

Town Council Meeting
October 6, 2016



A quorum being duly present, Council President Jessica Rapp Grassetti called the October 6, 2016, 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: Frederick Chirigotis, James Crocker, Jr., William Crocker, Jr., Jennifer Cullum, Sara Cushing (7:04 p.m.), Debra Dagwan, John Flores, 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

PUBLIC COMMENT:

Robert Sanborn from Cape Cod Tech regarding the Massachusetts School Building Project, gave an overview of the time line of the project (Exhibit A)

Patrick Page stated on September 26th two more samples were taken at his property, and the results shows the town is in reckless disregard of his property. We have asked for help from the town. I have a problem with you people. (Exhibit B)

Peter Cross asked for support of the Hyannis Fire district building project (Exhibit C)

Laura Cronin came in support of the Hyannis Fire District

Brendan Clark explained that the Youth Commission supports the initiative that will be announced tonight, but he does not want to spoil the surprise that will be announced by Councilors Cushing and Cullum. The Youth Commission fully endorses the announcement.

Close Public Comment

COUNCIL RESPONSE TO PUBLIC COMMENT:

Councilor Hebert the Tech School is an asset. Does the Board of Health have a copy of the report from Patrick Page?

Councilor Cushing regarding the changes anticipated by the Cape Cod Tech, could you reeducated us on the process, how that works, and regarding the budget.[Mark Ells, Town Manager, is a representative on the design board. We are assessed based on the number of students we send to Cape Tech. The assessment from the Cape Tech is paid each year] [Debt exclusion vote for the upgrade of the school].

Councilor Flores, would like more information on keeping the kids in the school district. Is there a procurement process? [Ells, yes, step by step through the process will send the link to everyone, will ask Mr. Sanborn to come in and give us updates] also regarding the opening on the school board for the Tech, make sure it is posted and transparent.

Councilor Cullum said the Tech School fills a very important need in our community, wants to be a supportive as possible

Councilor (J) Crocker, wants the information from Patrick Page sent to Mass DOT to Cape Cod Community College, and the YMCA, all these people should have a copy of it.

TOWN MANAGER COMMUNICATIONS:

Mark Ells, Town Manager gave a summary of his items:

Budget Calendar on the website

DPW-Hyannis Well fields

Water Resource Development Act

Completed survey of the Shooting Range, hearing in October

Formal discussion on the "memorandum of understanding"

Strawberry Hill Road and Route 28, DOT requesting a temporary easement for three years on a piece of property

Plastic bag order went into effect

Natural Resources has posted the changes to shell fishing

Ells asked Assistant Town Attorney McLaughlin to tell the Council the latest information;

[McLaughlin stated Cape Wind has requested to withdraw their appeals with prejudice.

All state permits are now void. We will continue to have discussions, state litigation is over.]

Councilor Comments and Questions:

Plastic bag violations-are all violations handled as instructive instead of punitive; the property we are seeking an easement from is that privately owned property, is it a business or home? [Currently leased by CVS from a private owner] Hope we can proceed more quickly [Ells, through my office we have asked for a verbal communication] can you be more specific due to lack of time? [We have tried to reach the owner; I do not want this project to end] Poor planning on the part of the DOT, who else do we need to involve; perhaps when you have a meeting with Rep. Keating this could be on the agenda. Plastic bag ban, do we have plastic bag ban police; how do you process the issues; [Richard Scali, many businesses have complied, we have a micrometer that measures the bags; we give a warning] Can we put the first reading on for the next possible date, regarding a public safety issue; running out of options.

ACT ON MINUTES: Upon a motion duly made and seconded it was voted to approve the minutes of the September 29, 2016 meeting.

VOTE: PASSES UNANIMOUS

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

Councilor Cushing gave an update on communicating with children regarding drugs utilizing flyers to start a conversation. The posters are designed to encourage children and parents to talk about substance abuse. Councilors Cushing and Cullum are taking the lead and asked for support; posters will be put in municipal buildings and on Channel 18. They have received a great deal of support from the Town Manager, Chief of Police, Partnership for a Drug Free America, Barnstable Youth representation, YMCA, and the Superintendent of Schools; Brendan Clark is now an Ambassador to the MIAA; please look at the MIAA website. Where will we see these posters? [Posters will be at all the places where the children can see them, we hope these posters will spark a conversation.] President Rapp Grassetti announced a summit for parents to focus on substance abuse, a free summit on November 20th.

