



TOWN COUNCIL  
MEETING  
AUGUST 4, 2011

**A** quorum being duly present, Council President Frederick Chirigotis called the August 4, 2011, Town Council meeting to order at 7:00 p.m. in the 2nd Floor Hearing Room of Barnstable Town Hall, 367 Main Street, Hyannis, MA.

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

President Chirigotis led the hall in the Pledge of Allegiance, followed by a Moment of Silence.

**PUBLIC COMMENT (May be limited to 2 minutes)**

- Dorothy Hughes said that the voters are confused. Your words are being colored by the voters because of loopholes. Can we have an open meeting expressly to answer voter questions. She asked a number of questions such as: Does the Town own the airport? What is an enterprise account? Why do Stewarts Creek people have liens on their homes without benefit of hooking up to the sewers?
- Gail McGuire said Councilor Canedy at the 14<sup>th</sup> of July meeting, noted the order of the officials. The Councilor from Precinct 1 has gone directly to department heads instead of the Town Manager. She did not hear one coherent reason for shortening Manager Klimm's contract. She said the Councilor from Precinct 5 wanted to reaffirm the contract. Do those who voted for it plan to change their votes? If not just go forward. This issue is important to the voters. Extend the deadline to November 15.
- Patrick Page has asked for an investigation into Conservation Commission meetings. He said he has been through a living hell. He has not received his answers. I have been in pain and suffering. Will you please take a look at this. Instead he stated that he has been slandered. I do have the truth and am still going to stand. He wants an answer to those documents (that he presented at a prior meeting).
- Robert Tucker said we have homeless and criminals – the front page is not nice and you should not go after Mr. Klimm. What is wrong with the councilors? This is not going away. I don't want to be questioned by number 5. (Newspaper Exhibit A).

- Maryann Barboza just learned there are members who want a special meeting. We want our feelings heard. We put you in office. You are to do the bidding of the people. You saw the turnout (on the 14<sup>th</sup>). You are throwing away who we want – you do our bidding.
- Jon Julius asked to submit Exhibit B (attached). He addressed the Hyannis Water Company. The act of the legislature had in it a mechanism to buy the company at cost, with a 2/3's vote of the voters. Then the manager and council could have petitioned to buy the company at cost. Why did the Town Manager not petition the department of public utilities? Why did the voters in the Town not be allowed to vote? Julius gave the amounts of the offers by the town – he pointed out the increase to \$11M from \$3.5M over 19 months. He asked President Chirigotis to get the answers. Pres. Chirigotis said he will attempt to get the answers.
- Patrick Page again addressed the council and noted that the council did not give the answers they just sit there and smile.
- A brief recess was taken from 7:22 p.m. – 7:27 p.m.
- Alan Burt is concerned about the negative drama. Six councilors have gone astray and are working against the manager. He applauds the other 7 councilors who are trying to lead. Sadly he feels that nothing short of apologies and resignations will end the drama. Do you believe that your actions against the Town Manager are truthful and are in the best interest in the town? Have you considered that it is you and not the manager?
- Jane Saunders does not find it entertaining to be in front of the council. It is necessary. There are people who have been asking questions for a long time and we do not get answers. You won't see us once we get the answers. Don't retreat and hold your ground. She does not agree with dragging it (Manager's contract) out until November. We should move on. You need a change. There needs to be a fresh perspective.
- Mimi McConnell said the charter makes it clear that the council is the legislative body and the manager is the administrator. It has been said that some councilors have overstepped their bounds. There has been an instance where a councilor accosted a department head and said they would do away with that department. The people are confused. Things are so muddled and so unprofessional – the people do not know what to think anymore. Think for the good of the town and work together. What is this really all about?
- Mary Lyons said two incidents show dysfunction. One councilor stated that another councilor could not count to 8. That is not behavior that is allowed in children. It is immature. A lot of what you say sounds rehearsed. You need to pull it together. It is not ok. She said she watched a Recreation Commission meeting, Is it customary for a councilor to hire a lawyer? Is this another example where discord is coming from. That is a school (Osterville Bay). It is a school not a storage area.
- Gloria Rudman stated that in order for a community to be served well there needs to be respect. When a virus is introduced it can take over. Our community has been invested with this toxic behavior. This behavior is eroding the citizen's needs. We need to return to civility and taking care of the town's business in a straightforward way. The councilors should evaluate the town manager. If they did not participate then, it should not be up to them to do it now. We are losing our keepers and keeping our losers.

