

TOWN COUNCIL MEETING September 6, 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, September 6, 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., Henry Farnham, Janet Joakim, Leah C. Curtis, J. Gregory Milne (7:20), James Munafo, Jr., Tom Rugo (7:05) and Harold Tobey.

Vice President Brown led the Council in the Pledge of Allegiance and a moment of silence, remembering the Boston firemen who recently perished in the line of duty.

REPORT OF THE LIGHTING STUDY COMMITTEE

Steve Seymour, Special Projects Manager, Growth Management Department, explained that the committee consisted of members from the Hyannis Civic Association and their South Street liaison, the BID, the Hyannis Main Street Waterfront Historic Commission, the Town Council, the Hyannis Fire Department, along with staff from the Police Department, Department of Public Works, and Growth Management. Tom Burtness of Burtness Engineering Services was hired to work with the committee. The project is at a wrap-up stage. The project has been approved for fixtures and lighting from the Historic Commission.

Tom Burtness gave an overview. The purpose was to develop a comprehensive plan and resolve issues. The committee came to a consensus on what the problems were and what the solutions would be. He reviewed areas of the draft report, a copy of which is on file in the Town clerk's office. The committee established classifications for various streets within areas, established the kinds of lighting fixtures for each of the areas, and finally established priorities among the areas. They also defined three broad areas of concern: safety for vehicles and pedestrians; security - freedom from worry and people friendly lighting.

Councilor Canedy asked about use of 'dark sky' principles. Principles known as 'dark sky' would not apply, because the term is restricted to certain areas e.g. astronomical observatories, but the general idea to limit up-light were incorporated.

Councilor Crocker asked about costs because the number in the report was quite large. Burtness explained that what is in the draft report is preliminary. He will be refining it. The price is based on linear feet not number of poles, which takes pole spacing into the calculation. Crocker also asked about how many designs and styles the committee reviewed. There were numerous catalogues and styles were narrowed down by the committee, then the historic district, then the BID, etc. In general, they looked at more than 10 but less than 100 units.

Councilor Munafo made a motion to accept the draft proposal along with any minor corrections of scrivener's errors. Councilor Tobey seconded the motion.

VOTE: Unanimous

President Joakim announced that public comment and public hearing speakers would be limited to two minutes.

PUBLIC COMMENT

Eric Schwaab mentioned concerns that he has heard around the town as he campaigns for a council seat. He read a section of a letter from the DOR, stating that K-Mart rental revenue should be coming

into the town's general fund, not the airport accounts. He asked why this was not happening and asked that the town attorney be requested to prepare an opinion explaining this scenario.

Barbara Flynn, Vice Chairman of the Barnstable Historic Commission, spoke in support of the Crowell Smith House becoming part of the antiquities program. She hopes other community members are inspired to participate in the program. It is wonderful to have this treasure.

Peter Doiron is running for the Charter Commission because he believes the town should redefine itself every 5 years. He mentioned other subjects that concern him, including 9/11, other violent tragedies, reliance on volunteers, etc.

Jerry Garnick, representing the Cape Cod Symphony Orchestra, supports the performing arts center. He believes the village will be well served by it.

Robert Tucker pointed out that people from overseas don't have to pay excise tax and asked what will be done about it. He also offered a kitten to anyone with a wonderful home.

Etta Goodstein, a goldsmith from West Dennis, is appreciative for the revitalization of Hyannis and suggests incorporating crafts into the performing arts center.

Bob Brimmer, a trustee of the CCSO spoke in support of the arts center. He had been a musician who performed at the Kennedy Arts Center in Washington, DC. He suggests that the designers make it easy to get in and out, put parking underneath, have a floor for other functions, and provide the ability to hold receptions on the roof. A top-drawer acoustically excellent venue for arts will also attract use by conventions.

Amy Corcoran, a Trustee of the Cape Cod Museum of Art, said they will lend support and expertise to see this project through.

COUNCIL RESPONSE TO PUBLIC COMMENT

Councilor Barry commented on the cultural center.