Councilor Dagwan (Human Rights Commission) attended a community conversation, including new police officers, and experienced police. We need to work together to help our community stay safe; need more minorities to become police officers.

Councilor Wallace recognized West Parish Church, reaching a milestone, the 400th anniversary of their first meeting in England.

Councilor Flores announced the dinner train fund raiser for the benefit of the BWB playground; and the Halloween costume parade in Barnstable.

Councilor Hebert suggested the drug abuse posters should go to the medical community, and thanked Councilor's Cullum and Cushing for their efforts.

Councilor Cullum noted that there are a lot of tentacles to this project; our logo is on the posters.

Councilor Dagwan attended the Duffy Center program working with teenagers in separate meetings; these teenagers have experienced substance abuse.

•Meg Mayo-Brown, Superintendent, Barnstable Public Schools

Meg Mayo-Brown gave an overview of her best practices part of which is to hear from everyone, where would we like to go together? Looking for feedback from the Councilors:

Educate the whole child, socially and emotionally;

Every child is meeting their potential at the highest level of excellence and challenge

Extra credit idea to have a Citizen's Academy for students

We want to keep the quality and variety of all our schools

Tradition of excellence, want to see the excellence continue you will have our support

Identifying leaders within the district to elevate the school and the success of the kids

We have a large senior population, would like to see an after school community program

Feedback from the Cape Cod Collaborative

Music program needs some focus

Introducing music to young children; reaching out to the Cape Cod Symphony; education piece regarding drugs to young children to stop it before it starts

First Friday of March, unplug day, for two days to unplug from their device, look into unplugged days.

Operational aspect, unfunded mandates, supported after school programs; AP programs; nutritional issues of the cafeteria

Room for many programs, spend time with the seniors, also the HYCC is a great place to start.

Engaging seniors and use their talents to help mentor children

2017-014 ORDINANCE FOR WAIVER OF FEES FOR CONSTRUCTION WORK ON THE NEW HYANNIS FIRE DISTRICT FIRE STATION, 95 HIGH SCHOOL ROAD, HYANNIS, MA INTRO: 09/15/16, 10/06/16

Peter Cross gave the rationale for this item

Open public hearing

Victor Skendi is grateful for the support of the Council; asking for relief for the taxpayers of Hyannis.

Peter Cross stated the Hyannis firehouse is the third busiest firehouse in the state of Massachusetts; we have many municipal buildings, the schools, the airport, not just the people who live in Hyannis. Help us build a new firehouse.

Close public comment.

Councilor questions and comments:

Believe there is precedence; 2007-118 for the Hyannis Youth and Community Center; in 2009-086 construction of water towers; contract for general contractor, will this come as a cost savings of the project not the contractor; [Cross, the fees will be written out, no windfall] going to support this tonight; mentioned nontaxable parcels, how many taxable parcels [Cross, somewhere around 8,000 properties, both business and residences] will support this item; multiple fees [asking you to waive the fees for whatever we would need for the building] Sees no additional inspectional costs to the town [Richard Scali, the time spent out there will be paid by the town] Hyannis enjoys the largest commercial businesses in Barnstable, improvement fees, are you looking to waive the fees for the connections to the water [Cross-yes, we are looking for that to be waived, no need to upgrade this facility] how far are we waiving? If the town has to go outside to hire someone to do the work; no anticipated fees, would feel more comfortable if something were stated in here [Town Attorney, Ruth Weil, prepared a substitute motion; that requires the district and the town to file an MOA (memorandum of agreement)]

A substitute motion was made and duly seconded it was

ORDERED: Section 1: Notwithstanding the provisions of any other ordinance of the Town regarding schedules of Fees, the construction project for the construction for a new fire station by the Hyannis Fire District shall hereby be exempt from payment of such fees.

Section 2: This ordinance shall not become effective until a Memorandum of Agreement between the Town of Barnstable and the Hyannis Fire District is executed and filed with the Barnstable Town Clerk in which the Hyannis Fire District agrees to pay any additional inspectional costs for the construction project for the construction of a new fire station.

