORDINANCE FOR LAND-BASED WIND ENERGY CONVERSION Upon a motion duly made and seconded it was voted to open a joint public hearing with the Planning Board at 8:29 PM.

VOTE: Unanimous

Present for the Planning Board: A. Roy Fogelgren, Raymond Lang, David Munsell, Felicia R. Penn and Steven Shuman

The Planning Board, upon a motion duly made and seconded, voted to open a joint public hearing at 8:29 PM.

VOTE: Unanimous

Mr. Shuman gave the rationale. This provides a guideline for issuing such permits. His board is neither a proponent nor opponent of land-based wind energy. This is a proactive offering of criteria. He explained several areas of the text for clarity. He suggested several minor changes.

Councilor Curtis asked for clarification of the granting authority's ability to waive the requirements. Shuman explained that if the benefit were greater and the abutters did not object, the board could waive the rule.

Councilor Munafò feels there is a need for a definitions section for some terms such as discontinuance, etc. Shuman did not feel terms such as discontinuance had to be defined and, in a sale situation, a new owner will buy the windmill and the agreement when he buys the property. Shuman explained that neighbors have to be notified whenever there is a special permit.

Councilor Crocker asked if the ZBA is part of this process. There was a ZBA member participating. The ZBA has been informed, but has not given any feedback. In response to other questions: the property line would not be considered if the parcels are under the same ownership; the need for a service agreement can be waived by the special permit granting authority (SPGA) if it feels the owner is competent to service the windmill.

Councilor Farnham explained that the maintenance agreement is for making sure the units function as long as possible, however he felt the 180 day abandonment was too short. The 180 day mark designates the date that requires the owner to have it removed within the next 90 days. After that, the town removes it at the owner's expense.

Councilor Barton asked about enforcement. The zoning enforcement officer would do that.

Councilor Canedy provided some clarification. Input was obtained from a variety of individuals. The board examined existing bylaws from Bourne, Sandwich, Fairhaven, Scituate, etc., as well a number of model bylaws. There are several towers already in operation on the Cape at the MMA, the Upper Cape Cod Regional Technical High School and Cape Cod Technical High School.

Councilor Rugo compared this ordinance to a Cape Cod Commission ordinance and a state drafted model bylaw on the subject. He feels the town's document is more restrictive and less clear in parts. There are value judgments in the document that can be changed. In response to some of his questions, Shuman explained that the applicant would provide his expert's credentials regarding noise issues and there was no requirement for live testimony. A guy tower is more cost effective but a monopole tower is more aesthetic.

Councilor Brown asked about the effect on the waterways. There are none since these towers are land based.

Councilor Milne asked about mitigation and why the zoning board was the special permit granting authority. Shuman replied that it seemed more appropriate that ZBA grant it. Mitigation would be

provided by the owner if needed. This could include plantings to cast a shadow. Councilor Canedy added that the proposed amendment defines the mitigation.

Mark Walcott a member of the Cape Cod Synagogue said they are proposing to install one. Their tower would cut usage by about half. Their goal is to save money and the atmosphere. He supports the amendment.

Lou Gonzaga feels the amendment is great but needs work. He suggests that the town identify in which areas towers can be installed. For commercial use, they cannot be put just anywhere; people will need to know where transformers are located. A large project will be a 20 year pay out. Signage will be needed as well as fences to keep trespassers out.

Peter Doiron suggested a nursery of windmills on top of the transfer station. Will it mitigate windmills in Nantucket Sound? The monopoles can be lifted up by the wind of certain storms.

Robert Tucker feels fences will be needed to keep people from trying to climb the towers. He also asked about the possible danger to birds.

Richard Lawrence, Director of Special Projects for Cape and Islands Self-Reliance Corp., submitted a letter that suggests some changes (Exhibit D). He emphasized that the ordinance does not distinguish between small home owner developments vs. larger business developments. Monopole design is rarely used by home owners. Small turbines are installed by guy wires, which are less visible. As it stands, the ordinance would exclude use of the smaller towers by the small home owner. Mention of economic consideration is also strange since the project will generate clean energy. Service contracts could be a detriment to a small owner who may like to tinker.

Tom Kelley said any person can make it economically feasible. He had several concerns about who would inspect underground vaults; who would compensate neighbors if they sustained damages from electricity generating equipment that was faulty, etc. A standardized form could be added to the application.

Nancy Clark suggested that historic districts be asked to weigh in where applicable. Shuman explained that anything that triggers a building permit is referred to the proper historic board.

