



## TOWN COUNCIL MEETING February 27, 2014



**A** quorum being duly present, Council President Jessica Rapp Grassetto called the February 27, 2014, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

An announcement was made by President Rapp Grassetto regarding the meeting being televised live and questioning if anyone was actively taping the session to please make their presence known. This session is recorded and broadcast on Channel 18.

**PRESENT:** Ann Canedy, Frederick Chirigotis, James Crocker, Jr., Jennifer Cullum, Sara Cushing, Debra Dagwan, Jessica Rapp Grassetto, Paul Hebert, John Norman, Eric Steinhilber, James Tinsley, Jr., Philip Wallace. **Absent:** William Crocker, Jr

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

### **PUBLIC COMMENT:**

- ✓ Jane Saunders: spoke to the Council regarding a stay away order against Patrick Paige. Saunders stated this is wrong, wants one of the Councilors to stand up for Patrick. Patrick Paige will never stay away from all town buildings for two and a half years.

Seeing no one else, close public comment

### **COUNCIL RESPONSE TO PUBLIC COMMENT:**

President Jessica Rapp-Grassetto clarified the reason for the stay away order referenced by Jane Saunders.

**Cape Cod Commission 208 Area-wide Water Quality Plan Update from Director Paul Niedzwiecki** – gave a presentation on the 208 update Plan - the Federal Clean Water Act.

- Eleven working groups on a watershed basis
- Scenario planning to determine the impact
- Designs for the unique nature of Cape Cod
- Must reduce the nitrogen and storm water run off
- Protection of our water is everyone's responsibility
- Don't build what we don't need to build

Councilor Discussion and Questions:

What if every single family home upgraded to a Title 5 septic system? Title 5 protects drinking water not designed for nitrogen. What is the water usage comparison of areas that are

seasonal? To win the residents over we need to start with the basics, Title 5 septic system with 110 gallons per bedroom is too high; go after the DEP to drop the 110 gallons; lower cost before building the system. Marshes have degraded; loss of shellfish; north side will never be on a sewer system; we have to understand the strategies and plan ahead as a town; need to educate the public. Is there anything we can do to advance your work? Encourage people to check the website for watersheds, [www.capecodcommission.org](http://www.capecodcommission.org). The Board of Health is committed to work on better ways to fertilizer and to protect the water.

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

Upon a motion duly made and seconded it was voted to approve the minutes of the February 6, 2014 meeting as written

**VOTE: Passes Unanimous**

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

- **Alison Alessi gave an update of the recommendations from the Renewable Energy Commission** urging the Councilors to revisit the following proposals:
  - Curbside recycling
  - Pay as you Throw

**Reports from the Airport Commission:** Ron Pursuitte, of the Barnstable Airport Commission, gave a brief update. Pursuitte explained the Commission has adopted goals to strengthen revenues:

- Jet fuel pricing program
- Funding sources to construct a new fuel farm
- Hired a consultant to bring a new carrier
- Develop some parcels of land owned by the airport
- Marketing businesses other than aviation
- Improving community awareness

Councilor Discussion and Questions: Tell us about the Kmart Mall. The Airport Commission is the custodian of the Kmart land. The Airport is locked into an iron clad lease until 2024, so a property appraisal won't make a difference. The issue is that Mildred's and Kmart Plaza are eyesores in the town, our community deserves better. The Mildred's property has been vacant for several years the building deteriorated, it came down. We attempted to purchase a piece of property next to Mildred's, but it did not pan out. We are handcuffed. How much would it take to move the fence to the street, break up the cement and plant grass, make it look decent? The Airport is a part of this town the suggestion is to clean up that property. How do you know what the value of the Kmart property is without an appraisal? Appraisal with or without the encumbrance of the lease? In terms of the Kmart Plaza, we can't do it. Why do an appraisal today? We have no control over the property. We are asking you to take under advisement what the Councilors have said, take it back to the full commission and come back to the council with a report.

**Report from the Trust Fund Advisory Committee:** Chairman William (Bo) Murdock gave an overview of the committee and the thirty-three Trust Funds they oversee. A portfolio manager

is only allowed to invest in those stocks that are listed in Exhibit B per Massachusetts General Laws chapter 167, section 15A. The Kirkman Fund is used for beautification of the cemeteries and supporting the seven libraries. Some of the previous upgrades to the cemeteries and libraries:

- Organic fertilization
- Greenhouse replacement
- Gravestone preservation
- Storing of cremated remains
- On line learning resources
- Funding for disabled
- Energy efficient renovations
- Scholarships