- Kathleen Duncan asked the 6 who wanted to change the contract – why. You leave much to everyone’s imagination. We know you worked out the contract. A number of you went to Mr. Klimm and told him that his days were numbered. He was made to navigate a buyout – he was a dead man walking. This is a bad Greek drama and it is not over. To the 6 – explain how and when you noted that Mr. Klimm’s performance slipped so badly that it warranted a new contract. What did you see? (Exhibit D)

## **COUNCIL RESPONSE TO PUBLIC COMMENT**

- Councilor Crocker thanked everyone. He apologized for the angst. He said he was sorry. He said that he asked Attorney J. Albert Johnson (Manager Klimm’s Attorney) if he was here working and he was told he was out of bounds. We have received a letter that said we will be prosecuted to the fullest extent of the law. He apologizes for the difficulty and this is not easily resolved. I have an election and an opponent. On the Park and Recreation issue, he has a committee drawing pictures about recreational uses at the school – Mr. Kenny is working pro bono.
- Councilor Milne did not speak relative to what has consumed the public comment and the reason being, because he has zero tolerance for a circus. There were boos and hecklers at the 14<sup>th</sup> meeting. No speaker should be shouted at. The President asked to hold the applause this evening, which was good. If you are honest about July 14, the bad behavior in the room was in every corner of the room. When I get a letter that says I will get sued, I have to take it seriously. I am about public disclosure.
- Councilor Canedy asked Mr. Lynch about the questions that were asked and if he could help. He said he would. She noted that she had emailed a staff member and had a conversation with the staff member. He asked her to email him. She referenced it and emailed him. The newspaper article framed the issue that one councilor felt this was intimidation to force the manager out. It was about moving an electric box and other issues that had been discussed. I am not sure what has been done wrong. I am not going to stop fighting for my constituents. How did that email get to a councilor, the press and another councilor. Mr. Barry did make a lot of sense.
- Councilor Munafo said when the charter came out he voted against it. You voted to remove your voice from the executive portion. We could vote for Selectmen and Town Meeting Representatives. You gave us the job to hire and fire the manager. So why is that sick behavior? I can understand you not agreeing with it.
- Councilor Farnham addressed the evaluation taken 3 years ago and a lot of suggestions were not in the summary. He has not seen the evaluation but all the comments need to be inserted. If we are to work together, we have issues. This is an issue with management. We need to get it on the table and what can be done to solve it. You seem to think we are exercising our rights to be goons. I am responsive to my constituents and I follow up. It takes forever to get a response out of the management. I think the manager needs improvement. If you don’t like us in November get rid of us.

- Councilor Joakim read the contract changes and the letter and the contract was voted for. Three years ago there were summaries done, The last evaluation three councilors did not file an evaluation. We do not have a Park and Recreation Commission. We have a Recreation Commission that advises. She asked for examples of councilors who go to staff. You don't communicate with department heads and cc the manager. It is not unreasonable. It is a policy.
- Councilor Barry said councilors get back to constituents – yet the people in the audience ask questions and can't get answers.
- President Chirigotis said Attorney Johnson lives here and represents Manager Klimm. Truth is the absolute defense. There was no cause, there is no cause and there will not be any cause because that is what the manager wanted. You don't have to sign the contract. Let the chips fall where they may. The charter says we will evaluate one time a year. The evaluation occurs in December. How do you change those kind of things. If you need something done, or you evaluate and speak with your employees – we can act on them. You can't blame the manager if you don't do the evaluation. The evaluations were compiled by the Town Council Administrator. He did not get the comments. We can't shirk our responsibility. We have a chain of command and we have to follow it. We have to go through the manager to get information or help from the department heads. We need to work within the charter and follow protocol. This is one body and we have to work together.
- Councilor Canedy said we have done 3 evaluations in 8 years. The summary was made public but not the comments. How would you suggest that we make inquiries. Some things do build up when emails are not answered.
- Councilor Crocker asked if the President was pressured to sign the document. President Chirigotis said he signed the document because of the vote of the council. His job was to do the job, and he was not forced.
- Councilor Milne would not speak against individuals asking questions. He was talking about the heckling. We need to have the council administrator note the questions asked in public comment, and then answer the questions. I can't get answers myself.
- Councilor Norman said regarding Mr. Burt's comments, on the 14<sup>th</sup>, once we got onto the business of the town, most people had left. We then voted together. Yes, we have some differences which are somewhat normal. After the 14<sup>th</sup>, he was told that some of his comments were off base. He said that the point he was trying to make and way he delivered it was childish and immature. He did not want to send an email; instead, he apologized for his comments. He stated his comments were from the hip. "I know I look tired all the time," he said. "My day starts at 4:30 in the morning because I care for my son." He knew his job as a councilor would take up time. He also said he was not giving up the ability to represent his precinct, and did not take that vote lightly. Your government is not dysfunctional.

