

**Committee to Review the Purpose, Composition, Functionality and Effectiveness of the Standing
Committees of the Town**

Selectmen's Conference Room 2nd Floor Town Hall Building
367 Main Street Hyannis, MA 02601

July 21, 2025
5:00pm

Vice President Kris Clark
Councilor Kristin Terkelsen
Councilor Seth Burdick
Councilor John Crow
Councilor Betty Ludtke

MEETING MINUTES

Chair of Committee, Councilor John Crow, opened the meeting at 5:00pm and made the following announcement:

This meeting is being recorded and will be rebroadcast on the Town of Barnstable's Government Access Channel. In accordance with Massachusetts General Laws Chapter 30A, Section 20, the Administrator must inquire whether anyone else is recording this meeting and, if so, please make their presence known. This meeting will be replayed via Xfinity Channel 8 or high-definition Channel 1072. It may also be accessed via the Government Access Channel live video on demand archives on the Town of Barnstable's website: <https://streaming85.townofbarnstable.us/CablecastPublicSite/?channel=1>

The Administrator to the Town Council took a Roll call, present in person: Councilor John Crow; Councilor Betty Ludtke; Councilor Seth Burdick; Vice President Kris Clark; Assistant Town Attorney Allison Cogliano. Zoom participation: Councilor Kristin Terkelsen; Mark Milne, Director of Finance, Town of Barnstable.

Chair of Committee read into the record the Charge of the Committee:

Purpose: *Work with Town staff to review the standing committees of the Town, particularly advisory committees, to determine their effectiveness and whether there is a current need for such committees.*

Chair of Committee asked for public comment, Larry Morin , Cotuit will reserve his comments to the end of the meeting.

Chair of Committee welcomed John Curran, Assessor, Town of Barnstable and asked if any committee members had any questions first for Mr. Curran, Chair of Committee asked Mr. Curran if he had anything to say regarding the Board of Assessors.

Mr. Curran explained that the Board of Assessors is made up of three Town of Barnstable registered voters and is mandated by Mass General Law, so every town in the Commonwealth must have a Board of Assessors, the Assessors oversee the entire Assessors' office, they sign warrants, abatements, motor vehicle excise, there is a lot of checks and balances with them. Currently the Board is down 1 member and are actively seeking to fill that. The members we do have on the Board are long time members and are very valuable to our office.

241 §13 BOARD OF ASSESSORS'

A) *Term of office. There shall be a Board of Assessors consisting of three members.*

B) *Authorities and responsibilities. The Board of Assessors annually make a fair cash valuation of all of the estate, both real and personal, subject to taxation within the Town. They annually determine the*

annual tax rate necessary to meet all sums voted by the Town. They hear and decide all questions relating to the abatement of taxes levied by it. They have all of the other powers, duties and responsibilities which are given to Boards of Assessors by general laws. The Board of Assessors is an advisory and regulatory committee of the Town.

C. Interrelationships.

(1) Town Council: The Board of Assessors interacts with the Town Council for the purpose of annually providing the Council with the necessary classification rate information for the holding of classification hearings, to include exemption recommendations, as well as to advise the Town Council on legislative and policy matters concerning valuation, classification, abatements, and otherwise. The Board of Assessors interacts primarily with the Council Committee on Finance, in order to advise on the aforementioned issues.

(2) Town Manager: The Board of Assessors interacts with the Town Manager primarily through the Assessing Division of the Administrative Services Department, the latter which performs the necessary administrative functions necessary to implement the Board's determinations. The Town Manager otherwise provides support as requested or required by law.

Editor's Note: Original Section 7.00, Building Code Board of Appeals Board, which immediately followed this section, was deleted 2-19-1998 by Order No. 98-067.

Mr. Curran believes the board functions as it is supposed to and offers very valuable assistance to our office staff.

