



Town Council Meeting September 4, 2014



A quorum being duly present, Council President Jessica Rapp Grassetti called the September 4, 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 Grassetti 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., William Crocker, Jr., Jennifer Cullum, Sara Cushing, Debra Dagwan Jessica Rapp Grassetti, Paul Hebert, John Norman, Eric Steinhilber, James Tinsley, Jr., Philip Wallace.

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

President Rapp Grassetti welcomed the 2014 Massachusetts Little League State Champions and their Coach Joe Burke. President Rapp Grassetti and Vice-President Canedy handed out certificates to the team. Coach Burke mentioned there were 240 teams vying for the regional playoffs. He thanked the Town and its residents for supporting the team.

PUBLIC COMMENT:

Rene King, member of the Recreation Commission, mentioned she was also speaking on behalf of Kathy Pena, who was a member of the Skating Rink Sub Committee, said they were in full support of the agenda item for rehabilitation of the Skate Park.

Kevin Turner, Chairman of the Barnstable Recreation Commission supported this rehabilitation for the skate park as the youth needed this park. He hoped Council would vote to support as well.

Kevin Lyons spoke about the gun range. He noted hunting was a passive recreation and permitted on W. Barnstable Conservation Land. However he commented the construction of a facility that involves the illegal clearing and cutting of State protected conservation land was a different story. He felt the Town should not continue with the disposal of 16.3 acres of conservation land.

Molly Sprawl, a teacher in the Barnstable Public Schools, spoke about Cross Street and access to Long Beach. She hoped Council would utilize Community Preservation Funds to honor the efforts of many and stand up to the unreasonable requests of an individual.

Michelle Dune felt Long Beach was irreplaceable for its beauty. She mentioned Community Preservation Commission had funding since last November 2013 to purchase the land by eminent domain. She urged Council to act now and preserve Cross Street using Community Preservation Funds.

Joe O'Brien, Vice-Chairman of the Recreation Committee, asked Council for approval of the rehabilitation of the skate park. He added he was supportive of the Little League improvements and hoped Council would approve them.

Hilary Saddler and on behalf of several hundred residents, urged Council to vote against the shooting range.

Chuck Tuttle opposed the closing the access to Long Beach and was supportive of utilizing Community Preservation Funds to purchase this land.

Kris Clark on behalf of the W. Barnstable Village Festival Committee thanked the volunteers and supporters of the festival. She also thanked the Town, Town Manager and Staff for all their help and support. However she felt the tent permitting process needed improvements and hoped this would be addressed.

Sue Rohrbach, a Long Beach user and member of the Preservation Committee, she felt it was sad to not have access to this beautiful Long Beach land. She felt the community wanted the land back and urged Council to acquire the property for the community.

Al Baker, a former member of Department of Public Works Commission asked to be reinstated to the Department of Public Works Commission. He mentioned Village Day in Marston Mills – September 7th. He added regarding earlier discussion of Cross Street that ways to water should be protected.

Shirley Fisher asked for clarification of the process for Cross Street now that the Town's appeal was denied at the State level.

Brian Mannal, State Representative for the Second Barnstable District, gave an update on the Home Rule Petition filed on July 22nd. He added House Bill 4346 had passed in the House and was on its way to the Senate for approval. He was supportive of funding for the baseball fields and hoped Council would approve the agenda item.

Mike Dybe felt that gun range should be moved to another property and the conservation land should stay conservation land.

Jake Chaplin felt there should be public access to water and it should be available at a decent rate. He added \$20 was expensive to park at the beach.

Sue Lakes inquired about contamination in the soil and ground water due to the shooting range. She also mentioned the property values declining due to the shooting range.

Katrina Hannigan felt the shooting range should be closed. She mentioned the shooting range was actively utilized by military and police and it was very loud.

Mark Rovzau supported the shooting range. He mentioned steel shotgun jackets and full metal jacket bullets would not contaminant the soil or ground.

Close public comment.

COUNCIL RESPONSE TO PUBLIC COMMENT:

Councilor Dagwan:

- The improvements to the skate park were fantastic for the community.

Councilor (W) Crocker:

- Thanked Representatives Cleon Turner, Brian Mannal, the Roads Committee and all others for supporting the Home Rule Petition.
- Letter to Cape and Island District Senator Dan Wolfe.

