

Committee to Review the Purpose, Composition, Functionality and Effectiveness of the Standing Committees of the Town

Selectmen's Conference Room 2nd Floor Town Hall Building
367 Main Street Hyannis, MA 02601

March 12, 2025
3:30pm

Vice President Kris Clark
Councilor Kristin Terkelsen
Councilor Seth Burdick
Councilor John Crow
Councilor Betty Ludtke

MEETING MINUTES

Chair of Committee, Councilor John Crow, opened the meeting at 3:45pm and made the following announcement:

This meeting is being recorded and will be rebroadcast on the Town of Barnstable's Government Access Channel. In accordance with Massachusetts General Laws Chapter 30A, Section 20, the Administrator must inquire whether anyone else is recording this meeting and, if so, please make their presence known. This meeting will be replayed via Xfinity Channel 8 or high-definition Channel 1072. It may also be accessed via the Government Access Channel live video on demand archives on the Town of Barnstable's website: <https://streaming85.townofbarnstable.us/CablecastPublicSite/?channel=1>

The Administrator to the Town Council took a Roll call, present in person: Vice President Kris Clark; Councilor John Crow; Councilor Betty Ludtke; Councilor Seth Burdick; also in attendance is Assistant Town Attorney Alison Cogliano. Absent: Councilor Kristin Terkelsen

Chair of Committee read into the record the Charge of the Committee:

***Purpose:** Work with Town staff to review the standing committees of the Town, particularly advisory committees, to determine their effectiveness and whether there is a current need for such committees.*

Chair of Committee asked for public comment. Larry Morin has something to say but will say it at the time of the discussion and will let the committee get going on with their business.

Chair of Committee announced that at the last meeting the libraries were discussed, and a letter has been sent out to each librarian asking them for the reason behind becoming privatized without needing the committee to exist. Councilors Clark and Ludtke spoke with a couple of librarians, one from Sturgis Library and one from Marstons Mills; they both stated that they were under the impression this was dissolved a while ago but that each library still meets and gets the business done without the committee being in existence; Councilor Ludtke stated there is a mechanism in place for the funding that is given to the libraries, and that was basically the only reason for this committees exitance and they have all figured that out amongst themselves without issues.

Vice President Clark made the motion to recommend to the full Council, that the Library Committee as written in the Town of Barnstable's Code be retired and removed from the Code; this motion was seconded by Councilor Ludtke, all members present voted in favor of disbanding the Library Committee.

Committee members discussed the Water Quality Committee, and Vice President Clark had a conversation with Director Santos from the Department of Public Works, and this committee has not met in 12 years and believes that when this committee was formed there was not the personnel the town

know has that address water issues, and most of the charge as written today is taken over by staff who do this work on a daily basis. Councilor Ludtke mentioned that if there is no value in keeping this committee and the town is sure that enough people are monitoring the water quality issues in town then she is ok with recommending disbanding, but if there is value in keeping this then we should. Vice President Clark was confident that in her discussions with Director Santos, that there are enough entities looking at the water issues.

Councilor Seth Burdick made the motion to recommend to the full Council that the Water Quality Committee, as written in the Town of Barnstable's Code, be retired and removed from the Code. This motion was seconded by Councilor Crow, all members present voted in favor of recommending to the full Council the Water Quality Committee as written in the Town of Barnstable's Code be retired and removed from the Code.

Committee members discussed the Roads Committee: Chair of Committee mentioned that in today's operation it is the Director of the DPW and the Town Manager that decide on whether to take the road or not for municipal purposes, and the program for private roads spells out the criteria in which you need to meet in order for the town to take the road if it is a connector road and such. Councilor Ludtke believes that there is a process in place today that already addresses what this committee's charge is, so again if there are town employees looking at this and implementing a process, then this committee is not needed.

Vice President Clark made the motion to recommend to the full Council, that the Roads Committee as written in the Town of Barnstable's Code be retired and removed from the Code; this motion was seconded by Councilor Ludtke, all members present voted in favor of recommending to the full Council the Roads Committee as written in the Town of Barnstable's Code be retired and removed from the Code.

Committee members discussed the Jane Eshbaugh Community Service Award: Chair of Committee suggested that this committee recommend that the Committee be disbanded, but have the award remain in the Town. Vice President Clark stated she has a great amount of respect for Jane and all she has done for the community, but the committee hasn't met since 2018 and have not given out an award since 2009 that she is aware of, and to choose only 1 volunteer in our town when we have so many that go above and beyond every day, and volunteer their time on our Boards/Committees/Commissions that to single out 1 resident each year is not fair in my opinion, and the way this was designed and written is for 1 volunteer. Vice President Clark believes this committee could vote to dissolve this committee. Councilor Ludtke believes it's a shame to set something up in someone's name and now vote to eliminate it, Vice President Clark mentioned that that is now why she is cautious when a committee is named for a purpose with a name attached to it, but the committee has outlived its purpose from when it was originally designed. Chair of Committee suggested that the Council could hand out such award if necessary yearly or whatever time frame deemed, but have the Council hand it out, and just disband the committee. Assistant Town Attorney reminded the committee that they voted at the February 26, 2025, meeting to disband the committee.