Chair of Committee asked any members if they had any questions for Mr. Curran. Councilor Ludtke believes that the two most critical committees are here with us tonight, as the financial part of the Town of Barnstable, and by far the preponderance of our tax base comes from our assessed properties, which is where most of our income comes from, so it's critical that we get this right. The Council has voted on the residential and commercial exemptions and believes there are others coming up if we are looking for tax revenue in an equitable way.

Councilor Ludtke mentioned that she had attended a Hyannis Port Civic Association meeting and the folks there had said they were unhappy about the assessment that was done for the lines where they put their boats. Mr. Curran stated they filed an abatement for this year in a timely fashion, they were granted the abatement, but the configuration of the dock changed and they are under no obligation to tell us when those changes happen, so the assessment was based on the last information we had, upon inspection, it was verified that those changes did in fact take place, so they were issued an abatement.

Councilor Ludtke asked who has the final say on the abatements. Mr. Curran said that the Board has the final say, he does not, he does all the discovery work required for the board to make a decision, but it is their decision at the end not mine, and they base it on the discovery and the evidence presented by the owners who filed the abatement, and it would be a majority vote of the board that either grants or denies the abatement.

Councilor Ludtke asked what else besides abatements does the board handle, Mr. Curran said there are auto warrants that come from the Registry of Motor Vehicles which is basically unpaid excise taxes on vehicles, so they would sign off on the verification our office does in the discovery process of billing for that vehicle.

Mr. Curran read the Mass General Law that pertains to the Assessors:

MGL Chapter 41, Section 24 outlines the composition, selection, and tenure of a city or town's board of assessors. It specifies that a city can have one, three, five, seven, or nine assessors, while a town can have one, three, or five. These assessors are either elected or appointed, with roughly one-third being

chosen annually for three-year terms. The section also mandates that the board organizes by electing a chairman and a secretary or clerk.

Councilor Ludtke asked if the board could also look at the Residential exemption if asked to. Mr. Curran stated we do ask them for their opinion but could certainly elaborate on that reporting if you would like that. Councilor Ludtke asked if the Board would do that presentation to us. Mr. Curran said he would likely be the one presenting the information, but it would be gathered and discussed by the board before presenting to the Council. Councilor Ludtke would like to see this reporting if possible before the Council votes on the exemptions. Councilor Ludtke asked about the business side, she had heard that some business take the fine instead of paying the personnel property tax on the building. Mr. Curran will get the numbers on that part of the tax; he does not have them tonight but will provide them once he has them. Councilor Ludtke asked about the evaluation of the commercial properties, are they every year like the residential. Mr. Curran answered yes, they are valued every year just like a personnel home is.

Councilor Ludtke asked about the outside law firm that was hired to collect the taxes, Councilor Ludtke asked is it was because we could not handle the process in house, or why would we go outside for legal collection. Mr. Curran explained that the firm was hired for the Cape Cod Mall, Simon Company, which had a team of lawyers as well, and at the time the Town took the position to hire an expert firm outside of the town who handles this type of litigation, so that is why they were hired, for a specific reason and expertise; unfortunately the Simon lawyer passed away suddenly, so the cases she was handling obviously have been suspended for now. Councilor Ludtke asked about the residential side, and the town hired an outside firm to collect those as well, Mark Milne answered that Sean O'Brien the Town Tax Collector hired outside Counsel to help with collecting taxes that are an impact style or on the purge of going into tax title, which is completely separate from what Mr. Curran is speaking about with the Simon Property, the program that Mr. O'Brien does has been very successful in that the Town has collected over six-million in back taxes owed to the Town since we started. Mr. Milne also mentioned that the Town is at a 99% collection on property taxes and excise taxes for the Fiscal Year 2025 budget, so the town is in great shape in that regard, because we have residents that pay, and we appreciate that. Mr. Milne also mentioned that the primary role of the Board of Assessors is to oversee that abatement filing and process, which is looking at the facts presented by both sides, and making a ruling based on that evidence.

Councilor Ludtke appreciated all the information presented and answered a lot of her concerns and questions.