Councilor Rapp Grassetti:

- If Councilor (W) Crocker drafted the letter then she would sign it.

Councilor Hebert:

- Thanked everyone who has come to a Council meeting and said Council is listening to your comments.
- More understanding needed regarding the shooting range.

Councilor Collum:

- Thanked and congratulated the Little League on their win.
- Voted to protect the way to water at Cross Street and would continue to support it.
- The Horace Mann playground looked great.

Councilor Cushing:

- Supported opening the shooting range with safety and water as top priorities.
- Council was listening to the issues with Cross Street.
- August 7th Barnstable Senior Center comments were not representative of the whole group at the senior center.

Councilor (J) Crocker:

- Disappointment regarding the permitting tent process. He mentioned there was an upcoming Executive Session.

Councilor Canedy:

- E-permitting, the new hire at licensing, local village festival.

Councilor Chirigotis:

- Loss of public access to a water way was a very important issue.

Councilor Wallace:

- Opposed to the swap of land and to the shooting range.
- Supported the idea of indoor shooting ranges.

Councilor Hebert:

- Lead has polluted the soil and was concerned.
- Did not want to pay for the running of the site.

ACT ON MINUTES: Upon a motion duly made and seconded it was voted to approve the minutes of the August 7th, 2014 meeting as written.

Councilor Cushing abstained from voting because she was not in attendance during the August 7th, 2014 meeting. Councilor Steinhilber abstained as well from voting on the approval of the August 7th, 2014 meeting minutes.

VOTE: Passes 11 Yes, two abstentions (Cushing and Steinhilber)

COMMUNICATIONS – from elected officials, boards, committees, staff, commission reports, correspondence and announcements

Phil Boudreau, Chair of Citizen Advisory Committee (CAC), spoke about the Comprehensive Waste Water Nutrient Management Planning Project (CWMP) and acknowledged Lindsey Counsell, Vice-Chair of the Citizen Advisory Committee who was in the audience. He spoke about the initial completed work regarding analysis of the Town’s waste water and storm water discharges as it related to the degradation of the south facing coastal estuaries, inlet wetlands and ponds and drinking water supplies. He discussed the 208 Planning Process developed by the Cape Cod Commission who was working with the Federal Environmental Protection Agency and the Massachusetts Department of Environmental Protection.

He noted ordinance language was being finalized in anticipation of presenting it to Council regarding fertilizer use. He added they were investigating future ways to expand shellfish agricultures.

He inquired about a Council liaison who could attend meetings during the extensive proposal phase. Vice-President Canedy volunteered to be the Council liaison to the CAC. He mentioned the October 7th Cape Cod Commission meeting which was open to the public.

Councilor Discussion and Comment:

Please elaborate on your future activities [finding land stocks for well generation and interconnection with other districts]

Councilors announced many upcoming events at several different venues:

Village Day Sunday September 7th; Barnstable Senior Center with University of Massachusetts Boston on a needs assessment will be hosting 2 community forms Tuesday October 7th RSVPS is requested; Remembrance of 9/11 Barnstable at 9:55 AM and 4:00 PM short service with procession to St. Mary’s Church for a service and reception; retirement of Ed Maroney, editor of the Barnstable Patriot; tickets were on sale at the Town Clerk’s Office or Cape Symphony web site for the Barnstable @ 375 with the Cape Symphony on September 21st.

ORDERS OF THE DAY:

2015-007	APPROPRIATION OF \$71,911.00 COMMUNITY PRESERVATION FUNDS FOR REHABILITATION OF THE SKATE PARK AND THE BASKETBALL COURTS AT BARNSTABLE COMMUNITY HORACE MANN CHARTER PUBLIC SCHOOL (BCHMCPs), HYANNIS. INTRO: 08/07/14
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Lindsey Counsell, Chairman of the Community Preservation Committee said the Community Preservation Committee voted unanimously on July 28, 2014 to recommend the Barnstable Town Council support the request of the Recreation Division for \$71, 911.00 for the upgrade and restoration of the Skate Park and basket ball courts at Barnstable Community Horace Mann Charter Public School. He explained additional funding through the sale of skate ramps and matching funds.