- o Councilor Joakim stated that it is our responsibility to do an evaluation. She read the resolve on the contract that directed the President to sign the agreement.

Assistant Town Manager Tom Lynch said he will be happy to answer the questions and has made note of them. He also stated that The Inside Town Government program is starting up again and will be taking off in September.

### **ACT ON MINUTES (Includes Executive Session)**

Upon motion duly made and seconded it was voted to move the approval of the minutes of June 23, 2011 to the next meeting.

**VOTE: Unanimous consent**

Upon motion duly made and seconded it was voted to approve the minutes of May 19, 2011 with the following correction: on top of page 5, correct a typing error in the spelling of Executive (take the 5 out).

**VOTE: 11 yes 1 ab (Tinsley)**

Upon motion duly made and seconded it was voted to approve the minutes of June 2, 2011 with the following corrections: first page second paragraph from bottom, add after 911 system "since April 2011"; on page 2, third paragraph up from the bottom capitalize Cape Cod Mosquito Control; page 3, note that Councilor Dagwan is the incoming Secretary for the Selectmen and Councilors Association; Milne also announced that (take out double that); Page 18 at top of page sentence Milne statement should read 184 other communities have supported the expansion of the bottle bill; Page 20 second paragraph – he noted that the School committee should not be listed as a sponsor, say that it was so noted by President Chirigotis; Canedy on page 22 at the end to go into Executive Session, Councilor Canedy wanted it noted that an attempt to bifurcate was refused; Councilor Crocker – last paragraph on employees – asked what employees would experience when they retire and what the previously retired would experience (top of page 10); Page 22 – 6 graphs from the bottom – Attorney John Davis (spelling correction).

**VOTE: 12 yes to approve as amended**

It was unanimously voted to postpone approval of the June 16, June 23 and July 14 minutes until the September meeting.

Councilor Munafo asked about the Ex. Session minutes. President Chirigotis believes that there are some minutes that are not quite ready for release; and he suggested that the issue be continued one more time. He said there are issues with land purchases and some may not be ready for release. A list will be presented.

### **COMMUNICATIONS FROM ELECTED OFFICIALS, BOARDS, COMMISSIONS, STAFF,**

Vice President Barton noted that a student performance policy will be voted on at the School Committee next meeting. A copy of the policy had been given to the councilors and she asked if anyone had any comments to contact her.

Councilor Barry asked what we are attempting to do.

Councilor Milne asked Assistant Manager Tom Lynch why he recused himself from a recent vote on the Cape Light Compact at the Assembly of Delegates; and he asked where was the Town Manager.

Assistant Manager Lynch said the Town Manager is having a medical procedure, and he abstained from the vote because it was not properly presented before the body.

**2011-138 AMENDING THE ZONING ORDINANCE-ADDING WEST BARNSTABLE VILLAGE BUSINESS DISTRICT**

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on September 8, 2011.

**VOTE: Unanimous consent**

**2011-147 APPROPRIATION OF \$375,000 FOR PARK REVITALIZATION, RIDGEWOOD PARK IN HYANNIS**

Upon motion duly made and seconded it was voted to refer this item to September 8, 2011

**VOTE: Unanimous consent**

**2012-002 ACCEPTANCE OF AN \$18,800 MASS CULTURAL COUNCIL GRANT**

Upon motion duly made and seconded it was voted to refer this item to September 8, 2011

**VOTE: Unanimous consent**

**A. OLD BUSINESS**

**2011-148 ORDER AUTHORIZING THE TOWN MANAGER TO EXECUTE A SUBSTANTIAL AMENDMENT TO THE REGULATORY AGREEMENT- 89 LEWIS BAY, LLC**

Attorney David Lawler gave a brief review of the proposed amendment to the agreement. His client is seeking relief from the mitigation fees. This is a project that has continued and the tax revenues will far exceed the mitigation.

