



Town Council Meeting November 17, 2011

A quorum being duly present, Council President Frederick Chirigotis called the November 17, 2011, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

PRESENT: Richard Barry, Janice Barton, Ann Canedy, Frederick Chirigotis, James Crocker, Jr., Henry Farnham, Janet Joakim, J. Gregory Milne, James Munafo, Jr., John Norman, Thomas Rugo, James Tinsley **ABSENT:** Debra Dagwan

The Pledge of Allegiance was led by President Chirigotis, followed by a Moment of Silence.

This was the last meeting of the full council as elected in 2007. President Chirigotis recognized outgoing Councilors Richard Barry, James Crocker Jr., James Munafo Jr, Henry Farnham and J. Gregory Milne for their hard work and efforts as councilors. Plaques and clocks were presented to each of them as a token of appreciation.

PUBLIC COMMENT

Al Baker made some Marstons Mills announcements, and had favorable comments on Channel 18. He feels the way you vote should not be enough reason to recall so he was glad the recall effort against Councilor Norman did not proceed.

John Julius thanked the five councilors who are leaving. He feels the water company is being operated in an illegal manner. He spoke of high levels of chromium in Lewis Pond near the wells. He wants the wells moved to the Barlaco land.

Patrick Page noted a number of issues that have not been fixed such as the YMCA has not been corrected and there is a problem with Oak Street. He just wanted to save a house. The town is the criminal. I am not going to give up. My wife is ill. I have been railroaded by conservation. I have a right to have officials investigate my complaint. I speak the truth. You will not find an angrier person in your entire life.

Wolfgang Fattler congratulated councilors who won and thanked the councilors who have been serving. Fattler was a warden on November 8 and stated that the wife of a candidate was a long time checker and he had checked to see if it was in violation for her to be there and it was not. On the day of the polls he received multiple calls about the wife of the candidate working the polls. He was told even though it is not a violation of the law; it is the appearance of a violation. Is the appearance more important than the law?

Robert Tucker wished everyone well. He voted for the Precinct 9 councilor. He hopes Mr. Klimm can forgive them (councilors) for what they did. Have a nice Thanksgiving.

John Alden said the election has brought forth what may be change. He addressed those leaving and thanked them. We need more open government. As a descendant of John and Priscilla Alden he too wished all a Happy Thanksgiving.

Kris Clark thanked the town staff for the interior renovations of the West Barnstable Community Center. She thanked each of the outgoing councilors, especially her Councilor Henry Farnham.

COUNCIL RESPONSE TO PUBLIC COMMENT

Councilor Barry thanked everyone. He said those people who grew up here have no idea how special this place is. He thanked the people of Cotuit. We all have our differences but let's try to keep this place the way it is.

Councilor Milne thanked everyone and said he loves all the villages. He hopes the councilors work for the best interest for the Town as a whole. He thinks that wastewater is going to be a very big issue coming up. He worked hard and did it from his heart.

Councilor Crocker thanked President Chirigotis and Barbara Ford for their gifts and thanked the fellow councilors as well. He thanked his family and friends. He finished the election with his four kindergarten buddies and friends beside him. James Cote is here and that is honorable. (Jennifer Cullum was as well). Best wishes to all.

Councilor Farnham was moved by Kris Clark's remarks, and noted that his friends from the business community and from West Barnstable were in the audience. He thanked all the people who volunteer for the boards, committees and commissions. He suggested that these boards update the council on a regular basis. He took his hat off to his opponent for working hard and getting elected. He reminded everyone of the Rotarian four-way test before we say or do something. He has attended a lot of meetings and thanked everyone.

Councilor Munafo said it has been an honor and privilege to be the Councilor from Precinct 3. The next Councilor will be Michael Hersey and he will be more than happy to work with him. He suggested that people work on committees and get involved.

ACT ON MINUTES (Includes Executive Session)

Nov. 3, 2011 – Minutes – (See Exhibit A) Councilor Canedy amended the first paragraph in communications on page 4.

Upon motion duly made and seconded it was voted to accept the amendment by Councilor Canedy.