Patti Machado, Director of Leisure Services, highlighted the PowerPoint Presentation and introduced Skate Park staff who explained how needed the improvement were to the skate park and the community.

Councilor Discussion and Comment:

What are the ages of the skate park participants? [All ages of children and adults] Is there equipment available at Skate Park [Yes helmets, knee pads and elbow pads] Are there places for parents to sit and watch their children? [Skate Park never discourages parents from watching and will look into sitting areas]

Upon a motion duly made and seconded it was

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c44B, the sum of seventy one thousand nine hundred and eleven and NO/100 (\$71,911.00) Dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund; and that the Town Manager is authorized to contract for and expend the appropriation for the purpose of rehabilitation consisting of capital improvements to the skate park located at the Hyannis Youth and Community Center and the basketball courts located at the Barnstable Community Horace Mann Charter Public School (BCHMCPS) in Hyannis, and accept any related gifts and grants, subject to the oversight of the Community Preservation Committee.

VOTE: (Roll Call) 13 YES

2015-008	APPROPRIATION OF \$100,000.00 COMMUNITY PRESERVATION FUNDS FOR CREATION OF NEW LITTLE LEAGUE FIELD AT BARNSTABLE COMMUNITY HORACE MANN CHARTER PUBLIC SCHOOL (BCHMCPS), HYANNIS. INTRO: 08/07/14
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Lindsey Counsell, Chairman of the Community Preservation Committee said the Community Preservation Committee voted unanimously on July 28, 2014 to recommend the Barnstable Town Council support the request of the Barnstable Little League for \$100,000 of Community Preservation Funds for the construction of a regulation little league baseball field behind the Barnstable Community Horace Mann Charter Public School. He mentioned there were matching funds and in kind donations to offset the cost of construction. He added the Barnstable Little League has consented to the perpetual maintenance of the field.

Michael Clark, representing the Barnstable Little League thanked the Town Council and mentioned supporters of this project.

Ed Pesci, of Pesci Associates highlighted a PowerPoint Presentation and felt this was a great community project.

Councilor Discussion and Comment:

Questions about the agreement between the School Committee and the Town [same agreement as other fields]

Upon a motion duly made and seconded it was

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c44B, the sum of one hundred thousand and NO/100 (\$100,000.00) Dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund; and that the Town Manager is authorized to expend the appropriation for the purpose of creating recreational land, namely a new regulation little league baseball field to be located at the Barnstable Community Horace Mann Charter Public School (BCHMCPS) in Hyannis, and to accept any related gifts or grants, subject to the oversight of the Community Preservation Committee.

VOTE: (Roll Call) 13 YES

2015-010	APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 09/06/14
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Councilor Discussion and Comment:

Questions regarding alternate serving on Department of Public Works Commission [Consider amending for alternate position] Bifurcation regarding the one position open on the Department of Public Works.

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:

AIRPORT COMMISSION

Stephen Cobb, 1125 Service Road, West Barnstable as a member to a term expiring 6/30/2017

BOARD OF ASSESSORS

John Wargin, 40 Captain Loring Lane, Barnstable as a member to a term expiring 6/30/2017

COMPREHENSIVE FINANCIAL ADVISORY BOARD

Cynthia Crossman, 29 Oakmont Road, Cummaquid as a member to a term expiring 6/30/2016

PUBLIC WORKS COMMISSION

Michael VanKleef, 328 Arrowhead Drive, Hyannis as a member to a term expiring 6/30/2016

RENEWABLE ENERGY COMMISSION

Michael VanKleef, 328 Arrowhead Drive, Hyannis as a member to a term expiring 6/30/2017

VOTE: Passes Unanimous

2015-011 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION. INTRO: 09/04/14

Upon a motion duly made and seconded it was

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

CULTURAL COUNCIL

Elise McMullin, 125 Marquand Drive, Marstons Mills as a member to a term expiring 6/30/2015

HISTORICAL COMMISSION

Nancy Shoemaker, 21 Meadow Lane, West Barnstable as a member to a term expiring 6/30/2015

Laurie Young, 142 Great Bay Road, Osterville as a member to a term expiring 6/30/2015

HUMAN SERVICES

Royden Richardson, 9 Park Avenue, Centerville as a member to a term expiring 6/30/2015

HYANNIS MAIN STREET WATERFRONT HISTORIC DISTRICT COMMISSION

Joseph A Cotellessa, 65 Sylvan Drive, Hyannis as a member to a term expiring 6/30/2015

Taryn Thoman, 22 Mountain Ash Road, Marstons Mills as a member to a term expiring 6/30/2015

PUBLIC WORKS COMMISSION

Dr. Paul Canniff, 106 Hayes Road, Centerville as a member to a term expiring 6/30/2015

Councilor Chirigotis abstained from voting on agenda item 2015-011.