- Councilor Canedy asked about the onsite mitigation. Lawler said they purchased land and demolished a home (over \$500,000) created curb cuts and performed all the lighting requirements, installed fences, performed landscaping, virtually anything requested was complied with. They spent well over \$1M. Canedy is not in favor of remote mitigation. She suggested leaving in the monies of \$150,000 for the water supplies. She said the other improvements don't make sense. Her suggestion is to strike out everything except \$150,000 for the water.
- Councilor Tinsley wants to make sure the use and safety won't be harmed. How would the \$150,000 be used regarding the water.

- Attorney Lawler said regarding the water, we use far less than the nursing home. Based upon the scope and the level of the economy and the need to build in the town, and what the owner has done for the town, it is important to help in this regard.
- Councilor Farnham said regarding how the mitigation is paid, he suggested having a release fee payment schedule and it would be tied into a nexus. There are 42 units remaining and he suggested that we assess \$5,000 per unit which will be paid to the town upon the sale of the first 30 units,
- Councilor Crocker said we want to do something good here, but we are still struggling to see the finished product. They are still trying to get a signature on one of the commercial units. When you look at the improvements and not having to get new mains and get the meters correct. I know the water system needs money – but this would not be appropriate. The water use will be down. I believe it is an honorable attempt to find money for the specific use of School Street.
- Attorney Lawler said this building is far less of a burden to the water and other systems. He explained the mitigation that was done on School Street.
- Councilor Milne is asking for clarity. Joanne Buntich from Growth Management, said that page 12 was the original language. They asked to eliminate paragraph 4. The Planning Board suggested the changes in the actual council item on page 13. She explained the process that has taken place.
- Councilor Munafo said the owner has done a good job. You have asked us to do something. He suggested amending the agreement by striking the \$250,000 and the \$34,000 plus figure and keeping the \$150,000 for water in the middle.
- Councilor Munafo said what we have left for a motion is: \$150,000 towards improvements of public water supply infrastructure on School Street through the Department of Public Works, Water Supply Division. These funds shall be paid \$5,000 per unit to be paid at the time of the sale up to 30 units.
- Councilor Barry asked Attorney Lawler if he could deal with this....yes. Lawler said they would prefer \$15,000 agreement per year for 10 years.
- Councilor Farnham feels a payment schedule should be tied into the sales. Lawler said he would be able to pay with the \$5,000 per unit.
- Councilor Norman said developers have to go to site plan review. We are sending a horrible message to developers who may have some cash flow and are looking for places to put cash. Developing could pick up. I would like to see the entire paragraph removed. We should encourage him to spend more. Withdraw your motions and wipe out the whole mitigation. Mitigation is a hammer to beat money out of a developer.
- Councilor Farnham respects those comments. We granted a 4<sup>th</sup> floor of 14 units and those units are selling in the \$400,000 - \$500,000 range. The builder has done a tremendous

amount of improvements. He would support the \$150,000 for water. We have a responsibility to try and be fair.

- Vice President Barton said there was an agreement she would not take the mitigation away entirely.
- Canedy re-stated the Munafo motion with additions: Paragraph 4 - \$150,000 towards improvements of public water supply infrastructure on School Street through the Department of Public Works, Water Supply Division. These funds shall be paid at the rate of \$5,000 per unit as the units are sold, to the town up to 30 units effective this date. Strike the items above and below.
- Attorney Weil noted that the council should work with the original language in the agreement on page 12 and 14
- It was noted again that the goal is to eliminate the \$250,000 improvements and \$34,421.
  - What remains is \$150,000 toward improvements for the public water supply.
  - Councilor Tinsley said we are making it far too difficult. Leave the \$150,000. The agreement never laid out the payment schedule.
  - It is not a measure so does not need to wait for 30 days

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

Upon motion duly made and seconded it was voted to authorize the Town Manager to Execute an amendment to the regulatory agreement – 89 Lewis Bay, LLC.

- Paragraph 4 - \$150,000 towards improvements of public water supply infrastructure on School Street through the Department of Public Works, Water Supply Division. These funds shall be paid at the rate of \$5,000 per unit as the units are sold, to the town up to 30 units effective this date. (Strike the items above and below.)