Councilor Discussion and Questions: We are battling drug abuse as a Council, yet Pharmaceutical Companies are used for investing the funds, can we diverge from investing in those companies? We have a narrow list of investment opportunities, but I will take your suggestion back to the commission. We need to be thoughtful about the other things these pharmaceutical companies are developing. How can we help? Choice of stocks, we need to maximize these dollars? Convince people to leave money to Trusts. How does the Sturgis Fund's get used? It is one of our scholarship funds. An overview of all the Trust Funds on the town website would help educate the citizens of what is available. The Advisory Committee will provide the Councilors with descriptions of the Trusts. The scholarships go through the schools and the guidance office is aware of the scholarships. Drugs are at an epidemic level; we are serious about protecting the lives of our children; a strong statement needs to be made that we are serious. There is a process, to present an issue. We as a Council need to make an agenda item bring if forward, as a council position and let us vote on it. We are not here to direct our trustees. That statement has to do with appraising land as well; we understand the process.

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

- Per President Rapp Grassetti Councilor William Crocker will be hold office hours in the Centerville Library.
- Councilor Norman as a Council we do not always following the recommendations from a committee; we are taking it in, if we choose not to legislate, we still value their input.
- Councilor James Crocker announced the fine arts and writing awards that 16 Barnstable students had received. He also recognized the teachers.
- Councilor Tinsley-HYCC seniors may walk the indoor track for free on Mondays in March and April
- Councilor Cushing announced the Marstons Mills Village Association meeting; the Marstons Mills Public Library is have a fund raiser; and the After Prom Party is looking for volunteers

- Councilor Cullum is the liaison to the Youth Commission, she will be asking to change the Youth Commission structure to add more young people; Cullum announced the upcoming Family Fun night at the HYCC.
- Councilor Wallace announced the West Barnstable Civic Association coffee social; and the annual spaghetti supper.
- Councilor Dagwan announced International Women's Day; the Cape Women's Coalition is having a breakfast meeting at the Double Tree Inn, to work to change some of the barriers to women to help them participate in civic life.
- Councilor J. Crocker announced the informational meeting by our COMM Fire Department for residents to learn about overdose prevention at the Centerville Fire Station.
- Councilor Dagwan announced the election on March 5<sup>th</sup> Hyannis Fire District to vote on the new fire station.

#### **ORDERS OF THE DAY:**

<p><b>2014-053 APPROPRIATION AND LOAN ORDER OF \$5,000,000 FOR THE DESIGN AND RECONSTRUCTION OF THE EAST RAMP AT THE BARNSTABLE MUNICIPAL AIRPORT INTRO: 2/6/2014, 2/27/2014</b></p>
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Bud Breault, Airport Manager presented the Capital Improvement Project to obtain grant funds.

Open public hearing seeing no one, close public hearing

Councilor Discussion and Questions: If nothing is done, walk me through what would happen? Pavement on that ramp is approximately 40 years old; pavement is breaking up, and damage jet engines. If the bond bill doesn't pass, can still do phase one? We will not proceed on phase two until we have the money. With the deterioration of the asphalt, once this is complete will the ramp be able to handle larger airplanes? Yes, it will be built to meet FAA regulations and handle approximately 100,000 pounds. The length of the runway, allows larger planes to land, but not to take off. Are the environmental requirements being addressed? Yes, the design is being reviewed to make sure we are meeting all requirements and are in compliance. What are we doing as the lease holder for the surrounding businesses? Doing the construction in phases helps, and making sure there is always a taxi way for the airplanes. Is the deadline during our busiest time of the year? No, phase one should be completed by June.

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of Five Million Dollars and No Cents (\$5,000,000.00) be appropriated for the purposes of funding the design and reconstruction of the East Ramp at the Barnstable Municipal Airport; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$5,000,000, and that the Barnstable Municipal Airport Commission is authorized to contract for and expend the Appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

**VOTE: Passes 12 YES**

**2014-059 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 02/06/14, 02/27/14**

Upon a motion duly made and seconded it was **RESOLVED**, that the Town Council appoint the following individuals to a multiple-member board/committee/commission:

**COUNCIL ON AGING**

Katherine-Lee Evans, 2321 Meetinghouse Way, West Barnstable from an associate to an alternate member to a term expiring 6/30/2014

Herbert Bodensiek, 58 Loomis Lane, Centerville from an alternate to a member to a term expiring 6/30/2014

**GOLF COMMITTEE**

Edin Nacar, 34 New Haven Avenue, Marstons Mills as a member to a term expiring 6/30/2014

Edward Hickey, Jr., 54 Narrows Way, Cotuit as a member to a term expiring 6/30/2014

**HYANNIS MAIN STREET WATERFRONT HISTORIC DISTRICT COMMITTEE**

Taryn Thoman, 22 Mountain Ash Road, Marstons Mills as an alternate member to a term expiring 6/30/2014

**LAND ACQUISITION AND PRESERVATION COMMITTEE**

Farley Lewis, 22 Wachusett Ave, Hyannisport as a member to a term expiring 6/30/2014

**VOTE: Passes Unanimous**

**2014-060 APPROPRIATION OF \$125,000 COMMUNITY PRESERVATION FUNDS TO ACQUIRE 1.05 ACRES OF LAND OFF LUMBERT MILL ROAD (HARJU ROAD), CENTERVILLE FOR OPEN SPACE PURPOSES INTRO: 02/06/2014, 02/27/2014**

Open public hearing

Rationale given by Lindsey Counsell, Chairman of the Community Preservation Committee, gave a brief power point presentation.