VOTE: Passes 12 Yes, one abstention (Chirigotis)

2015-012 ACCEPTANCE OF A GIFT IN THE AMOUNT OF \$10,000(TEN THOUSAND) FROM THE FRIENDS OF THE BARNSTABLE COUNCIL ON AGING TO SUPPORT A NEEDS ASSESSMENT STUDY FOR THE SENIOR SERVICES DIVISION. INTRO: 09/04/14

Lynne Poyant, Director of Community Services, felt the needs assessment was important due to the changing needs of our senior citizens.

Upon a motion duly made and seconded it was

RESOLVED: That the Town of Barnstable hereby accept a gift in the amount of \$10,000 from the Friends of the Barnstable Council on Aging to support a needs assessment study for the Senior Services Division and that the Town Manager is authorized to expend the grant monies for the purpose specified therein

VOTE: Passes Unanimous

2015-013 ACCEPTANCE OF A GIFT IN THE AMOUNT OF \$4,000 (FOUR THOUSAND) FROM THE MASSACHUSETTS ASSOCIATION OF COUNCIL ON AGING AND THE EXECUTIVE OFFICE OF ELDER AFFAIRS TO IMPLEMENT THE AGING MASTERY PROGRAM BARNSTABLE SENIOR CENTER. INTRO: 09/04/14

Lynne Poyant, Director of Community Services, introduced Madeleine Noonan, who will conduct a Master Class on Aging, and mentioned the course work; core topics and graduation for all who will complete the course work.

Councilor Discussion and Comment:

How soon will the program start? [October 14]

Upon a motion duly made and seconded it was

RESOLVED: That the Town of Barnstable hereby accept a gift in the amount of \$4,000 from the Massachusetts Association of Council on Aging and the Executive Office of Elder Affairs to support the implementation of the Aging Mastery Program at the Barnstable Senior Center and that the Town Manager is authorized to expend the grant monies for the purpose specified therein

VOTE: Passes Unanimous

2015-014 ACCEPTANCE OF \$50,000 (FIFTY THOUSAND)GRANT FROM THE MASSACHUSETTS DEPARTMENT OF ENERGY RESOURCES FOR THE PURPOSE OF CONDUCTING A FEASIBILITY STUDY OF A WASTE WATER ENERGY RECOVERY (WWER) TECHNOLOGY. INTRO: 09/04/14

Daniel Santos, Director of Public Works, discussed competitive grant award and the installation of a heat pump.

Councilor Discussion and Comment:

Do grants come with conditions? [\$35,000 for grant and \$15,000 for feasibility study]

Upon a motion duly made and seconded it was

RESOLVED, that the Town Council hereby accepts a grant award in the amount of \$50,000.00 from the Massachusetts Department of Energy Resources, and that the Town Manager is authorized to expend the grant monies for the purpose specified therein

VOTE: Passes Unanimous

ASSISTANT TOWN MANAGER COMMUNICATIONS:

- Centerville Civic Center
- Best of Cape Cod Lifeguards – Barnstable 1st in Division
- E-permitting selection process
- Annual Village Osterville meeting
- Stone Antiques demolished
- August 27th first day of school
- August 30th Fireworks great success

Councilor Discussion and Comment:

Councilor Steinhilber mentioned the unique field in back of the little league field was very important.

Councilor Tinsley suggested fireworks at the end of summer possibly on the Labor Day weekend.

Councilor Dagwan agreed with Councilor Tinsley's suggestion.

ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED to adjourn.

Unanimous

Adjourned at 10:15 PM

Respectfully submitted,

Janet E. Murphy

Assistant Town Clerk – Town of Barnstable

NEXT REGULAR MEETING: September 18, 2014

EXHIBITS

A Skate Park Presentation