



**TOWN COUNCIL  
MEETING AGENDA  
October 18, 2012**

**A** quorum being duly present, Council President Frederick Chirigotis called the October 18, 2012 Regular Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

**PRESENT:** Janice Barton, Ann Canedy, Frederick Chirigotis, James Cote, Jennifer Cullum, Debra Dagwan, June Daley, Jessica Rapp Grassetto, Michael Hersey, Janet Joakim, Thomas Rugo, James Tinsley, Jr. **Absent:** John Norman

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

**Wastewater follow-up—Cape Cod Water Protection Collaborative Executive Director Andrew Gottlieb**

(See two handouts attached) – Ex. Director Gottlieb presented an update on the county work regarding the Wastewater Management issue.

Highlights:

- The charge of the county role
- County's record in supporting local wastewater efforts
- Challenges
  - Prop 2 ½
  - Inter-municipal cooperation
  - Resource constraints
  - Regulatory constraints
- Direction for Final Recommendation
- Summary of Initial Recommendations
  - County builds upon but doesn't supplant local initiatives
  - County role should facilitate local discussions to identify solutions for environmental protection

Asst. Town Manager Mark Ells said he is the representative to the Wastewater Collaborative. He would like feedback from the Councilors to take back to the governing board. They are preparing a comprehensive water management plan. The CAC is working on it. Phil Boudreau of the CAC will give an update in December.

Councilors: Dagwan, Daley, Canedy, Chirigotis, Rapp Grassetto and Cullum discussed:

- Possible EPA watershed grant. Gottlieb said the county may look at engineering for Barnstable and Yarmouth issue – he is not sure of grant.

- Districts? The county will not recommend any free standing taxing authority. The county cannot create a district or operate any facility.
- Communication is important. Suggested the county inform the councilors so they can inform their constituents of local meetings; send info to Council office and they will disburse it.
- Upcoming conference in Hyannis dealing with this issue and Asst. Manager Ells will attend.
- County not associated with any emails on wastewater.

### **Health Insurance Update**

Town Manager Thomas Lynch introduced: Deborah Blanchette, Mark Milne, William Cole  
 Lynch noted the health plan design change in spring where questions were raised and the town's commitment to come back with possible solutions for a better program

He introduced Longfellow Benefits Principal Pat Haraden, a Principal in the company, who and does not have any association with any health care providers. Haraden made the presentation.

(See Exhibits Attached)

#### Process

- Evaluated financial participation – last 3 years
  - Benefits of being in CCMHG – talked to departments & carriers
  - Analyzed
  - Looked at other groups and stand alone programs
  - Town has been in CCMHG since 1987 –
  - He reviewed current enrollment
  - CCMHG paid out more in claims than they collected from us
  - CCMHG also provided other benefits from My Medication Advisor Program, etc.
  - Looked at claim dollars and 56.9% of dollars were paid to Cape Cod Healthcare.
  - Reviewed alternatives – GIC had savings others did not
  - GIC had no Blue Cross plans is looking into possibly adding them but not sure if they will and costs involved. – would cost more if people utilized Cape Cod Healthcare;
- Summarize – town getting \$3.7 - \$4.7 M financial benefit by staying with CCMHG.

Alternative groups would cost more

Councilors: Rugo, Tinsley, Rapp Grassetti, Canedy questioned:

- Comparison of costs by town. Town contributes 50%. Brewster 75%, Chatham 70%, Dennis 60%, Falmouth 50%, 50% and 75%, Sandwich 75%, Yarmouth 50%, with teachers receiving 60%.
- Why do employees have to have proof of spouse and dependents? Dependent audit is ordered by State law. You have to prove your dependents to make sure that all are qualified to be on the insurance policy.
- What is the cost to the town for every 10% increase - \$1.3 - \$1.4 million?
- Suggestions to help employees with increased costs. Bill Cole, HR Director – negotiated with employees – mitigation funds – the money will be given to the employees impacted by the change. Suggestion – utilize flexible spending account. – preventive services have no co-pays. – Use Medication Advisor
- Possible work to be done between CCMHG and Cape Cod Healthcare to bring down costs of services
- Cost for just teachers to get 60 %

President Chirigotis made the meeting announcement for the broadcast by Channel 18 and asked if anyone was taping the meeting.

## **PUBLIC COMMENT**

Milton Berglund – talked about the 5 ordinances that are coming before the council and are to be referred, specifically the rental properties; (more single family homes being used, overcrowded, noise, lack of maintenance, property values going down). Ordinances are to plug loopholes. Recoup cost of repeated police calls to properties.

John Crowe worked on a task force, lives off Main St. in Osterville. can't enjoy his property. Adjacent properties include a party house and career criminal. Over 300 people have "had" it. Please take these seriously...we are not targeting the average citizens.

Elizabeth Wurfbein is excited about the new ordinances and adjustments – feels it would benefit the town. The Chamber supports the changes. The BID district supports the National Geographic Pirate Museum possibility for the Armory. It is private investment.

Meg Loughran stated that the Centerville Civic Association supports the ordinance changes.