Lester Wade felt the payback to the owner of the unit should not be the town's business and the proof of cost benefit is a non-starter. There are enough protections. He would like to see this item passed, learn from experience and amend if needed.

Jonathan Sloane said that as written it would prohibit neighbors teaming up to share a windmill.

Tom Wineman reiterated some of the previously mentioned concerns. The mandate for monopole towers instead of guy wire supported ones will cost 4 to 6 times more. It is hard for rules to blanket both small and large applications. He feels there is no danger from height, since we already live with many tall objects. There should also be the option for a shared lot line.

Planning Board member, Raymond Lang clarified the economic part. Height affects the ability to generate power. The tower needs to be high enough. Shuman pointed out that windmills are allowed now; this is a document that may be imperfect, but it is better than none. He suggests getting this on the books and potential amendments can be brought forward at a later date.

Councilor Milne feels the language in the document makes it cost-prohibitive for a home-owner such as the requirement of a monopole. He recommends making the amendments before passage of this item and would like to see it postponed

Councilor Munafo pointed out that the inclusion of the length of the blades on the poles solidifies the 1½ fall length. If it were adopted he would like to see amendments within 90 days of passage.

Councilor Crocker feels it is a great document and great suggestions need to be added. He will not support it in this current form. Councilor Farnham would also like to see suggestions incorporated.

Councilor Curtis wondered if the word ‘may’ ought to be ‘shall’ with regard to surety.

Councilor Barry feels this is proactive. Councilor Chirigotis agrees that it is a great job. He would like to see some of the concerns incorporated to make it applicable to as many who want to construct one. He suggests home owners be allowed guy wire towers to a certain height, then monopole.

Councilor Canedy pointed out that several people who appeared today also appeared at the sub-committee with the same recommendations. Some were accepted and some were not. There is a balance between the right of the home owner to build it and the right of the abutter to be protected.

Councilor Rugo is in no rush to pass this while it needs tweaking. He gave some examples such as it could be a two-tiered ordinance with a commercial and a residential section; a service contract may not be necessary, economic feasibility may also not be necessary, the set back reduced, etc.

Councilor Chirigotis feels it needs a provision for shared investment among abutters.

The Planning Board made a motion which was seconded to close their public hearing at 9:55 PM.

VOTE: Unanimous

The Planning Board moved their meeting to another location to consider their recommendations.

Councilor Rugo enjoyed the public comment and would not like to close the council’s public hearing.

On a motion to close the public hearing

VOTE: No one in favor.

The public hearing will be continued

The meeting recessed for 10 minutes.

Upon a motion duly made and seconded it was voted to postpone the public hearing on Item
2007-083 AMENDMENT TO ZONING ORDINANCE EXTENDING THE HYANNIS GATEWAY ZONING DISTRICT.

VOTE: Unanimous

The Planning Board also so moved.

VOTE: Unanimous

2007-085 COMMUNITY PRESERVATION FUND APPROPRIATION FOR NICKERSON COTTAGE PRESERVATION Upon a motion duly made and seconded it was voted to open a public hearing at 10:10 PM.

VOTE: Unanimous

Susan Rohrbach, member of the Community Preservation Committee, said the committee recommends \$10,000 for this project. (Marilyn Fifeld, the Historic Commission member on the CPC, was also present.) The cottage is on the National Register of Historic Places, therefore it cannot be demolished. There are three options for the cottage: 1. move it to town property, 2. leave it on-site where it will become an attractive nuisance and 3. move it to private property. Douglas Moquim has offered to purchase the cottage from the town and restore it on his property, which is also on Sandy Neck. The move will not alter the dune. He will sign an historic preservation contract with the town. All committees involved support the project and hope the council will vote yes.

Councilor Canedy gave additional history. It was once a ticket office prior to moving it and being converted to a cottage. (See Exhibits E and F) Demolition was denied by Old Kings Highway because it would have an adverse impact. Off-site moving is by agreement of the parties involved. Alternate uses such as use by the town at the Sandy Neck gate or a seasonal lease of the cottage were explored and found to be not cost effective. Mr. Moquim does not want to see any cottage demolished and has committed \$5,000 to this project; after permitting fees, etc., the remainder of about \$3,000 to \$4,000 will go towards the move. The Nature Conservancy has donated \$5,000 towards site restoration, any excess also to go towards the move. It has to be moved by the end of March or it will have to wait until next winter. If it waits, Mr. Moquim's financial offer will be off the table and the mover, currently on Sandy Neck, will have to return to the area to move the cottage.