Committee members discussed the Affordable Housing Growth and Development Trust Fund Board. Chair of Committee stated that it is all town staff currently as members, and he wonders if a Councilor or two should also be on this as they deal with handing out financial donations. Assistant Town Attorney said she would have a conversation with the Town Manager, but she does not believe this committee has purview over this committee. Vice President Clark would like to see the Committee broken out so that the public is aware what is Town Manager appointed what is elected and what the Appointments Committee appoints to.

Councilor Burdick asked what authority this committee has over the Regulatory Boards that are governed by legislature from the state. Councilor Ludtke mentioned that the committee has authority

over the Airport Commission, and she would like to come to the Town Council and ask that the Airport Commission fall under the Town Manager and make it a department head just like the other operations in the town. Assistant Town Attorney stated that there would be a Charter change that would have to go before the voters. Assistant Town Attorney Alison Cogliano answered Councilor Burdick's question about the Regulatory Boards in that there is not much you can do with these committees other than if there is an area of concern you could address it at the Council level, there is a process for that. Chair of Committee asked Councilor Ludtke if she had any other thoughts on a motion for the Airport Commission to fall under the Town Manager. Councilor Ludtke said in 2006 she believes this was on a ballot and it failed, but in recent months and other things that have happened, she believes there is a push for this in the public now, and believes that if it is under the auspices of the Town, we would have more control over what they are doing; we need to be more watchful of what they are trying to accomplish, they are about to double the size of the Airport, and their goal is to rebuild the Airport from ground up. Vice President Clark read into record the charge of the Airport Commission:

§ 241-10. Airport Commission.

A. Term of office. There shall be an Airport Commission consisting of seven members, appointed for three-year terms, provided that no more than three members' terms shall expire in any one year.

[Amended 10-4-2001 by Order No. 2002-021]

B. Authorities and responsibilities.

(1) The Airport Commission is responsible for the custody, care and maintenance of the Barnstable Municipal Airport, as well as ensuring a safe and efficient operation under pertinent rules and regulations. The Commission operates under the authorities provided to airport commissions pursuant to MGL C. 90, by the Barnstable Town Charter, ordinance, and by any other state and/or federal rules and regulations governing airports. The Airport Commission is a regulatory and ministerial committee of the Town.

(2) The Airport Commission appoints an Airport Manager who is the executive officer of the Commission, and may also appoint an assistant airport manager. The Airport Commission may, consistent with state procurement regulations, let or lease land areas at the airport for up to 20 years, determine charges or rentals for property, facilities, installations, landing fees and services, and determine the terms and conditions for such charges. Subject to the approval of the Town Council, the Airport Commission may let or lease for longer periods.

(3) The Airport Commission is authorized to expend any funds granted by the Town, state or federal government for airport purposes and may make contracts for the maintenance, operation, construction, enlargement and improvement of the airport pursuant to the laws of the commonwealth governing the making of such contracts.

(4) The Airport Commission shall adopt rules and regulations for the use of the airport or for the safety of the public upon or beyond the limits of the airport under its control. Such rules and regulations must be approved by the Massachusetts Aeronautics Commission and published in the same manner that ordinances are required to be published.

(5) If the Airport Commission obtains an offer for a grant of federal funds, it shall designate the Massachusetts Aeronautics Commission as its agent to receive federal monies and receipt therefor in its behalf and shall enter into an agreement with the Massachusetts Aeronautics Commission prescribing the terms and conditions of such agency in accordance with federal laws, rules and regulations and applicable laws of the commonwealth.

(6) The Airport Commission may invite bids for any contract involving the acquisition, establishment, construction, enlargement, protection, equipment, maintenance or operation of its airport, and shall submit every such proposed contract to said Massachusetts Aeronautics Commission for approval. After approval has been given, the Airport Commission may award such contracts, subject to availability of appropriation.

(7) The Airport Commission assumes all other responsibilities and authorities granted pursuant to MGL C. 90, and pertinent state and/or federal regulations. It establishes all policies concerning personnel and fixes compensation rates for personnel through Commission decision or negotiations, with compensation rates subject to appropriation.