**VOTE: 9 yes 3 no as amended by roll call (No Chirigotis, Crocker, Norman)**

<b>2012-009</b>	<b>APPROPRIATE &amp; TRANSFER \$25,000 FROM CAPITAL LOAN ORDER 2010-096 SANDY NECK BEACH HOUSE RENOVATIONS &amp; ADDITIONS</b>
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Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on Sept. 8, 2011.

**VOTE: Unanimous consent**

<b>2012-011</b>	<b>TRANSFER \$1,000.00 TO ACQUIRE REAL PROPERTY FOR THE STEWARTS CREEK RESTORATION PROJECT</b>
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Upon motion duly made and seconded it was voted to refer this item to a public hearing on September 8, 2011.

**VOTE: Unanimous consent**

Recess at 9:52 p.m.

Reconvened at 10:00.

**Attorney John Davis addressed the Open Meeting Law Complaints.**

He read the 6 points that were on the Open Meeting Law complaint brought by Councilor Crocker on March 30, 2011. Attorney Davis said we must give a response. Mr. Crocker said you need to look at the minutes. Those have not been reviewed or approved.

- ✓ Councilor Joakim said the minutes are Executive Session and she felt we would have to go into Ex. Session. How could we not go into Executive Session to review them? Councilor Crocker said since the document has never been filed that everyone has looked for, perhaps a public meeting and reading of the minutes would be ok. We could have a say and transparency prevails. The manager was the one who asked for the ad hoc committee to make a proposal. This meeting never brought forward an agreement. If we look at the minutes, maybe we can see that. We never got that far down the road.
- ✓ President Chirigotis said private notes are his private notes and they don't need to be included. Councilor Crocker said it is up to the AG to decide if the document is or is not part of the minutes. Notes that are not distributed to the body are private. Councilor Canedy said if you pose the question a different way you could get a different answer. If it was read and the conversation flowed from that document then it becomes part of that meeting. The conversation makes no sense unless you have the document.
- ✓ Councilor Joakim said we went for contract negotiations. The document was not distributed and it was spoken so it is not part of it.
- ✓ Councilor Tinsley said it was not distributed. If he had memorized it would he have to produce it? He did not distribute anything to us.
- ✓ Councilor Canedy said if he spoke it, it should be part of the record. She said the minutes are in the clerk's office.
- ✓ President Chirigotis reminded everyone that the minutes are not verbatim.
- ✓ Councilor Canedy said we have asked the AG about the notes and have not received a response.
- ✓ Councilor Milne said he saw the document in question and it was set up like a letter. What I heard was the Assistant Clerk asked for the document and it was refused.
- ✓ A motion was made to distribute the minutes of the Executive Session of March 17, and then they will become a public record.

- ✓ President Chirigotis cautioned the council that the individual is not here.
- ✓ Councilor Farnham said the letter began the meeting and was a statement on what he had done. Councilor Joakim was concerned about this being a violation of the open meeting law. The reason for the executive session was to conduct negotiations with non-union personnel.
- ✓ Attorney Davis said if it is possible to discuss the meeting without reviewing the minutes you could do that.
- ✓ Councilor Crocker said can we do this without distributing the minutes by addressing each of the six points. We went into executive session for one reason and discussed other things. Crocker says an employee spoke and the speech drove the conversation a different way.
- ✓ Councilor Farnham said can we go into Ex. Session and discuss them and make decisions on release. Right now we are at an impasse.
- ✓ Councilor Crocker suggested the council discuss the points.
- ✓ Councilor Canedy said I thought we were going to talk about one person – the administrator, and then found out it was a different situation.
- ✓ It was moved to amend the motion to go over the 6 points in open session prior to the circulation of the minutes. Councilor Munafo said this is different than the original motion.
- ✓ Councilor Barton said this is not a game. In the best of faith I agreed to remedial action on the first complaint and then there was another complaint. I am having a hard time sitting here. I would go to Boston and be questioned on what happened, but I won't sit through all this.
- ✓ Councilor Joakim said people will walk out. This is frustrating. We need to vote.
- ✓ Councilor Canedy has an issue that she didn't know how to get over the first hurdle. She thought the executive session was going to talk about someone else, the administrative assistant of the council. When she got in the meeting she found out it was not about him. The whole thing was not what I expected, she said, and she did not know how to get past it.
- ✓ Attorney Davis said that he could not guide her. If you don't feel that you have adequate information in a vote – then don't participate. Canedy thinks the whole session was a violation because it was not clear who we were going to talk about. Davis says it is not required to state the name of the person who will be discussed in an executive session.