Vice President Clark asked about the vacancy, and if there were any prospects he was aware of. He did not, the Administrator of the Town Council is actively advertising the open position the way we advertise all open position through our Communication Director and social media outlets and on the Town Council web page under vacancies.

The Chair of Committee and its members thanked Mr. Curran for coming in and answering all the questions the members had and addressing some of the concerns voiced by constituents.

Chair of Committee welcomed Chris Lauzon, Chair of the Comprehensive Financial Advisory Committee (CFAC) and Mark Milne, Finance Director, Town of Barnstable.

Mr. Lauzon stated that CFAC is an advisory board that reviews the town's budget annually, the CIP Orders, and issue reports based on the information we were provided.

*§ 241-18. Comprehensive Financial Advisory Committee.
[Amended 12-16-1993 by Order No. 94-001]*

A.

Term of office. There shall be a Comprehensive Financial Advisory Committee, consisting of nine members. The terms shall be for three years so arranged so an equal number shall expire each year. [Amended 10-22-1998 by Order No. 99-023; 11-2-2006 by Order No. 2007-041]

B.

Authorities and responsibilities.

(1)

The Comprehensive Financial Advisory Committee provides financial advice to the Town Council on the yearly operating budget for all Town agencies, which includes the school budget as adopted by the School Committee.

(2)

The Comprehensive Financial Advisory Committee provides financial advice to the Town Council and to the Town Manager on matters of long-range financial planning.

(3)

The Comprehensive Financial Advisory Committee is responsible for advising the Town Manager on the annual preparation of the Town's capital improvement plan. It prepares a report to the Town Council on said annual capital improvement program and participates in public hearings called for review of this program.

C.

Interrelationships.

(1)

Town Council: The Comprehensive Financial Advisory Committee interacts with the Town Council.

(2)

Town Manager: The Comprehensive Financial Advisory Committee interacts with the Manager for the purpose of providing advice and exchanging information in matters of operational budgeting, capital budgeting, and long-term financial forecasting.

Mr. Lauzon also mentioned that the committee is often asked to look at various projects in the town that may have a financial piece that we look at, we do special reports like the one issued on the Comprehensive Wastewater Management Plan (CWMP). Just recently we were asked by Councilor Ludtke to look at the Wilkins Lane II project and review their assessment for financial information which the committee is working on diligently as we speak and hope to have some information soon.

Director Milne considers this board his sounding board for the town on big financial issues, it is like a second pair of eyes, most recently for example the trying to prepare a funding plan, there was a model developed and I really needed a second group take a look at it for its soundness, and propose the idea of having this group also on CFAC look at this model and asked them how can we make it better, so they have been very beneficial to him and the town.

Councilor Ludtke started attending CFAC meetings before she was a Councilor just to gain knowledge on the financial aspects of the town, and to better understand the inner workings, and she saw this particular meeting Mr. Milne spoke about regarding the model he introduced, and just the interaction between Mr. Milne and the members of CFAC was something to watch, so she can't say enough about CFAC and how valuable they are to this town. Councilor Ludtke mentioned that she often reaches out to CFAC because we do not have a Ways and Means department or committee in this town, most towns this size do have one, but we do not. Councilor Ludtke mentioned that perhaps the Marijuana Item should have gone through CFAC to really give us a clear view of what to expect instead of having the proponent stand before us and start discussing numbers without relying on any discovery upfront. Without a Ways and Means Committee or Department, she would like to see everything with numbers attached go before CFAC before it comes to the Council, so that the Council understands it has been vetted and looked at to understand the numbers. Councilor Ludtke would like CFAC to be more involved in things other than the budget but also keep in mind these folks are volunteers and have full time jobs outside of CFAC, so we must be careful of what we pile on them to research. Councilor Ludtke asked Mr. Milne about what he thinks about a Ways and Means Committee in the town being

formed. Mr. Milne said some of the larger ones like Boston, Springfield, and Worcester have them, and they are made up of Councilors, this would probably have to go through our legal department to develop and then ultimately form the committee, so I would defer to legal for the information.