VOTE: 12 yes

Councilor Milne, page 2, council response, 2nd paragraph, 3rd line, the word "anyone", strike "one" and it should say "any candidate". End of same line – instead of that, change it to, "where is her". Page 3, regarding act on minutes, he asked to include the dates of all the minutes we were referring to Sept. 22, and March 17th. Page 4 second to last paragraph on bottom – Milne replied should say "Finance Director Milne" replied, and take out one "if the" that follows.

Upon motion duly made and seconded it was voted to accept the amendments by Councilor Milne.

VOTE: 12 yes

Upon motion duly made and seconded it was voted to approve the minutes of November 3, 2011 as amended.

VOTE: Unanimous

Sept. 22, 2011 – Minutes – A motion was made and seconded to strike the word “Acting” and insert “Interim” Town Manager in both places.

VOTE 12 yes

Councilor Milne referred to the verbatim transcript by the Barnstable Patriot of the meeting and said that some of the items on page 3 were in reverse order.

Councilor Joakim said minutes are not verbatim and she could not approve Councilor Milne’s revisions without looking at the tape. Councilor Milne suggested making the Barnstable Patriot page an Exhibit, showing that more information is not harmful.

Councilor Canedy stated that she had looked at the tape and could represent that the Patriot transcript was correct. She suggested that the transcript be inserted as written or that no conversation be in the minutes at all and the minutes reflect only that the councilors had a discussion.

Upon motion duly made and seconded it was voted to accept the minutes as they are written. (Canedy wants to be on record that the minutes are not correct as written.) Councilor Crocker asked if the minutes we were approving were the minutes with the extra page and he was told yes.

VOTE: 10 yes 2 no (Milne, Tinsley)

Oct. 20, 2011 – Minutes – Upon motion duly made and seconded it was voted to approve the minutes of October 20, 2011 as written.

VOTE: 10 yes 1 no (Crocker) 1 abstain (Canedy)

March 17, 2011 – Executive Session Minutes - Councilor Milne and Munafo asked to review and make public these minutes. Attorney Ruth Weil said you are not compelled to review these in executive session.

Councilor Crocker moved and it was seconded, at the 8:48 p.m. minutes be released as the reason for Executive Session no longer exists and has been resolved. Councilor Milne asked the Town Attorney whether or not the real issue has actually been resolved since the question was raised to him whether someone on transitional leave was truly an employee or not.

Attorney Weil said it is not her decision it is the decision of this group to determine whether the reason exists. You did indicate that once the agreement was signed that prior executive sessions could be released.

VOTE: to release minutes and bring forth discussion 10 yes 1 no Tinsley, 1 abstain Barry

Councilor Canedy noted that Manager Klimm began by reading a lengthy prepared statement and that it was always her position that it should be a part of these minutes. Her rationale was that he read a three-page statement and asked for a response. Discussion flowed from that request and comments made in the document. It was not notes. The Manager set a precedent when he read

a statement September 22 which was not considered notes and was attached to those minutes. She said the document was asked for by the Clerk and she was told it was no longer available.

Vice President Barton said there were questions on this before and if someone needs to write something up in order to remember what they want to say, it is their property. We talked about verbatim minutes. These minutes make it clear what his position was. She feels it covers the issue in summary form.

Councilor Canedy said it left out a very important point, a point which precipitated her leaving the meeting. When the Manager asked for a response and turned to Councilor Munafo, who gave his reason, he threatened Councilor Munafo with a lawsuit. Councilor Canedy stated that was the reason she responded the way she did, why she voted the way she did and why she left the meeting.

Councilor Munafo said his corrections/amendments would cover that issue.

Councilor Barton said this is in essence what happened.

Councilor Joakim said we would have to tape Ex. Sessions in order to get all the detail. We could be here all night trying to put in quotes.

The Clerk suggested that Executive Sessions be taped in the future due to lack of computers to type on and not all clerical staff have shorthand skills.

Councilor Tinsley said he remembers that moment but we are walking a tight line and to put in what was said months ago could force a problem. We can't put in exactly what Munafo said.

Councilor Munafo read his amendments that he would like the record to reflect. (See attachment B).

Councilor Milne stated that it was incorrect to say that "councilors" attempted to take a poll and that Councilor Rugo attempted to take a poll.

Councilor Crocker stated that Councilor Rugo acknowledged that he attempted to take a vote.

Councilor Canedy stated that she looked at these minutes as soon as they were made – not several months out.