ACT ON MINUTES

Upon a motion duly made and seconded it was voted to approve the minutes of August 16, 2007 as written.

VOTE: Unanimous (Canedy abstained)

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

Councilor Canedy spoke about the launching of the replica of the historic catboat, "Sarah."

Councilor Curtis announced the upcoming Marstons Mills Village Day.

Lucia Fulco, Assistant Town Clerk, reminded voters of several changes of poll locations and asked people who have taken nomination papers for Charter Commission to return them.

Councilor Milne hoped people will be active citizens at this preliminary election. He thanked Councilor Canedy for her efforts on the catboat "Sarah" event. He also announced the breakfast sponsored by the Boy Scouts honoring Judge Joseph Reardon, and the Selectmen's and Councilor's Association joint meeting with the Town Manager's Association.

Councilor Barton thanked the town clerk for changing the school polling venues. She gave a report of School Committee activities. She also announced that the Hyannis East Elementary School is the first

school in New England to be awarded the highly coveted USDA's Healthier US Gold Award designating it as a Healthier US School Challenge Gold School. The national award recognizes nutritional excellence and a creative healthy school environment that addresses the issues of children who are overweight or obese.

President Joakim announced that the Council On Aging has committee openings. She commented on the new Citizen's Academy class that began last night. This is a popular activity and there is a waiting list.

ORDERS OF THE DAY

President Joakim made a motion, which was seconded, to postpone **Item 2008-016** to September 20, 2007.

VOTE: Unanimous

OLD BUSINESS

2008-011 ORDER CREATING RECREATIONAL SHELLFISH AREA AND SHELLFISH RELAY OVERLAY DISTRICT

Upon a motion duly made and seconded it was voted to open a joint public hearing with the Planning Board on the above item at 7:50 PM.

VOTE: Unanimous by Town Council

Planning Board members present: David Munsell, Patrick Princi, Steve Shuman and Marlene Weir.

VOTE: Unanimous by Planning Board

Councilor Crocker made a motion, which was seconded, to amend 2008-011 as follows:

"I move the proposed zoning ordinance be amended under Section 1, Section 240-37.1 Paragraph D, by adding the following phrase at the end of Paragraph D after the word "prohibited";

"... unless such dock or pier has the benefit of a valid Order of Conditions issued prior to the adoption of this zoning amendment, in which case the construction and/or installation and maintenance of said dock or pier shall not be prohibited."

Councilor Crocker explained the amendment. The intent is not to stop someone who has already has a permit. Councilor Barry supports the amendment as being fair.

VOTE: Unanimous

Councilor Barry then gave the rationale. Places where the town does not want piers should be designated by zoning. Docks are great if they are in the right place. When the channel is formed in shallow shoreline areas by the boating, it destroys the shellfish habitat. He gave an historical perspective to the notion of who owns the water – the public trust doctrine, to insure the public's ability to use the water and its resources. He sponsored this item on behalf of the Shellfish Committee to preserve areas for shellfish.

Donna DeFlorio, a member of the Barnstable Association for Recreational Shellfishing (BARS) believes it is not an 'us against them' issue; it is about the quality of the water. The shellfish keep the water clean and that makes the real estate valuable. People should be proud that it is clean water and Barnstable is working at keeping it clean.

Lenny Clark, West Barnstable, has enjoyed shellfishing and feels the shellfish relays are wonderful programs that insure more shellfish for diggers. It is these relay areas that should be protected. The Conservation Commission cannot protect the shellfish by reviewing the pier requests one-by-one. He supports the no-pier policy.

Richard Austin, West Barnstable, is the President of BARS and spoke in support of this item. He asked the BARS members in the hall to stand (and about 40 stood up). It is not a self-serving organization. The group has volunteered to help the town propagate the species; they do water quality testing, etc. He read a petition in favor which had 327 signatories. (Copy of the petition is in the Town Clerk's office.)

Andre Sampou, West Barnstable and BARS, spoke in favor. He has represented shellfisherman at pier hearings. Based on a 1990 consultant's projection of pier construction, the town is past build-out. He asks that the resources be preserved.