Jackie Barton spoke of the importance to protect our property, a wellhead protection district, protect our water quality; I hope you will vote for this.

Close public hearing

Councilor Discussion and Questions: Who are the current owners? The Harju family owns this property. This property has been sitting here why now? Six offers in the first week that it was put up for sale. As open space are we allowed to put up a gate? Once purchased, we can put up a gate to close up the roadway, and move the parking area. Why is the cost so much more? A house could be built on this property. Great purchase.

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of G.L. c. 44B, the sum of One Hundred Twenty-five Thousand and NO/100 (\$125,000.00) Dollars be appropriated and transferred from the Open Space portion of the Community Preservation Fund; and that the Town Manager is authorized to contract for and expend the total amount appropriated, subject to oversight of the project expenses by the Community Preservation Committee, for the acquisition of 1.05 acres and other interests in land located off Lumbert Mill Road (Harju Road), map and parcel 147-079 (71 Harju Road) for the acquisition of open space and recreation and to grant conservation restrictions to government entities or nonprofit organizations.

**VOTE: 12 YES**

**2014-061 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 2/27/2014**

Upon a motion duly made and seconded it was

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

**COMMUNITY PRESERVATION COMMITTEE**

Deborah Converse, 558 Lumbert Mill Road, Centerville as a Barnstable Housing Authority representative member to a term expiring 6/30/2015

**OLD KING'S HIGHWAY HISTORIC DISTRICT COMMITTEE**

Paul Richard, 4022 Main Street, Cummaquid as an alternate member to a term expiring 6/30/2015

**VOTE: Passes Unanimous**

**2014-062 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 2/27/2014**

Upon a motion duly made and seconded it was

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

**ECONOMIC DEVELOPMENT COMMISSION**

Henry Farnham, 127 Coachman Lane, West Barnstable as a member with a term expiring 06/30/16

**HYANNIS MAIN STREET WATERFRONT HISTORIC DISTRICT COMMISSION**

Brenda Mazzeo, 145 East Bay Road, Osterville, from an alternate to a member with a term expiring 6/30/2014

**RENEWABLE ENERGY COMMISSION**

Andrew Z. Jaworski, 272 Craigville Beach Road, Hyannis as a member with a term expiring 6/30/2015

**VOTE: Continue to a second reading on March 6th**

**2014-063 ESTABLISHING A GIFT ACCOUNT FOR BARNSTABLE 375<sup>th</sup> ANNIVERSARY CELEBRATION INTRO: 02/27/2014**

Lynne Poyant, Community Services Director, gave the rationale.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council, pursuant to the provisions of G.L. c. 44 §53A, hereby establish a dedicated gift account for the purpose of paying for expenditures associated with the Barnstable 375<sup>th</sup> anniversary celebration and hereby authorize the Director of Community Services Lynne Poyant to approve the expenditure of monies from said gift account for that purpose.

**VOTE: Passes Unanimous**

**TOWN MANAGER COMMUNICATIONS:**

Highlighted some of the issues on Exhibit D

- Position for Director of Regulatory Services posted
- Visioning Session
- East Bay Boat Ramp on schedule
- Municipal Performance Management Program
- Interviewed two firms on “e” permitting
- On line application launched by Human Resources
- Sandra Perry retiring from Barnstable Housing Authority
- Reminder to please send back your Census forms
- Barnstable wears red day
- Barnstable 375<sup>th</sup> Committee has launched its website
- Capital Improvement Plan report by CFAC
- Trust Fund Advisory Committee will begin disbursing those dollars

Do we have a date when the shooting range will be opening? More should be known by the March 6<sup>th</sup> Town Council meeting.

**ADJOURNMENT:**

Upon a motion duly made and seconded it was

**VOTED to adjourn.**

**Unanimous**

**Adjourned at 10:01 PM**

Respectfully submitted,

Ann M. Quirk, CMC  
Town Clerk – Town of Barnstable

**NEXT REGULAR MEETING: March 6, 2014**

Exhibits:

- A Invitation to Pay As You Throw
- B Trust Fund Advisory Committee
- C Town Manager Communications