Councilors Milne and Canedy also had written amendments. Councilor Canedy looked at the minutes a while back and did make notes.

Councilor Farnham said he immediately asked the clerk that the manager's formal statement be included with the minutes.

Vice President Barton said she will not forget that night because it was the worst night of my 8 years on the council. We can't capture it. Maybe that is a good thing. It was ugly.

After discussion it was decided to have a recess to get the amendments in written form and disbursed to the councilors for a vote.

The council took a recess from 8:40 p.m. – 8:52 p.m.

Councilor Munafo's amendments: Upon motion duly made and seconded it was voted to approve the amendments made by Councilor Munafo on Attachment B.

VOTE: 7 yes, 5 No Rugo, Barry, Joakim, Chirigotis, Barton

Councilor Canedy & Milne's amendments were combined on one sheet (Attachment C). It was agreed to take the word "straw" out of straw poll. Councilor Rugo said he did not use that term. Milne said he would take "straw" out. Rugo said he didn't think he took a poll he was looking for a consensus.

Councilor Barton feels the most accurate version is what was originally written – attempted to take a poll.

Upon motion duly made and seconded it was moved to accept the corrections of Councilor Canedy and Milne as on Attachment C

VOTE: 6 yes – 6 no Rugo, Tinsley, Barry, Joakim, Chirigotis, Barton – did not pass

Upon motion duly made and seconded, it was voted to accept and release the minutes of March 17, 2011 as amended.

VOTE: 8 yes 4 no Milne, Rugo, Joakim, Barton.

President Chirigotis stated that we will video and audio tape executive sessions in the future and it will be easier.

ORDERS OF THE DAY

A. OLD BUSINESS

2012-028 AMENDING THE ADMINISTRATIVE CODE FOR THE HYANNIS WATER BOARD – INTRO: 10/20, 11/03, 11/17/2011
--

Interim Town Manager Thomas Lynch gave the rationale. Councilor Canedy asked Deb Krau of the Water Board to address the composition of the board. Krau said that the board has 3 residents and 2 business owners, one who can live elsewhere and 1 has to own a business and live in Hyannis. It is hard to get a business owner who lives in Hyannis. We will have 3 residents and 2 business owners who do not have to be residents of Hyannis. All the board members are rate payers.

Councilor Munafo asked about the laws on the book, and are we going to investigate where we stand. Attorney Weil said the question was answered in court and we are in compliance. The court concurred with our interpretation of the law.

Upon motion duly made and seconded it was voted to move the question

VOTE: 11 yes 1 no Milne

Upon motion duly made and seconded it was

ORDERED, that Section 241-38.A. of the Administrative Code relating to the Hyannis Water Board is hereby amended by striking out in the second sentence therein the words "resident"

and “with at least one of these members being a resident of the area served by the Hyannis Water System,” so Section 241-38, A., would read as follows:

“A. There is hereby established a Hyannis Water Board, which shall consist of five members who are ratepayers of Hyannis Water, the water supply operation administered by and through the Water Supply Division of the Department of Public Works, appointed by the Town Manager for three-year overlapping terms. Two members of said Board will be owners of Hyannis business property located in Hyannis Water, served by the Hyannis Water System, and three members of said Board shall be residents of Hyannis in the area served by Hyannis Water. Said Board shall be responsible for the oversight of the Water Supply Division of the Department of Public Works and shall have the authority, subject to the authority and responsibility of the Town Manager and the Town Council under the charter, to:”

VOTE: ROLL CALL 11 YES 1 ABSTAIN – MUNAFO

2012-031 ALLOCATION OF TAX LEVY FY12 – TAX FACTOR – INTRO: 11/3, 11/17/2011
--

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing said item.

VOTE: 12 yes

Assessor Jeff Rudziak reviewed for the council Prop 2 ½, as well as the tax levy.

2 ½% is the most that a community can levy in a given year before voter approved exclusions. This year the single tax rate with no classification would be \$7.59.

He identified the various options – Option #1 is a split tax rate. If done it would be \$7.10 for residents and \$11.39 for commercial. Option #2 is the residential exemption where up to a 20% exemption for each parcel value is granted. He explained the various percentages within that.