A motion was made and seconded to move the question.

**VOTE: 12 yes**

The vote on the motion to review the points of the complaint.

**VOTE: 6 Yes 6 No – roll call, did not pass**

After a brief discussion, a motion was made and seconded to vote on the complaint as a whole and whether it has merit. A Yes vote would mean it has merit and a No vote means it does not have merit.

A motion was made and seconded to move the question.

**VOTE: Unanimous in favor.**

The vote on the merit of the complaint.

**VOTE: 6 Yes 6 No – roll call - did not pass.**

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The next Open Meeting Law complaint to be discussed was the second Crocker complaint of April 8.

It was moved and seconded to vote on the complaint as a whole and whether it has merit. A Yes vote would mean it has merit and a no vote would mean it does not have merit.

A motion was made and seconded to move the question.

**VOTE: 11 yes 1 no (Canedy)**

The vote on the merit of the complaint

**VOTE: 6 Yes 6 No – roll call – did not pass**

Attorney Davis noted that he will inform the Attorney General of the votes of the council on the various complaints.

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The next complaint was the one filed by Councilor Joakim on July 1, 2011.

Councilor Davis said there is no limitation on discussion. Was there or was there not a violation of the open meeting law.

Councilor Crocker moved and it was seconded to vote on whether the complaint has merit.

Councilor Canedy said it does not say what law it violated. Attorney Davis said it does not have to, and noted it is on the right form.

Upon motion duly made and seconded, it was voted to extend the meeting past 11 pm in order to finish the business. (Open meeting law complaints and items 2012-014 and 015.

**VOTE: 3 no 9 yes**

Councilor Joakim was told she had to file a complaint in order to get an answer. She talked about the breaking of a quorum. There was an attempt to arrange for a vote ahead of time to kill or pass an item.

Councilor Canedy stated that she has not conspired or arranged votes and never represented to the Manager that there were 6 people to remove him.

A motion was made and seconded to move the question.

**VOTE: Unanimous consent**

The vote on the merit of the complaint.

**VOTE: 6 yes 6 no – roll call – did not pass**

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Attorney Davis explained that two almost identical filings by John Julius and Gary Lopez were originally filed on July 25 and later refiled with the Town Clerk. He stated that they were not timely since the filings, including the first one, were filed more than 30 days after the alleged violations. Davis said that it is statutory and if you bend the rules you would have to bend them again. He felt it was not wise.

A motion was made and seconded to vote on whether the complaint by John Julius had validity. A yes vote means it has merit and a no vote means there is no validity.

A motion was made and seconded to move the question.

**VOTE: Unanimous consent**

The vote on the complaint having merit.

**VOTE: 3 yes (Milne, Munafo, Norman) 8 no 1 ab (Farnham)**

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A motion was made and seconded to vote on whether the complaint by Gary Lopez had validity. A yes vote means it has merit and a no vote means there is no validity.

A motion was made and seconded to move the question.

**VOTE: 11 Yes 1 no (Milne)**

The vote on the complaint having merit.

**VOTE: 8 no 3 yes (Milne, Munafo, Norman) 1 abstain Farnham**

John Julius said the law, beside the 30 day filing requirement also says or when one might reasonably know. He said it was his intention to go fully forward. Our violations are clear and concise.

Councilor Crocker told Mr. Julius that we don't take away your right to appeal.

<b>2012-014 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION</b>
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Upon motion duly made and seconded it was voted that since these were reappointments the council would vote to waive the rules and vote on this item.

**RESOLVED**, that the Town Council reappoint the following individuals to a multiple-member board/committee/commission:

**AGRICULTURAL COMMISSION**

J. Timothy Friary, 241 Commerce Road, Barnstable, as a member to a term expiring 6/30/2014

**AIRPORT COMMISSION**

Donald Megathlin, 925 Main St Apt 2., Cotuit, as a member to a term expiring 6/30/2014

Timothy Luzietti, 119 Pond View Drive, Centerville, as a member to a term expiring 6/30/2014

**BARNSTABLE HISTORICAL COMMISSION**

Nancy Shoemaker, 21 Meadow Lane, West Barnstable, as a member to a term expiring 6/30/2014