Mark Olkin, Marstons Mills, spoke in favor. Oil products are fatal to shellfish larvae; water turbidity blocks sunlight.

Ed Dutton of Centerville said preservation is needed, but the town is heading in the wrong direction as it stands now.

Armond Lapierre of Centerville said the Cape is the best place to live for shellfishing, fin fishing, boating and walks along the shore. It appears that taxes go up and shellfishing goes down. He is asking the council to vote in favor.

John Fallon, Commodore of the Wianno Yacht Club, pointed out that this item may adversely affect the operations of the club. He requests deferral of any decision on this matter until they can evaluate it further. His concern is changes to current piers and structures as they exist.

Bob Enos, Long Pond Circle, Centerville, thanks the council for the hydrilla remediation. They faced and solved the problem. This issue also needs action by the group. He is in favor of preserving the "Common-Wealth."

Gerard Ganey asked the council to consider other areas for this kind of protection. Non-shellfish areas also contain other species.

Steve Wilson of Hyannisport and the Hyannisport Yacht Club said the item needs to be modified to allow the permitting processes that are needed for repair of an existing pier. He also requests that the boundary be adjusted for reconfiguration of piers by 50 feet on either side.

Doug Limland, a BARS member, elaborated on Mr. Sampou's comments. He is in favor and reminded the group of the body of work already done that supports the overlay.

Bob Frazee shares the concerns on yacht club piers. The line is too severe and permitting time limits are also among his concerns.

Matt Ostrowski feels the protection process in place is not working; he is in favor.

John Squibb spoke in favor. Piers or boardwalks in the area make no sense.

Arlene Wilson has an engineering business in Marstons Mills and is representing the Cotuit Oyster Co. The map is based on survey coordinates making it hard for the property owner to deal with it. She hopes they will tune the map to coordinate it with the assessors' maps. She provided a draft amendment with her language suggestions. (See Exhibit A)

Fred Dempsey, BARS, reiterated several points made by other speakers. It is incumbent on the Council to impose restrictions on piers, etc.

George Gilmore, Cotuit, owner of Gilmore Marine Contracting, said the fiscal impact will not be neutral on his business – it will mean laying-off workers, etc. It will not be only marine contactors in town who will be impacted; there will be a trickle-down on a number of citizens.

James Kenny, West Barnstable, urges stopping future construction of docks. There has been no overview of the whole process; the infractions happen one dock or house at a time. Think about it in the long term – it is “the death of 1,000 cuts.”

Robert Tucker said the people whose income is impacted should look for other work.

Jack Cotton, Osterville, said the impact appears small, but once the item passes it will expand. He is not convinced that clams and docks cannot coexist. He asked why the prop was a problem but hydraulic shellfishing not a problem. Every two docks pay for one kid in school. He asks the council to think more about this before passing it.

Stewart Rapp, Chairman of the Shellfish Committee, said they have recommended this item unanimously – it is a ‘no brainer.’ The town is losing habitat on a daily basis. Prop wash does ruin the habitat and will affect the ability to have clean shellfish. It is not a floodgate, these are small areas, but not in a relay area or a significant shellfish habitat. Do the right thing.

Patty Daley, Growth Management, said docks and piers are already defined.

President Joakim opened the hearing for council discussion.

Councilor Munafo said this item is focused on dock and piers as a method for protecting the habitats by regulating power boats. The prohibition should be on the power boats. Has this been discussed?

Councilor Barry said there are the adverse effects of chemicals and light caused by docks. He did agree that the dock is not the problem the power boats are. Moorings could be placed anywhere for the boats and people could row out, protecting the shore area for shellfish.

Councilor Munafo feels that more debate is needed and a decision tonight is out of order.

Councilor Milne feels Stewart Rapp said it best – a no brainer – about doing the right thing. Individual property rights have massive protections in Massachusetts. In other states the rights are vested in what makes the community special. Dead shellfish will affect the tax base, the economy and the environment. All will be lost if this is not protected. The Conservation Commission will have its hands tied if this is not approved. This will be one part of a strategy to save the resources. Let’s do the right thing.