The Option #3 is a small commercial exemption. (Attachment D – copy of PowerPoint used by Assessor Rudziak)

Jessica Silver from the Hyannis Chamber of Commerce supported any tax that will support small businesses. Support the tax factor of 1.

Harvey Gladstone, a business owner is barely surviving, help the survivors he said.

Elizabeth Wurfbain from the Main Street Business District said that we don't need more taxation. You need jobs.

Upon motion duly made and seconded it was voted to go out of the public hearing/

VOTE: 12 yes

Councilor Milne thanked Assessor Rudziak for the information on the small business exemption.

Councilor Tinsley asked how many properties do not qualify for the exemption – possibility of over 23,000 properties, and now 53% of them qualify.

Councilor Norman asked if it is postponed would it be a problem. Rudziak said it will affect the setting of the tax rate. That needs to be done in a timely manner.

Councilor Farnham saw that CIP is down to about 12% of total assessed value. It makes no sense for a split rate at that low percent.

Councilor Joakim said our opportunity to shift is in our second homes with the residential exemption.

A motion was made and seconded to move the question.

VOTE: 10 yes, 2 no – Norman, Milne.

Upon motion duly made and seconded it was

RESOLVED, that the Town Council hereby votes to classify the Town of Barnstable under the Classification Act at a Factor of 1 (one) for the fiscal year 2012.

VOTE: - Roll Call 11 yes 1 no Milne

2012-032 ALLOCATION OF TAX LEVY FY12 – RESIDENTIAL EXEMPTION – INTRO: 11/3, 11/17/2011

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing said item.

VOTE: Unanimous

Upon motion duly made and seconded it was voted to go out of the public hearing at:

VOTE: Unanimous

Upon motion duly made by Councilor Crocker and seconded it was moved to amend the item by changing 20% to 10%.

Councilor Munafo agreed that it is a positive action. Councilor Milne asked councilors to maintain the 20%. Our residents are hurting the most and this will help. Councilor Canedy asked why the assessors recommended that it not be adopted. Rudziak said the assessors feel that a single tax rate with no advantage to anyone is the best way.

Councilor Joakim agreed with Councilor Milne. Our median income is in the low 30% but our property values are high.

Councilor Farnham said on behalf of Councilor Dagwan this will help the lower end property value home owner the most and have the largest impact if reduced. If you look at the higher

valued homes it is easier for them to handle the increase. The lower income and valued homes it truly helps.

The vote on the amendment to reduce to 10%.

VOTE: Roll Call – 9 No, 3 Yes Canedy, Crocker, Munafo

Upon motion duly made and seconded it was voted to move the question.

VOTE: Unanimous in favor.

Upon motion duly made and seconded it was

RESOLVED, that the Town Council hereby votes to adopt a Residential Exemption percentage of 20% for fiscal year 2012.

VOTE: - Roll Call – 9 yes 3 No Canedy, Crocker, Munafo

2012-033 ALLOCATION OF TAX LEVY FY12 – SMALL COMMERCIAL EXEMPTION – INTRO: 11/3, 11/17/2011
--

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing said item.

VOTE: Unanimous

Upon motion duly made and seconded it was voted to go out of the public hearing.

VOTE: Unanimous

Councilor Tinsley said we are here to help the small business – I say we vote yes.

A motion was made and seconded to state the item in the affirmative (to adopt a Small Commercial Exemption).

VOTE: 11 yes 1 no (Munafo) to state in the affirmative

Councilor Norman said most of the business owners do not own the property it will go to the property owner who owns large parcels. Councilor Milne said this is for commercial land owners. Land owners have other burdens and it may end up helping the small business owner. Councilor Crocker asked about multi landlord's property? Rudziak said every single tenant within the property must qualify so if there is a vacancy the property will not qualify. Crocker said few will qualify but those who do must find it worth it. Consider the vote.

Councilor Farnham asked about the \$6M value. Rudziak explained that basically there is about \$45,000 that will go back to the owners. Councilor Norman said that the assessors recommend that this not being done. He pointed out that this is a shift of the burden between commercial property only.

Upon motion duly made and seconded it was voted to move the question.

VOTE: Unanimous in favor of moving.