George Jessup from the Old Kings Highway Historical District reported on their unanimous approval of this move.

Nancy Clark of Barnstable Historic Commission said this was one of their top three priorities. They support this item as it is the most cost effective means of preserving it.

Steve Heslinga owns a cottage on Sandy Neck Point and is the president of the Sandy Neck Colony Ass'n. He and his wife support this item. He has been in touch with other members of the association and there is no opposition.

Upon a motion duly made and seconded it was voted to close the public hearing at 10:29 PM.

VOTE: Unanimous

Councilor Crocker asked about what was actually agreed to be done to the cottage. The picture of the cottage does not look like an historic house. Jessup read the minutes relating to this move. Repairs will be done to the exterior walls, windows will be replaced with vinyl or traditional 6 over 6, the front door will be replaced and the cottage will be shingled. The \$10,000 appropriation, reduced by Mr. Moquim's contribution, will cover the move. The repairs will be made by the new owner.

Councilor Farnham will not support this item. He looked at several other cottages on the neck as well as the Nickerson building. It is not an issue of preserving the building. The entire inside is pine paneled. He also gave some history of the project which was left to be funded by private money not the taxpayers. The Sandy Neck Board's first priority for the cottage's location was at the entrance to the access trail. It will be cheaper to move it there than down to the end of the neck. He proposes that the best use of this building is to sell retail products at the beginning of the access trail. This way the taxpayers will get the benefit of its use. This will be funded with the renovation of the bath house.

Councilor Munafo would prefer to use it for the town at the gate at Sandy Neck. The town owns it currently but will the town own it on his land? Attorney David Houghton answered that the cottage will be sold and it will not require another vote. Munafo suggested a postponement.

Councilor Curtis said there is a funding stream available for this and the maximum it will cost is \$10,000. She would support this item. All the people impacted by this are in favor.

A motion to move the question was duly made and seconded.

VOTE: Majority

2007-085 COMMUNITY PRESERVATION FUND APPROPRIATION FOR NICKERSON COTTAGE PRESERVATION Upon a motion duly made and seconded it was

ORDERED: that, pursuant to the provisions of G. L. c. 44B, the sum of Ten Thousand and No/100 (\$10,000.00) 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; and that the Town Manager is authorized to contract for and expend the amount appropriated for the preservation of the Historic Nickerson Cottage including without limitation through relocation.

VOTE: 8 Yes, 4 No, 1 Abstention (Crocker) (Roll Call – No Chirigotis, Farnham, Munafo, Tobey)

NEW BUSINESS

2007-089 ORDER AUTHORIZING SALE OF LAND – 0 CAP’N CROSBY ROAD, WEST BARNSTABLE Upon a motion duly made and seconded this item was referred to a second reading on April 5, 2007.

VOTE: Unanimous

2007-100 ACCEPTANCE OF GIFTS – SHIRLEY BLAIR FLYNN CENTER FOR THE CREATIVE ARTS Upon a motion duly made and seconded it was

RESOLVED: That the Town Council, pursuant to the provisions of G.L. c. 44, §53A, hereby establishes an account for the purpose of receiving gifts to help defray the cost and expenses relating to the establishment, construction, rehabilitation and ongoing operation and maintenance of the Shirley Blair Flynn Center for the Creative Arts on Pearl Street in Hyannis, including the properties located at 46 Pearl Street, 50 Pearl Street and the Guyer Barn and authorizes the expenditure of monies from said gift account for those purposes.

Ruth Weil Director of Growth Management gave the rationale.

A motion was made and seconded to move the question.

VOTE: Unanimous

On Item 2007-100

VOTE: Unanimous

2007-102 RESOLVE FIRE SERVICES RFP COMMITTEE Upon a motion duly made and seconded it was voted to refer this item to a public hearing on April 5, 2007.

RESOLVED: That the Town Council create an RFP Committee that mirrors the composition of the Fire District Study Preparation Committee with its geographic and occupational diversity. The purpose of this RFP Committee is to set the parameters for a comprehensive and objective study of the fire services of the five fire districts to answer the question: “Is the Town of Barnstable receiving the services currently provided by the Fire Districts in the most efficient and effective manner possible?”

VOTE: Unanimous (Crocker Abstained)

CONSENT AGENDA

Upon a motion duly made and seconded action on the following items was approved by unanimous consent.

2007-081 – APPOINTMENTS

This item is referred to a second reading on April 5, 2007.