## **COUNCIL RESPONSE TO PUBLIC COMMENT**

Councilor Canedy wants to have a broader council discussion on the Armory. Manager Lynch is getting ready for an RFP so that those interested can come back with their proposals. President Chirigotis cautioned that we have to be careful about playing our hand in public.

Councilor Cullum said downtown Main St is going forward – let's keep it rolling

Councilor Dagwan said she was pleased with the new ordinances. She knows many have problems with funds. Thanked the civic association and those who worked on it.

Councilor Cullum thanked as well.

## **ACT ON MINUTES**

Upon motion duly made and seconded it was voted to approve the minutes of October 4, 2012

**VOTED: 12 yes**

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

Vice President Barton announced School Committee elected Margot Weber, Chair and Stephanie Ellis, Vice Chair.

Looking for homework help at HYCC – Councilor Tinsley asked for those interested to contact him.

Councilor Daley invited folks on Sunday to ride the train from West Barnstable - begins at 2 p.m.

Councilor Dagwan noted that the Recreation Com. has completed facility tours. Have about 100 more students this year in their programs. Looking forward to the dog park opening.

## **ORDERS OF THE DAY**

### **OLD BUSINESS**

<b>2013-001 AMENDING C.240, ART III, §240-35.f (2) OF THE ZONING ORDINANCE – INTRO: 7/12/12, 10/04/12/10/18/12</b>
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Upon motion duly made and seconded it was voted to postpone this item to November 15, 2012 at the request of the proponent.

**VOTE: Unanimous**

<b>2013-025 APPROVAL OF A CONSERVATION RESTRICTION IN WEST BARNSTABLE ON MAP 197, PARCEL 016 TO BARNSTABLE LAND TRUST, INC. – INTRO: 10-04-12, 10-18-12</b>
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Mark Robinson and Jackie Barton were present. Mark represented the Orenda Wildlife Land Trust and Jackie Barton was from the Barnstable Land Trust. He explained this parcel which is the site of the former West Barnstable brick factory.

Councilor Canedy and Daley:

- Questions tax impact and accessibility. This restriction makes no difference on the tax roles. There is a tax credit available to those who give it. It is accessible but not easily due to railroad track – but can be accessed by kayak.

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

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**RESOLVED**, that the Town Council approve a Conservation Restriction from Orenda Wildlife Land Trust, Inc. (grantor) to the Barnstable Land Trust, Inc. (grantee), over approximately 6.97 acres of land off Main Street/Route 6A in West Barnstable, Map 197 Parcel 016, for conservation purposes.

**VOTED: Unanimous in favor**

**2013-026 APPROVAL OF A CONSERVATION RESTRICTION IN SHALLOW POND, CENTERVILLE ON MAP 253, PARCEL 006, TO BARNSTABLE LAND TRUST, INC. INTRO: 10/4/12, 10/18/12**

Mark Robinson explained the property – an island in Shallow Pond. This was sold and the seller will get a tax credit. They plan to allow access in small groups to certain areas.

Councilor Canedy and Joakim discussed:

- Access – will it be posted no trespassing? Access available through group visits. Not going to be posted

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

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**RESOLVED**, that the Town Council approve a Conservation Restriction from Orenda Wildlife Land Trust, Inc. (grantor) to the Barnstable Land Trust, Inc. (grantee), over a 0.68-acre island in Shallow Pond in Centerville, 0 Huckins Neck Road, Town of Barnstable Assessor's Map 253, Parcel 006, for conservation purposes.

**VOTED: 10 yes 2 no (Joakim and Chirigotis)**

## **NEW BUSINESS**

**2013-027 ACCEPTANCE OF A \$120,088 FY13 STATE 9-1-1 DEPT. TRAINING EMD GRANT INTRO: 10/18/12**

Dept. Chief Tamash said they have received the grant before – he explained the Public Safety Answering Point.

Councilor Tinsley questioned:

- Bilingual dispatchers – through the 911 system we can bring translators in 120 different languages.

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

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**RESOLVED:** That the Town Council hereby accepts a FY2013 State 911 Department Training and Emergency Medical Dispatch Grant award in the amount of \$120,088 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security.

**VOTED: Unanimous**

**2013-028 ACCEPTANCE OF A \$6,000 GRANT FROM ELDER SERVICES OF CAPE COD FOR TRANSPORTATION SERVICES FOR THE ELDERLY – INTRO: 10/18/12**

Lynne Poyant, Director of Community. Services explained that this is to fund the Silver Express van – 5,616 trips last year...grateful for it.

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

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**RESOLVED:** That the Town of Barnstable hereby accept a grant in the amount of \$6,000 to support the ongoing provision of transportation services to local seniors and authorize the expenditure of monies for that purpose.

**VOTED: Unanimous**

**2013-029 ACCEPTANCE OF A \$89,915 EXECUTIVE OFFICE OF ELDER AFFAIRS GRANT TO SUPPORT STAFF SALARIES AT THE SENIOR CENTER INTRO: 10/18/12**

Ms. Poyant said this is based on a formula per senior.