Upon motion duly made and seconded it was

RESOLVED, that the Town Council hereby votes to adopt a Small Commercial Exemption of 10% for fiscal year 2012

VOTE: - Roll Call - 6 yes – 6 no – failed (Canedy, Chirigotis, Farnham, Munafo, Norman, Rugo – No votes)

**2012-034 ORDINANCE AMENDMENT CHAPTER 76, CODE OF BARNSTABLE, SETTING THE SCHEDULE OF FEES TO BE IN EFFECT IN THE TOWN OF BARNSTABLE
INTRO: 11/3, 11/17/2011**

Upon motion duly made and seconded it was voted to continue this item to Dec 1, 2011.

VOTE: 12 yes

B. NEW BUSINESS

**2012-035 AMENDING THE ZONING ORDINANCE, CHAPTER 240, ARTICLE II –
INTRO: 11/17/2011**

Upon motion duly made and seconded it was voted to refer this item to the planning board.

VOTE: Unanimous 11 yes (Rugo out of the room)

2012-036 APPROPRIATION--\$375,000 FOR PARK REVITALIZATION OF RIDGEWOOD PARK IN HYANNIS: 0 LINDEN AND 0 MAPLE STREETS – INTRO: 11/17/2011

Councilor Farnham would like to see a plan to insure maintenance on this park going forward. Councilor Canedy asked for the design concept at the hearing. Councilor Crocker asked if this is town-owned land. Joanne Miller Buntich said yes it belongs to the Recreation Dept.

Upon motion duly made and seconded it was voted to refer this item to a public hearing on December 1, 2011.

VOTE: Unanimous

2012-037 APPROPRIATION - \$432,954 FOR PARK REVITALIZATION, OF OPEN SPACE -- 182 PLEASANT STREET IN HYANNIS, MAP 326 PARCEL 131 – INTRO: 11/17/2011

Councilor Canedy would also like to see the design concept on this item at the next meeting. Councilor Farnham said this dealt with the Walkway to the Sea. Farnham said we don't know what is happening with the Coleman property, or what is the town's vision with the Walkway to the Sea and what are they planning – future costs? Munafo asked about the grant and if it was Federal or State. It is a State granting authority. PARC–used to be the Urban Self Help and we do have a history with them.

Upon motion duly made and seconded it was voted to refer this item to a public hearing on December 1, 2011.

VOTE: Unanimous

2012-038 TRANSFER \$198,000—PURSUANT TO THE TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM (100% BETTERMENT): TROUT BROOK & FURLONG WAY IN COTUIT - INTRO 11/17/2011

Interim Manager Lynch read the rationale.

Councilor Crocker asked how many residents voted in favor and other details. DPW Director Mark Ells stated that he had 70% vote in the affirmative. We met with the residents and discussed what would happen. Resident, Barry Gallus, said the roads are horrible and over 70% of the residents do want it improved.

Councilor Canedy asked what the left-over balance was from. Ells explained the money was left over because a prior project came in under budget.

Councilor Munafo asked about where the money goes when it comes back. Finance Director Mark Milne explained that there is a lien for the exact amount, the revenues will offset the cost of the debt. He said the money that we borrowed in 2008 was not all used and we are doing the repair on this road with those monies. The betterments will go back to pay the loan payments on the bond.

Upon motion duly made and seconded it was voted to move the question.

VOTE: 11 yes 1 no Farnham

Upon motion duly made and seconded it was voted:

That the Town Council hereby transfers the sum of \$198,000.00 from the remaining balance in Town Council Order 2008-019 for the purpose of making temporary repairs to Trout Brook and Furlong Way, Cotuit within the Town of Barnstable pursuant to the temporary repair to private roads program and the Town Manager is authorized to contract for and expend the funds made available for this purpose and that betterments be assessed, and the Town Manager is further authorized to accept any grants and/or gifts in relation thereto.

VOTE: UNANIMOUS IN FAVOR

2012-039 ACCEPTANCE OF A GIFT OF TWO PARCELS FOR OPEN SPACE & RECREATIONAL PURPOSES ON NYES NECK ROAD, CENTERVILLE – INTRO: 11/17/2011

Upon motion duly made and seconded to move this item to the meeting of Dec.1, 2011.

VOTE: UNANIMOUS in favor

2012-040 APPROPRIATION--\$150,000 FROM CPC FUND RESERVE FOR OPEN SPACE ACQUISITION OF 1.17 ACRES ALONG MARSTONS MILLS HERRING RUN – INTRO: 11/17/2011

It was moved to amend the item to make the sponsor the Interim Town Manager Thomas K. Lynch at the request of the Community Preservation Committee.