Councilor Crocker pointed out that regulatory processes go through a system to make sure the public supports the activity. He takes issue with the advisory group proposing this without a public hearing and without obtaining input from other groups affected. It is a single-minded, single effort and is the only such zoning that has come through this way. This item encumbers 114 acres and it is not a small issue. In addition, past data show that shellfish have been put in areas where the docks are. Why have we moved them in harms way? There are many more relay areas encumbered yet only two are used. The residential properties affected are millions of dollars of revenue. Relay areas don’t match up to the best habitats. He feels this should go to a committee for more thought and for departmental input. Not all docks are getting permitted. This could be far reaching.

Marlene Weir, Planning Board, said the board had been briefed and there was a public meeting held. The presentation by Growth Management was adequate. They have been involved.

Councilor Curtis also feels the regulation has been vetted. It meets objectives of the LCP and the resources plan. In addition, it does not prohibit all construction of docks everywhere in town. The numbers are not small but do not include the entire town. Since existing docks would remain, she questions the ‘tax impact.’ She is comfortable.

Councilor Canedy is also supporting the item. It is a relatively small area and it is a crucial ordinance for the north side. She applied for a boardwalk and pier. She was denied because it would have a negative impact on the shellfish and the marsh. She did not consider it an infringement on her property

rights. The area is pristine and that fact has enhanced her property. She puts her boat on a mooring and swims to it. Shellfishing is a sustainable industry and a tourist draw that would be affected economically by allowing piers. This is for the overall good of the Cape and the entire habitat.

Councilor Chirigotis feels that there needs to be input of all involved, since so many groups are impacted. There is a clear difference between north side and south side. There is little space for piers and docks on north side. The south side is different. He hopes the council will not rush to judgment. He also feels it needs more committee work and a need to consider all the interests. He suggests referring it to committee.

Councilor Farnham (member of BARS) echoed what the BARS people had to say. He wants to support the ordinance but likes the suggestion for a committee to review this and come up with a possibly better ordinance. He suggested that the council president might form a committee to complete work in 60 days. He would like some of the issues mentioned fixed.

President Joakim recessed the meeting.
Recess 9:21 PM – 9:28 PM

President Joakim said the Planning Board has a sub-committee on zoning that has agreed to take on the project. There were no objections from the council. The sub-committee will meet on Tuesday, Sept 18, 2007 at noon. Councilor Milne would like a date certain for completion. Thirty days was agreed upon. Written opinions can be submitted to the Planning Board. Member Munsell pointed out that things are changing in the town; there is a large full-time staff available – growth management – that has worked on this. They have spoken to different people and lots of work has been done on a daily basis.

The public hearing was not closed at this time.

The next item was taken out of order.

2008-017 APPROPRIATION COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING

Upon a motion duly made and seconded it was voted to open a public hearing on the above item at 9:32 PM.

VOTE: Unanimous

Councilor Barton gave the rationale, thanking all who helped, especially members of the Human Services Committee. She has many letters from key members of the Human Services community. (See Exhibit B)

The following motion was made and seconded:

“That 2008-017 be amended by striking the phrase ‘Town of Barnstable Human Services Committee’ and by substituting in its place the phrase ‘Town Manager.’

VOTE: Unanimous

Alan Burt spoke in favor of this item. It has been discussed by many human services agencies throughout the years – a place where people can be assessed and evaluated. This will be a 24/7 program. He feels there is a need to push other towns to follow suit so the process can start moving to smaller venues for working with people.

Tom Maples thanked Janice Barton for all her help. Cape Cod is making great strides for the homeless.

Cynthia Cole of the Hyannis Business Improvement District read a letter in support. It is important to reach people as they start to fall into homelessness. This is a model program and the BID hopes the council will support a project manager.

Rachel Kerry Harper, who represents Barnstable Friends, a Quaker Meeting, said the group supports this item. She feels it is time to strengthen the resolve and approve this.

Mark Halsted said he was homeless but not helpless. This step is in-line with his research and is exactly what should be done. He feels it will be a model for the rest of the country. It is the right time and right place. He strongly recommends this be done.