Councilor Burdick asked why we are looking at committees we have no jurisdiction to eliminate them because of statutory law requiring them to exist. Councilor Burdick's question is how do assignments get distributed to the committees from Council; the reason for this is because Councilor Burdick had no idea that Councilor Ludtke asked CFAC to look at the Wilkins property, he did not have any input into that thought, so do we have 13 Councilors requesting information that is not shared with the other Councilors or at least the knowledge of requesting the information from anyone. Councilor Ludtke asked Mr. Milne if he thinks that CFAC has the time to handle what a Ways and Means Committee would do. Mr. Milne stated that CFAC meets twice a month and only once on the summer months, so what they have currently given them to do keeps them busy right now, they do take on additional reports, however the committee does have 3 current vacancies, and a lot of retired individuals that like to travel, so scheduling meetings is sometime difficult, keeping in mind these are volunteers as well, so we do not want to give them too much if members start to leave because the work gets overwhelming, so we need to be conscious of that. Mr. Lauzon mentioned that if the Council wanted the committee to look at every project in the town that is coming in, it is not feasible but if it has a significant financial impact on the town we would absolutely look at it if it was the direction of the Council to do so.

Councilor Burdick would like to see some sort of process put in place to reconstitute or reinvigorate the committees we already have by expanding the charge, or the amount of people, or making them standing committees, or along that idea. We need to develop a strategic framework meaning this committee of how the town is going to utilize all these committees and are the committees being maximized for the information we need as a Council.

Councilor Burdick would like to see this committee make a recommendation to the Council of a process for directing the work of a committee on a particular topic.

The Chair of Committee thanked Mr. Lauzon and Director Milne for coming in and sharing the information of what CFAC does and how important it is to the town.

Committee members agreed that a process is necessary and ties into the timing of the Town Council Strategic Plan. Councilor Burdick could recommend a strategy on how the Council interacts with the committees and the requests needed, there has to be a better way than a Councilor requesting from leadership and then leadership saying yay or nay, but it could be laid out in a way that says the proper avenue for Councilors to assign a task to a committee is...and then we as this committee should lay that out as a resolution or recommendation from this committee to the Council for consideration.

Assistant Town Attorney Cogliano believes it would be an agenda item like the marijuana item last Thursday where there was a vote of the Council to instruct the Town Manager to ask the Planning Board to re look at that Item, it would be similar in action to that. Councilor Ludtke likes that approach, that is a Councilor wants to have something done, it's on an agenda for a council vote before the directive is directed to a committee so all are aware of the ask, it was voted on and the committee has direction from the Council as a whole; Councilor Ludtke says this needs more discussion and planning but we should definitely have a process for this so it's a clear understanding. Councilor Burdick asked if this should have been addressed in the Town Council Rules Committee or is it something that comes from this committee then added to codify the rule. Assistant Town Attorney will look into whether it is a rule that needs codifying, she is unsure right now but will look into it. Councilor Ludtke would like to see any financials passed through a second set whether it's a committee or a Ways and Means or a CFAC, when the department heads submit their numbers or Items for an Appropriation, who is vetting that cost wise, no one is; it is just submitted and voted on by the Council without background or history of the reasoning behind it. Councilor Ludtke would like to see detail on financials submitted, we are fiscal responsible to do so to our constituents.

Councilor Burdick mentioned we all are aware of projects, but how do we get projects that need a look at to the committees. That is what we need to figure out. Assistant Town Attorney will look into this and will report back to the committee.

The Chair of Committee asked the members to look for another date that is best for everyone's schedule. Committee members decided on August 4, 2025, at 3pm in the Selectmen's Conference Room.

The Chair of Committee asked the members who they would like to hear from next, and the members decided on the Community Preservation Committee. The administrator of the Town Council will reach out to the Chair of the Committee for availability.

Chair of Committee asked for a motion to adjourn, Councilor Burdick made the motion to adjourn, this was seconded by Vice President Clark, all members present voted in favor of adjournment.

Adjourn: 6:45pm