VOTE: Unanimous

Upon motion duly made and seconded it was voted to refer this item to a public hearing on December 1, 2011.

VOTE: Unanimous in favor

2012-041 RESOLVE ON THE EXPENDITURE OF \$321,000 FOR THE CONSERVATION RESTRICTION APPROPRIATED UNDER AGENDA ITEM 2008-112 – INTRO: 11/17/2011

Upon motion duly made and seconded it was voted to refer this item to a public hearing on December 1, 2011.

VOTE: Unanimous in favor

2012-042 AUTHORIZE THE TOWN MANAGER TO ACCEPT A DEED OF 3 PARCELS ABUTTING STEWART'S CREEK RESTORATION PROJECT IN LIEU OF TAX FORECLOSURE – INTRO: 11/17/2011

Interim Town Manager Thomas Lynch gave the rationale and introduced Robb Gatewood, from Conservation who did the overview. The parcels are all wetland; and acquiring them instead of having them go through foreclosure is a better process.

Upon motion duly made and seconded it was voted to move the question.

VOTE: Unanimous in favor of moving

Upon motion duly made and seconded it was

RESOLVED: That the Interim Town Manager is authorized to accept a deed in lieu of tax foreclosure pursuant to M.G.L. Ch. 60, s. 77C, for three vacant parcels of land situated in the Town of Barnstable located at 0 Studley Road, 0 Ocean Avenue, and 160 Ocean Avenue, in the Town of Barnstable, Village of Hyannis, Commonwealth of Massachusetts, consisting of approximately 0.88, 0.39 and 0.72 acres respectively, and bounded and described in the Quitclaim Deed dated August 22, 2011 executed by Martha Watkins Curry to the Town of Barnstable, and to record said deed at the Barnstable Registry of Deeds.

VOTE: Unanimous in favor

2012-043 PETITIONING THE COMMONWEALTH—A SPECIAL ACT RELATIVE TO BORROWING, TERMS, & APPORTIONMENT OF BETTERMENTS & ASSESSMENTS - SEWER PROJECTS – INTRO: 11/17/2011

(See tables as Attachment E) – Finance Director Mark Milne passed around 3 tables. He explained the differences between the extension from 20 to 30 years and also level debt. It gives people the opportunity to pick a method for financing that would fit them the best.

Councilor Norman asked about the timing of the monies returning with the betterments. Finance Director Milne said it impacts our cash flow. Councilor Milne asked what happens if the house sells; and it was confirmed that betterments are usually paid off at the time of the closing.

Upon motion duly made and seconded it was voted to move the question.

VOTE: 11 yes 1 no Munafò

Upon motion duly made and seconded it was:

RESOLVED, that the Town Manager submit a petition to the Great and General Court of the Commonwealth for a Special Act to establish the term and apportionment of betterments and assessments for sewer projects beginning April 7, 2011.

“AN ACT RELATIVE TO BORROWING FOR AND THE TERM AND APPORTIONMENT OF BETTERMENTS AND ASSESSMENTS FOR SEWER PROJECTS IN THE TOWN OF BARNSTABLE

Be it enacted by the Senate and House of Representatives in General Court assembled, and by authority of the same, as follows.

Section 1. Notwithstanding any general or special law to the contrary, the following procedures shall apply in the Town of Barnstable to assessments pursuant to chapters 80 or 83 of the General Laws for making and repairing sewers within the Town of Barnstable.

(a) At any time before the completion by the assessors of the valuation list for the year in which assessments for making and repairing sewers will first appear on the annual tax bill, the board of assessors may, and at the request of the owner of the land assessed shall, apportion all such assessments or unpaid balances thereof into such number of equal portions, not exceeding thirty years or the useful life of the main drains and common sewers as approved by the department of environmental protection, whichever is less, as is determined by said board or as is requested by the owner of land, but no one of such portions shall be less than five dollars.

(b) Assessments made in accordance with subsection (a) may be determined by the board of assessors so that the principle and interest combined for each portion of all assessments and unpaid balances shall be as nearly equal as practicable.