Richard Murphy, a member of the Human Services Committee, said the people are far more important than the shellfish or the lights. This will be the mark that society will see. He supports the item.

Upon a motion duly made and seconded it was voted to close the public hearing at 9:48 PM.

VOTE: Unanimous

Councilor Canedy supports the effort.

Councilor Farnham said it was a noble idea and supports it. He asked about financing and if phases 2 and 3 had been discussed. Councilor Barton said it has been generally discussed and the funds are out there.

Town Manager Klimm said it was clear the effort will not be successful without additional funding. The new person will work to put together a request of the legislature. He is not planning to fund this through the budget. Lots of groups have come together through Councilor Barton. It will put us in a proper frame to present to Senators Murray and O'Leary. This is a new approach, a model project. It is not trying to fix something that is broken.

Councilor Curtis pointed out the support in written letters from agencies offering expertise, etc. This position will be the first step to bring the plan together. Councilor Farnham again emphasized that this will not be funded by taxpayers but by collaborative input, state, federal funding, etc.

Councilor Munafo also said that this is it, a one-time expense for a project manager. Once it is underway, a key agency will take a lead role for management. He asked whether this will be an existing employee or another person. Klimm said there was no plan to use existing personnel. It is a discrete position and there has never been the belief that it should be run by the town. The town is merely playing a coordinating role. Barton added that it is a new model and the person will have various roles.

Councilor Crocker asked what portion of the CPC money will fund this and why. Lindsay Counsell explained how it really serves an affordable housing component. It is a good way to start the process.

A motion was made and seconded to move the question.

VOTE: Unanimous

2008-017 APPROPRIATION COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING

Upon motion duly made and seconded it was:

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of Fifty Thousand and No/100 (\$50,000.00) Dollars be appropriated and transferred from the amount set aside for Community Housing in the Community Preservation Fund on June 21, 2007 under agenda item number 2007-162; and that the Town Manager is authorized to contract and expend the amount for the contracting of project management services in establishing and implementing specifications for site, layout, design and organization of a wellness center for exceptionally low income and service needy persons.

VOTE: Unanimous (roll call)

Councilor Crocker made a motion which was seconded to substitute the following motion.

VOTE: Unanimous

2008-015 ORDER GRANTING LEASE OF FORMER HYANNIS ARMORY

Upon motion duly made and seconded it was:

ORDERED: that the Town Council hereby authorizes the Town Manager to enter into a lease for nominal rent for a term not to exceed ninety-nine (99) years with a non-profit organization seeking to permit, establish and operate a cultural center on land shown on Assessors Map 326 as Parcel 4, being the site of the former Hyannis Armory, having a street address of 225 South Street, Hyannis, which lease shall include benchmarks for capital fundraising and construction timetables and to execute and deliver any documents related thereto on behalf of the Town.

Town Manager Klimm gave the rationale. He thanked Stephanie Ostapovich, Growth Management Department, and Paul Niedzwiecki, former Assistant Town Manager, for their efforts.

Stephanie Ostapovich made a PowerPoint presentation (See Exhibit C).

The following committee members were present: Wendy Northcross, Ralph Krau, Roy Fogelgren, Lisa Herder.

Wendy Northcross said the committee has done due diligence. The goals of revitalizing the downtown make this an exceptional location. She is personally excited and supports this item.

Ralph Krau, a full-time resident since 2003, said this is another piece to enhance the economic growth of Hyannis. Businesses such as printing, landscaping, hardware, etc. would be involved. Kids will be staying on the Cape for art education programs. The high school facility does not offer the amenities that a cultural center can offer.

Roy Fogelgren said this will add another jewel to the crown. It will not be without problems and will require a lot of nurturing. It is an opportunity to be agents of change. It will encourage the development of upscale establishments.

Lisa Herder of the Arts Foundation said they seek to support any community that encourages cultural efforts. She spoke about how arts make the culture richer.