C. Interrelationships.

(1) Town Council: The Airport Commission interacts with the Town Council in the matter of developing policies and legislation concerned with the issues and problems inherent in the operation and maintenance of the Barnstable Municipal Airport. The Airport Commission interacts primarily with the Council Committee on Finance in order to regularly apprise the Committee on current activities and concerns of the Airport Commission.

(2) Town Manager: The Airport Commission interacts with the Town Manager and the administrative organization primarily through the Airport Manager; the latter whom serves to interact with all other administrative personnel within the Town for the purpose of maintaining and managing the airport's personnel, financial management, informational, and other management systems. Regular interaction shall involve the departments of Administrative Services, Police, the Divisions of Health, Conservation, within the Department of Regulatory Services, and Public Works; as well as the Fire and Water Districts. The Town Manager meets with the Commission as necessary, for review of financial, collective bargaining, informational and other administrative matters.

Vice President Clark asked Attorney Cogliano to look into the structure of this committee and to see if it can be under the Town Manager. Councilor Burdick said this is also an Enterprise Account and anything they do still needs Town Council approval, so they are not really that independent. Vice President Clark asked again that Attorney Cogliano look into the authorities provided to airport commissions pursuant to MGL C. 90, Section 51A by the Barnstable Town Charter, ordinance, and by any other state and/or federal rules and regulations governing airports. Assistant Town Attorney Cogliano pointed out our own town ordinance that also spells out the interrelationships with the Town Council and Town Manager.

Committee members discussed term limits on the Regulatory Boards, some agreed that there should be term limits. Councilor Ludtke stated in the past the knowledge that came with those that served long time was a valuable tool for the committee, however having fresh ideas and new individuals on these committees is something we should look at. Chair of Committee suggested 6 years on a committee would be enough, then a cooling off period then reapply if you want. Chair of Committee would also like to see limiting the number of committees you are on at one time. Committee members discussed serving on more than one committee and should that be limited as well, Vice President Clark mentioned that there are certain committees that have representation from other committees, so we need to keep that in mind if you limit the amount of committees.

Chair of Committee suggested that individuals could serve on more than one but not as Chair of the Committee. Chair of committee would also like to see the representatives from other committees sitting on another committee should go through the Appointments Committee for interviews, and not have it be the sole decision of the Committee members of that committee. Committee members would like to discuss this further, the issue about becoming Chair more than once is not something Vice President Clark is willing to look at right now, this needs further vetting, these are volunteers and the decision of the members of who they elect as Chair is up to the members of the Committee. Chair of Committee asked if anyone of the members would like to put forth any motion on term limits, Councilor Ludtke made the motion to recommend to the full Council term limits for our regulatory boards which would be 2 consecutive three-year term for a total of 6 years; this motion was seconded by Councilor Crow, all members voted in favor of that motion. Committee members also introduced the idea that an individual can serve on only 1 regulatory board at one time. Councilor Ludtke made the motion to limit the participation of an individual on Regulatory Boards to one per person, so that one person is not serving on multiple regulatory boards at one time; this was seconded by Councilor Crow, all members voted in favor of this motion. Councilor Ludtke would like to keep the discussion of the Airport open and asked the Assistant Town Attorney to look into the structure and possibly move this under the Town Manager.

Vice President Clark stated that Leadership asked the Town Manager to have his Department Heads look at the committees they interact with to ask them their ideas on these committees and if they need to function as they are.

Assistant Town Attorney Alison Cogliano will look at the list of Committees provided to the members and put in in an order that is Town Manager Appointed and Appointments Committee appointed.

Vice President Clark would like to see these Boards broken out on the web page under three different categories for the residents so that the residents are aware of who appoints to who and also if there is a question regarding one of the committees under the three categories you are aware who to ask your question to.

Chair of Committee asked if Mr. Morin had any comments. Mr. Morin stated the term limit discussion had come up about 6 years ago and it was tabled for reasons he does not know. Mr. Morin has drafted a section for the committee to review just on term limits that will pertain to each committee, if this committee is interested, he will share that with the members. Mr. Morin also wrote a proposal for consideration on the liaison position to each committee and will share that as well if asked to. Mr. Morin said he could and would create a template for this committee to use each time for consistency across each committee so it's all fair and operates the same.

Chair of Committee thanked Mr. Morin for his comments and suggestions, and the committee will review his document further. Chair of Committee asked for a motion to accept the meeting minutes of February 26, 2025, as written, Councilor Burdock made the motion, this was seconded by Vice President Clark, all members voted in favor of accepting the meeting minutes of February 26, 2025, as written.

Committee members decided on March 31, 2025, at 3:30pm in the Selectmen's Conference Room.

Chair of Committee asked for a motion to adjourn, Councilor Burdick made the motion to adjourn, this was seconded by Councilor Ludtke, all members voted in favor of adjournment.

ADJOURN: 5:30pm