(c) The annual portion adopted by the board of assessors pursuant to subsection (a) shall be billed and collected at the election of the town on quarterly, semi-annual or a single tax bill or bills, as the board of assessors shall determine.

Section 2: This act shall take effect upon its passage and apply to all betterments and assessments made after April 7, 2011.

VOTE: 11 yes 1 no Munafò

2012-044 ACCEPTANCE GRANT—UP TO \$1000 FOR INSTALLATION COSTS OF 4 ELECTRIC CHARGING STATIONS FROM MA DEPT. OF ENVIRONMENTAL RESOURCES

Richard Elrick passed around a photo of an electrical charging station. Barnstable received 4 of these stations and they are going to give one of these to the county since Route 6A will be a good spot. Once the grant is accepted, then the agreement is signed and the sites will be reviewed. The site assessments will be done in the next month or so.

Councilor Crocker asked why these sites were picked. He asked how people pay. Elrick said it can take up to 7 hours to fully charge a vehicle and they are looking into using credit cards for payments. These sites are town-owned.

A motion was made and seconded to extend the meeting beyond 11 p.m.

VOTE: 10 yes 2 no Tinsley and Barry

Councilor Norman asked about the sites. He has a problem with the high school. He is not thrilled about getting into the business of selling electricity and the liability that goes along with it. Let the private sector deal with it. He feels the cost estimates are low for hooking it up. Norman feels the town should stay out of it. Elrick said the school was comfortable with accepting it.

Councilor Canedy said the fire districts are responsible for some of the district cost for electricity, have you talked to the districts. Elrick said no because the districts won't receive the costs, the town will since the stations will be on town property,

Upon motion duly made and seconded it was voted to move the question.

VOTE: 11 yes 1 no Munafo

Upon motion duly made and seconded it was

RESOLVED, that the Town Council hereby accept a grant award of four electric vehicle charging stations and an amount up to \$1,000 for the installation costs of each charging station from the Massachusetts Department of Environmental Resources, and that the Town Manager is authorized to expend the grant monies for the purpose specified therein.

VOTE: 8 yes 4 no Canedy, Crocker, Farnham Munafo

2012-045 – APPOINTMENT – INTRO: 11/17/2011 – LATE FILE

Upon motion duly made and seconded it was voted to suspend the rules and vote on this item.

VOTE: 11 Yes 1 No - Canedy

Upon motion duly made and seconded it was

RESOLVED: That the Town Council hereby appoints the following individual to a multiple-member board/committee/commission:

COMMUNITY PRESERVATION COMMISSION

Richard Sawyer, 75 Cap'n Crosby Rd., Centerville, MA 02632 as a representative of the Recreation Commission to a term expiring 06/30/2013.

VOTE: 12 Yes

2012-046 REAPPOINTMENTS TO A BOARD, COMMITTEE OR COMMISSION

Upon motion duly made and seconded it was voted to suspend the rules and vote on this item.

VOTE: 11 Yes 1 No - Canedy

Upon motion duly made and seconded it was

RESOLVED: That the Town Council hereby re-appoints the following individual to a multiple-member board/committee/commission:

SHELLFISH COMMITTEE

Gerard M. Ganey, 65 Tracey Road, Cotuit, as an at-large member of the Shellfish Committee to a term expiring 06/30/2013

Stuart W. Rapp, 601 Lumbert Mill Road, Centerville, as a member of the Shellfish Committee to a term expiring 06/30/2013

STEAMSHIP AUTHORITY

Robert L. O'Brien, 41 Deacon court, Barnstable, 02630 as the Town of Barnstable representative member of the Steamship Authority to a term expiring 12/31/2014.

VOTE: 12 Yes

ADJOURNMENT

Upon motion duly made and seconded it was

VOTED: to adjourn.

ADJOURNED: at 11:11 p.m.

Respectfully submitted,

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

Happy Thanksgiving!



Attachments:

- A. Councilor Canedy's revised paragraph for minutes
- B. Councilor Munafò's amendments to March 17, 2011 minutes.
- C. Councilor Canedy and Milne's amendments to March 17, 2011 minutes
- D. Assessor Jeff Rudziak's PowerPoint presentation
- E. Finance Director Mark Milne's Tables for 2012-043

NEXT REGULAR MEETING: December 1, 2011