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

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**RESOLVED:** That the Town of Barnstable hereby accepts a grant of \$89,915 from the Executive Office of Elder Affairs to support staff salaries and programs of the Barnstable Senior Center.

**VOTED: unanimous**

**2013-030 ACCEPTANCE OF A \$500 GRANT FROM THE CAPE CONSORTIUM FOR AT RISK ELDERS TO SUPPORT OUTREACH TO ELDERS – INTRO: 10/18/12**

Ms. Poyant noted programs that will benefit from this.

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

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**RESOLVED:** That the Town of Barnstable hereby accepts a grant of \$500 to the Town of Barnstable Senior Services Division from the Cape Consortium for At Risk Elders to support outreach efforts to seniors.

**VOTED: Unanimous**

**2013-031 AMENDING CODE OF BARNSTABLE GENERAL ORDINANCES BY INSERTING  
"CHAPTER 160. PROBLEM PROPERTIES" – INTRO: 10/18/12**

Two typos were noted on page 19: After the words "set forth in" add "Section C." After Town Manager it should say "his or her designee". Councilors concurred.

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

**VOTE: Unanimous**

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on November 1, 2012.

**VOTE: Unanimous**

**2013-032 AMENDING CODE OF BARNSTABLE GENERAL ORDINANCES BY  
INSERTING, "CHAPTER 54. BUILDING AND PROPERTY MAINTENANCE" –  
INTRO: 10/18/12**

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on November 1, 2012.

**VOTE: Unanimous**

**2013-033 AMENDING CODE OF BARNSTABLE GENERAL ORDINANCES C. 59,  
COMPREHENSIVE OCCUPANCY – INTRO: 10/18/12**

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on November 1, 2012.

**VOTE: Unanimous**

**2013-034 AMENDING CODE OF BARNSTABLE GENERAL ORDINANCES CHAPTER  
170, RENTAL PROPERTIES – INTRO: 10/18/12**

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on November 1, 2012.

**VOTE: Unanimous**

**2013-035 AMENDING THE CODE OF BARNSTABLE GENERAL ORDINANCES  
CHAPTER 133, NOISE – INTRO: 10/18/12**

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on November 1, 2012.

**VOTE: Unanimous**

**2013-036 ACCEPTANCE OF A \$7,000 GRANT AWARD FROM CC CHAMBER OF  
COMMERCE, REGIONAL ECONOMIC DEVELOPMENT ORGANIZATION –  
INTRO: 10/18/12**

Joanne Miller Buntich, Director of Growth Management explained that this is to partially pay for a consultant and they hope to get an additional grant.

Councilors Canedy and Hersey questioned:

- Additional appropriations – no.
- Approximate cost - \$25,000 to \$30,000

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

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**RESOLVED:** That the Town Council does hereby accept the grant award in the amount of \$7,000 from the Cape Cod Chamber of Commerce, Commonwealth designated Regional Economic Development Organization fund for the purpose of hiring a qualified professional to analyze the residential rental real estate market in downtown Hyannis and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

**VOTED: Unanimous in favor**

**2013-037 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION – INTRO: 10/18/12**

Upon motion duly made and seconded it was voted to refer these appointments to a second reading

**VOTE: Unanimous to refer to 11/1**

**2013-038 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION – INTRO: 10/18/12**

By consensus a typo was corrected on Thomas Mullen's appointment to end in 2015.

Upon motion duly made and seconded it was voted to refer this item as corrected to a second reading

**VOTE: Unanimous to refer to 11/1**

**2013-039 TRANSFER \$300,000 OF THE ACCOUNT BALANCE APPROPRIATION ORDER 2009-094 BARNSTABLE HARBOR BULKHEAD, TO DREDGE BARNSTABLE HARBOR – INTRO: 10/18/12**

Upon motion duly made and seconded it was voted to open a public hearing and having no comment a motion was duly made and seconded to close said public hearing.

**VOTE: Unanimous consent on opening and closing**

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

**VOTE: Unanimous**

**ORDERED:** That the Town Council transfer \$300,000 of the account balance of Appropriation Order 2009-094, Barnstable Harbor Bulkhead, to be used in conjunction with the



Massachusetts State Grant received for the former Bulkhead Project, said funds to be used for the dredging of the Barnstable Harbor, and that the Town Manager be authorized to contract for and expend the funds for this purpose.

**VOTE: Unanimous**

## **TOWN MANAGER COMMUNICATIONS**

Manager Lynch

- Received recreation facility report is
- Armory RFP – he is working on a timeline
- Budget instructions have gone out to all staff
- Met with various committees and individuals
- He sent a Cape Net fact sheet to each councilor
- One flu shot clinic has been held there is another one coming up – Nov 7<sup>th</sup> 9:30 – 11:30 at St. George Greek Orthodox Church

## **ADJOURNMENT**

Upon motion duly made and seconded it was

VOTED: to adjourn.

**ADJOURNED: AT 9:20 p.m.**

Respectfully submitted,

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

Attachments:

- ✓ Wastewater PowerPoint copy
- ✓ Letter from County on wastewater
- ✓ Folder on Healthcare summary



**NEXT REGULAR MEETING: November 1, 2012**