2007-101 – ZONING ORDINANCE POND VILLAGE DISTRICT OF CRITICAL PLANNING CONCERN

This item is referred to a joint public hearing with the Planning Board on April 5, 2007.

2007-104 – ZONING ORDINANCE CONTINUING CARE RESIDENTIAL COMMUNITY PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

This item is referred to the Planning Board for review.

2007-105 – GENERAL ORDINANCE AMENDMENT HYANNIS REGULATORY AGREEMENT DISTRICT

This item is referred to a public hearing on April 5, 2007.

2007-090– APPROPRIATION ORDER - MARINA ENTERPRISE FUND RESERVE CAPITAL IMPROVEMENT PLAN

This item is referred to a public hearing on April 5, 2007.

2007-091– APPROPRIATION ORDER - SEWER ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

This item is referred to a public hearing on April 5, 2007.

2007-092– APPROPRIATION ORDER CAPTIAL TRUST FUND CAPITAL IMPROVEMENT PLAN – ROAD REPAIR

This item is referred to a public hearing on April 5, 2007.

2007-093 – APPROPRIATION OAND LOAN ORDER CAPTIAL TRUST FUND CAPITAL IMPROVEMENT PLAN – GIS

This item is referred to a public hearing on April 5, 2007.

2007-094 – APPROPRIATION AND LOAN ORDER CAPTIAL TRUST FUND CAPITAL IMPROVEMENT PLAN – SIDEWALKS

This item is referred to a public hearing on April 5, 2007.

2007-095 – APPROPRIATION AND LOAN ORDER CAPTIAL TRUST FUND CAPITAL IMPROVEMENT PLAN – MUNICIPAL BUILDINGS

This item is referred to a public hearing on April 5, 2007.

2007-096 – APPROPRIATION AND LOAN ORDER CAPTIAL TRUST FUND CAPITAL IMPROVEMENT PLAN – COASTAL WATER QUALITY

This item is referred to a public hearing on April 5, 2007.

2007-097 – APPROPRIATION AND LOAN ORDER CAPTIAL TRUST FUND CAPITAL IMPROVEMENT PLAN – LAKES AND PONDS

This item is referred to a public hearing on April 5, 2007.

2007-098 – APPROPRIATION AND LOAN ORDER CAPTIAL TRUST FUND CAPITAL IMPROVEMENT PLAN – TOWN DOCK

This item is referred to a public hearing on April 5, 2007.

2007-099 – APPROPRIATION AND LOAN ORDER CAPTIAL TRUST FUND CAPITAL IMPROVEMENT PLAN – SCHOOL FACILITIES

This item is referred to a public hearing on April 5, 2007.

VOTE: Unanimous

2007-103 - APPOINTMENTS –

This item is referred to a second reading on April 5, 2007.

Councilor Curtis asked for suspension of the rules to vote for Jan Cligott so she could be added to the Scholarship Committee as they begin their review for 2007.

A motion was made and seconded to suspend the rules.

Vote Unanimous

2007-103 APPOINTMENTS

Upon a motion duly made and seconded it was

ORDERED That the Barnstable Town Council appoint the following individual to a multiple member board/committee/commission:

SCHOLARSHIP COMMITTEE APPOINTMENT

Jan Cligott, 6 Tidal Lane, Hyannis, MA 02601, term expires 06/30/2008

VOTE: Unanimous

2007-103 APPOINTMENTS

Upon a motion duly made and seconded it was voted to refer the following appointments to a second reading on April 5, 2007

COMPREHENSIVE FINANCIAL ADVISORY COMMITTEE APPOINTMENT

Robert H. Temkin, 294 Millway, PO Box 255, Barnstable, MA 02530, term expires 06/30/2009

WATER QUALITY COMMITTEE APPOINTMENT

Sheila Mulcahy, 9 Chippingstone Road, Marstons Mills, MA 02648, term expires 06/30/2009

VOTE: Unanimous

2007-103 APPOINTMENTS

Upon a motion duly made and seconded it was voted to table the following appointment

WATER POLLUTION CONTROL BOARD APPOINTMENT

Paul J. Canniff, DMD, 106 Hayes Road, Centerville, MA 02632, term expires 06/30/2009

Councilor Crocker explained that the candidate has shown malice for following the rules or the law. He cannot justify moving him forward.

VOTE: 9 Yes, 4 No (No: Milne, Canedy, Curits, Chirigotis)

Upon a motion duly made and seconded it was voted to adjourn the meeting at 11:10 PM.

VOTE: Unanimous

Respectfully submitted,

Lucia Fulco,
Assistant Town Clerk