Manager Klimm also recognized Doreen Belzekian and John O'Brien, who were in the hall. He pointed out how The Boch Center had all the answers, then went for the funding and after 10 years abandoned the effort. He feels the funding should come first then make the final plans. This effort needs partnerships. This is a private sector initiative: they will need to build the facility and keep in ongoing. He supports it wholeheartedly. This vote, he points out, is about legitimacy for the fund raising efforts.

Councilor Canedy sees a gap that needs to be filled – opera, ballet, etc. It will be a supplement to what we have, not a substitute. She recalled that the youth center started out as a private effort and the town wound up paying for it. She likes the addition of benchmarks in the lease and hopes there will be recognition that the Armory is an historical site. It is eligible for National Register recognition. She suggests reaching out to the historic community as well as the artistic community.

Councilor Munafo said the people have been asked to put their faith in the town manager, John O'Brien and Doreen Belzekian; he can put that faith in the town manager and supports this effort.

Councilor Crocker again thanked Paul Niedzwiecki who delivered the armory to the town's doorstep. He also made a point about how actions relate to each other by saying that he had been approached by

a representative of a family who has been asked about supporting the arts center; the family is opposed to the dock restrictions.

Councilor Tobey said he can't dance or sing but he will support it.

A motion was made and seconded to move the question.

VOTE: Unanimous

On the substitute motion shown above:

VOTE: Unanimous

2008-013 ORDER PRESERVATION RESTRICTION AGREEMENT CROWELL-SMITH HOUSE (AKA CROSBY HOUSE) 33 PINE AVENUE, HYANNIS

Upon a motion duly made and seconded it was

VOTED that

The Parties to this Preservation Restriction Agreement (this "Agreement") are the **SOCIETY FOR THE PRESERVATION OF NEW ENGLAND ANTIQUITIES, D.B.A. HISTORIC NEW ENGLAND**, a Massachusetts charitable corporation having an address at Harrison Gray Otis House, 141 Cambridge Street, Boston, Massachusetts 02114-2702, (hereafter "Grantee") and **WALTER B. POLLOCK, III**, having an address at 33 Pine Avenue, Hyannis, Massachusetts 02601 (herein together with his heirs, successors, administrators and assigns called "Grantor").

Grantor and Grantee recognize the historic, architectural, cultural, scenic and aesthetic value and significance of the Premises, and have the common purpose of conserving and preserving the aforesaid value and significance of the Premises. To that end, Grantor desires to grant to Grantee, and Grantee desires to accept, the Preservation Restrictions set forth in this Agreement, pursuant to Massachusetts General Laws, Chapter 184, Sections 31-33.

NOW, THEREFORE, in consideration of One Dollar (\$1.00), receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, release and convey to Grantee, its successors and assigns this Preservation Restriction Agreement in perpetuity, in and to the Premises, as follows.

President Joakim gave the rationale.

A motion was made and seconded to move the question.

VOTE: Unanimous

On the item:

VOTE: Unanimous

2008-020 APPROPRIATION REFUND TO CERTAIN FY06 TAXPAYERS

Upon a motion duly made and seconded it was voted to open a public hearing on the above item at 10:51 PM.

VOTE: Unanimous

Manager Klimm gave the rationale. This is about fairness.

Upon a motion duly made and seconded it was voted to close the public hearing at 10:55 PM.

VOTE: No objections

Councilor Curtis said everyone has spoken to constituents about the timing of this process and the feeling is that information must get to the media in enough time so this does not occur again. Is \$30,000 enough? Assessing Director, Jeffrey Rudziak, said it was his best guess but it could be three of four times that amount. He will need the front page of the person's 2004 Federal Tax Return showing the address plus a 1/1/05 proof of occupancy.

A motion was made and seconded to extend the meeting past 11 PM.

VOTE: Unanimous

Councilor Canedy asked if this will be offered for 2007. No, the office has made greater efforts to make sure notices were delivered to the correct addresses, not mortgage companies, etc.

Councilor Milne asked if this will be an ongoing challenge. Mr. Rudziak said it is like abatements; the citizens have to be cognizant of what is going on in the town. It is a two-way street. He explained the kind of information sent to every property transfer to inform the new owners. Another question is how long to keep the grace period open and Mr. Rudziak said he is inclined to extend it to June 30, 2008.