Jessica Rapp Grasseti, 1611 Main Street, Cotuit, as a member to a term expiring 6/30/2014

**BARNSTABLE YOUTH COMMISSION**

Christa Mullaly, BHS 744 W. Main Street, Hyannis, as a member to a term expiring 6/30/2012

Elizabeth Ells, BHS 744 W. Main Street, Hyannis as a member, term expiring 6/30/2012

**COMPREHENSIVE FINANCIAL ADVISORY COMMITTEE**

Robert Ciolek, 325 Green Dunes Drive, W. Hyannisport as a member, term expiring 6/30/2014

Ralph Krau, 10 Pram Road, Hyannis as a member, term expiring 6/30/2014

**CONSERVATION COMMISSION**

Laurence Morin, 41 Orchard Rd., Centerville as a member, term expiring 6/30/2014

John Abodeely, 476 Baxter Neck Road, Marstons Mills as a member, term expiring 6/30/2014

**COUNCIL ON AGING**

Haskell Kennedy, 59 Pontiac Street, Hyannis as a member, term expiring 6/30/2014

Nancy Wilder Boudreau, 29 Curry Lane, Osterville as an associate member, term expiring 6/30/2014

John Ross, 40 High Street, West Barnstable as a member, to a term expiring 6/30/2014

**CULTURAL COUNCIL**

J. Richard Kirk, 7 Brookshire Road, Hyannis as a member, to a term expiring 6/30/2014

Joline Diehl, 63 Snowcreek Drive, Hyannis as a member, to a term expiring 6/30/2014

Patricia Austin, 72 Grove St., Hyannis as a member, to a term expiring 6/30/2014

**DISABILITY COMMISSION**

Jim Berks, 402 Prince Hinckley Road, Centerville as a member to a term expiring 6/30/2014

**GOLF COMMITTEE**

Daniel Ginther, 289 Lakeside Drive West, Centerville, as a member to a term expiring 6/30/2014

Terry Duenas, 690 Cedar Street, W. Barnstable, as a member to a term expiring 6/30/2014

### **LICENSING AUTHORITY**

Richard Boy, 50 Sterling Road, Hyannis, as an alternate member to a term expiring 6/30/2014

Martin Hoxie, 367 Nottingham Drive, Centerville, as a member to a term expiring 6/30/2014

### **PLANNING BOARD**

Raymond Lang, 4 Jason's Way, Osterville, as a member to a term expiring 6/30/2014

Matthew Teague, 126 Braggs Lane, Barnstable, as a member to a term expiring 6/30/2014

### **PUBLIC WORKS COMMISSION**

Paul Canniff, 106 Hayes Road, Centerville, as a member to a term expiring 6/30/2014

### **REGISTRAR OF VOTERS**

David Jones, 4 Blackberry Lane, Hyannis, as an appointed member to a term expiring 6/30/2014

### **RENEWABLE ENERGY COMMISSION**

Douglas Hempel, 170 Cape's Trail, West Barnstable, as a member to a term expiring 6/30/2014

Wallace Johnson, 26 Jillian's Way, Marstons Mills, as a member to a term expiring 6/30/2014

Jan Rapp, 64 Old Shore Road, Cotuit, as a member to a term expiring 6/30/2014

### **SANDY NECK BOARD**

Peter Sampou, 111 Cedar St., West Barnstable, as a conservation commission representative member to a term expiring 6/30/2014

Nason King, 523 Whistleberry Drive, Marstons Mills, as a member-at-large to a term expiring 6/30/2014

### **SCHOLARSHIP COMMITTEE**

Nancy Jane Vecchione, 49 Main Street, Osterville, as a member to a term expiring 6/30/2014

John Marsden, 144 Huckins Neck Road, Centerville, as a member to a term expiring 6/30/2012

### **SHELLFISH COMMITTEE**

Matthew Ostrowski, 91 Old Troll Road, West Barnstable, to a term expiring 6/30/2014

Andre Sampou, 375 Cedar St., West Barnstable, as a member to a term expiring 6/30/2014

### **TRUST FUND ADVISORY COMMITTEE**

Frances Parks, 167 Eaglestone Way, Cotuit, as a member to a term expiring 6/30/2014

Jayne Scanlon, 760 South Main St, Centerville, as a member to a term expiring 6/30/2014

### **WATER POLLUTION CONTROL BOARD**

Albert Baker, 30 Wakeby Road, Marstons Mills, as a member to a term expiring 6/30/2014

### **ZONING BOARD OF APPEALS**

Craig Larson, 142 Bog Road, Marstons Mills, as a member to a term expiring 6/30/2014  
Alex Rodolakis, 83 Blantyre Avenue, Centerville, as a member to a term expiring 6/30/2014

**VOTE: Approved 10 yes 1 Ab. (Munafu) – Barry left**

<b>2012-015 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION</b>
--

Upon motion duly made and seconded it was voted to waive the rules and vote on these appointments.