Councilor questions and comments:

Supports the motion; no hard and fast numbers on here; very vague, what purpose is this serving [if we have to get an inspector from outside of Hyannis, this would all be spelled out in the MOA] The language in here is not specific enough. Can we attach an amount to this, instead of throwing this out; to clarify, we need this a little vague until we know what

the number will be; we are instructing management to waive the fees, there is no number yet, we are willing to waive the fees for our professionals but not outside professionals. Could we ask the fire district how they feel about this? [Cross-we have already agreed to this; we will sign this]

Move that we accept the substitute motion

VOTE: 11 YES, 3 NO (Dagwan, Norman, Flores)

Upon a motion duly made and seconded it was

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VOTE: PASSES 11 YES, 2 NO (Norman, Rapp Grasseti)

017-019 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 09/29/16, 10/06/16

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: **COMPREHENSIVE FINANCIAL**

ADVISORY COMMITTEE: Allen Fullerton, 144 Pheasant Hill Circle, Cotuit, MA as a regular member to a term expiring 06/30/19. **HUMAN SERVICE COMMITTEE:** Christopher McMillan, 21 Fur Lane, Osterville, MA as a regular member to a term expiring 06/30/19; Heather Strassel, 430 Popponessett Road, Cotuit, MA as a regular member to a term expiring 06/30/19.

VOTE: PASSES UNANIMOUS

2017-020 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 09/29/16, 10/06/16
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Upon a motion duly made and seconded it was

RESOLVED: That the Town Council reappoint the following individuals to a multiple-member board/committee/commission: **YOUTH COMMISSION:** Lianna Mitchell as a regular member to a term expiring 06/30/17; Matthew Hersey as a regular member to a term expiring 06/30/17.

VOTE: PASSES 12 YES (Tinsley off dais)

2017-024 ORDER TO APPROVE TERM OF CONTRACT CHANGE FOR HYANNIS GOLF COURSE GOLF CARTS INTRO: 09/29/16, 10/06/16

Lynne Poyant, Community Services Director gave the rationale; she explained the lease of golf carts at the Hyannis Golf Course; bids were received by two companies, greater discounts, New England Golf Cart gave us a significant reduction.

Councilor questions and comments:

What type of warranty comes with these carts [Bruce McIntyre, Director of Golf

Operations, a full service contract comes with the carts, maintain carts over the contract] Could you spell out the cost, is that per year [McIntyre - for full year] do you require carts to be used in the smmertime [no, we have tried to avoid that]

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby supports the acceptance of a term of contract change under the Massachusetts General Law (MGL) 30B, Uniform Procurement Act, Section 12, paragraph(b), which would allow the Hyannis Golf Course Golf Cart contract to be extended from three (3) years to five (5) years.

VOTE: PASSES UNANIMOUS

2017-025 RESOLVE TO CHANGE PRECINCT ELEVEN (11) POLLING LOCATION TO BARNSTABLE WEST BARNSTABLE ELEMENTARY SCHOOL, LOCATED AT 2463 MAIN STREET, WEST BARNSTABLE, MA 02668 INTRO: 10/06/2016

Councilor Philip Wallace gave the rationale

Councilor Comments and Questions:

Is this a temporary situation? [Ann Quirk, Town Clerk, we hope that this will be a temporary move] What other precinct had problems? [Quirk gave a breakdown of the issues in a few of the other precincts]

Upon a motion duly made and seconded it was

RESOLVED: The Barnstable Town Council does hereby change the polling location for Precinct Eleven (11) for the November 8, 2016 election to the Barnstable West Barnstable Elementary School located at 2463 Main Street, West Barnstable, MA 02668.

VOTE: PASSES UNANIMOUS

ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED to adjourn:

Adjourned at 9:25 PM

Respectfully submitted,

Ann M Quirk, CMC/CMMC
Town Clerk

NEXT REGULAR MEETING: October 20, 2016

EXHIBITS:

- A Cape Cod Technical High School
- B Patrick Page-Envirotech Laboratories
- C Hyannis Fire District