Councilor Crocker asked if this vote would be to pay the first people who have applied. No. Anyone who qualifies will be reimbursed.

President Joakim pointed out that the town can't go back and collect money from people who have been given the rebate erroneously. Mr. Rudziak explained that a very small percentage is slipping through the cracks. It is not a perfect system.

Councilor Farnham said there was an issue with COMM who had not adopted the residential exemption while West Barnstable had. Mr. Rudziak said these are programming issues that are being corrected.

2008-020 APPROPRIATION REFUND TO CERTAIN FY06 TAXPAYERS

Upon motion duly made and seconded it was:

ORDERED: that the Town Council hereby appropriates the sum of \$30,000 from available funds for the purpose of issuing refunds to taxpayers who qualify for the FY2006 residential exemption but did not receive it.

VOTE: 12 Yes, 1 Absent (roll call)

NEW BUSINESS

2008-019 APPROPRIATION AND LOAN ORDER FOR TEMPORARY REPAIRS TO PRIVATE ROADS PROGRAM

Upon a motion duly made and seconded this item was referred to a public hearing on September 20, 2007.

VOTE: Unanimous

2008-021 APPOINTMENTS – AIRPORT COMMISSION

Councilor Milne nominated Tom Dolby of Marstons Mills and Ralph Krau of Hyannis for the seat listed as a reappointment.

Councilor Canedy nominated Steve Shuman of Marstons Mills for that seat as well.

Councilor Crocker then nominated the three abovementioned people for the seat listed as an appointment.

Upon a motion duly made and seconded this time was referred to a second reading on September 20, 2007.

VOTE: Unanimous

2008-022 APPROPRIATION COMMUNITY PRESERVATION FUND – OPEN SPACE MILLS PROPERTY

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-023 APPROPRIATION COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING, BARNSTABLE HOUSING AUTHORITY

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-024 APPROPRIATION COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING, COMMUNITY ACTION COMMITTEE OF CAPE COD

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-025 APPROPRIATION COMMUNITY PRESERVATION FUND – HISTORIC PRESERVATION, MARSTONS MILLS PUBLIC LIBRARY

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-026 APPROPRIATION COMMUNITY PRESERVATION FUND – COMMUNITY HOUSING, FIRST BAPTIST CHURCH OF HYANNIS

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-027 APPROPRIATION COMMUNITY PRESERVATION FUND – HISTORIC PRESERVATION, BURGESS HOUSE

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-028 APPROPRIATION COMMUNITY PRESERVATION FUND – HISTORIC PRESERVATION, SANDY NECK BEACH PROJECT

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-029 APPROPRIATION COMMUNITY PRESERVATION FUND – HISTORIC PRESERVATION, OLS SELECTMAN'S BUILDING

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-030 APPROPRIATION COMMUNITY PRESERVATION FUND – HISTORIC PRESERVATION, WEST BARNSTABLE COMMUNITY BUILDING

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-031 APPROPRIATION COMMUNITY PRESERVATION FUND – HISTORIC PRESERVATION, CENTERVILLE COMMUNITY CENTER

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-032 APPROPRIATION COMMUNITY PRESERVATION FUND – HISTORIC PRESERVATION, NEW TOWN HALL BUILDING

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-033 APPROPRIATION COMMUNITY PRESERVATION FUND – HISTORIC PRESERVATION, SCHOOL ADMINISTRATION BUILDING

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 27, 2007.

VOTE: Unanimous

2008-034 APPRIOPRIATION ORDER TO FUND COLLECTIVE BARGAINING AGREEMENTS FOR FY2008

Upon a motion duly made and seconded it was voted to refer this item to a public hearing on September 20, 2007.

VOTE: Unanimous

Upon a motion duly made and seconded it was voted adjourn the meeting at 11:20 PM.

VOTE: Unanimous

Respectfully submitted,

Lucia Fulco,
Assistant Town Clerk