**RESOLVED**, that the Town appoint the following individuals to a multiple-member board/committee/commission:

**BOARD OF ASSESSORS**

Andrew Machado, 30 Rosemary Lane, Centerville, as a member to a term expiring 06/30/2013

**CABLE TV ADVISORY BOARD**

Suzanne Reid, 165 Ocean View Ave., Cotuit, as a member, to a term expiring 6/30/2012  
Jeneil Lee, 234 Mitchell Way, Hyannis, as a member, to a term expiring 6/30/2013

**COUNCIL ON AGING**

Lester Frank, 52 King Arthur Drive, Hyannis, as an associate member, to a term expiring 6/30/2014

Eleanor Letterie, 14 Janes Way, Osterville, as an alternate member, to a term expiring 6/30/2013

**DISABILITY COMMISSION**

M. Patricia Andres, 240 Oak Street, W. Barnstable, as a member, to a term expiring 6/30/2014

**HYANNIS MAIN ST. WATERFRONT HISTORIC DISTRICT COM**

Brenda Mazzeo, 145 East Bay Road, Osterville, as an alternate member, to a term expiring 6/30/2013

**RECREATION COMMISSION**

Richard Sawyer, 75 Cap'n Crosby Road, Centerville, as a member, to a term expiring 6/30/2013

**WATER POLLUTION CONTROL BOARD**

Wolfgang Fattler, 629 Cedar Street, W. Barnstable, as a member, to a term expiring 06/30/2012

**VOTE: 10 yes 1 ab (Munafu) (Barry left)**

**The following items were not taken up at the meeting.**

<b>2012-004 APPROPRIATION OF \$432,954 FOR PARK REVITALIZATION, 182 PLEASANT STREET IN HYANNIS ON MAP 326 PARCEL 131</b>
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**2012-005 ADOPTION OF THE TOWN OF BARNSTABLE MULTI-HAZARD MITGATION PLAN**

**2012-006 ACCEPTANCE OF A \$17,285 GRANT FOR TWO AUTOMATED LICENSE PLATE READERS – MA EXEC. OFFICE OF PUBLIC SAFETY & SECURITY**

**2012-007 ACCEPTANCE OF FY12 \$177,282 9-1-1 DEPARTMENT SUPPORT AND INCENTIVE GRANT FROM MA EXECUTIVE OFFICE OF PUBLIC SAFETY**

**2012-008 ACCEPTANCE OF A \$10,000 GIFT FROM THE BLUECOATS OF BARNSTABLE, INC.**

**2012-010 ACCEPTANCE OF A GIFT OF TWO EASEMENTS FOR THE STEWART'S CREEK RESTORATION PROJECT**

**2012-012 TRANSFER \$950,500 FROM EMPLOYEE BENEFITS & INS. INTO INSURANCE RESERVE TRUST FUND FOR SELF-INSURING WORKERS COMP. PROGRAM**

**2012-013 AUTHORIZE THE ESTABLISHMENT OF A GIFT ACCOUNT FOR THE ACCEPTANCE OF GIFTS FOR THE CENTERVILLE PLAYGROUND**

**Happy Birthday to Councilor Henry Farnham – who turned 70 on this date!!!**

#### **ADJOURNMENT**

Upon motion duly made and seconded it was  
**VOTED: To adjourn.**

**ADJOURNED: at 11: 17**

Respectfully submitted,

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

**NEXT REGULAR MEETING: September 8, 2011**

#### **EXHIBITS:**

- A COPY OF JULY 15, 2011 – BARNSTABLE ENTERPRISE**
- B. COPY OF Chapter 286 of Acts, 1911**
- C, ALAN BURT'S STATEMENT**
- D. KATHLEEN DUNCAN'S STATEMENT**
- E & F COPIES OF JAMES CROCKER'S OPEN MEETING LAW COMPLAINTS**