



TOWN COUNCIL MEETING January 16, 2014



A quorum being duly present, Council President Jessica Rapp Grassetto called the January 16, 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., William Crocker, Jr., Jennifer Cullum, Sara Cushing, Debra Dagwan, Jessica Rapp Grassetto, Paul Hebert, John Norman, Eric Steinhilber, James Tinsley, Jr., Philip Wallace.

The Pledge of Allegiance was led by President Rapp Grassetto, followed by a Moment of Silence to remember Jennifer Cullum's family in your thoughts and prayers.

- **Heidi Nelson, Chief Executive Officer, Duffy Health Center** gave an update regarding the homeless on Cape Cod; Heidi's presentation covered the amount of homeless people they serve and their scope of the programs they provide. They receive funding from several different sources. One program "in from the streets" provides emergency dollars for a coat or to get their car fixed and the Main Street Initiative has reduced vagrancy in Downtown Hyannis.
- **Joint Budget Workshop with the School Committee** The Town Manager, Thomas Lynch, introduced Finance Director, Mark Milne to explain the presentation:
 - FY2013 operating result
 - FY14 Update
 - General Fund History
 - Taxing Capacity
 - State Aid
 - Barnstable Public Schools
 - Ten Year Forecast FY15 through FY 24
 - FY 2015 General Fund Projections

Councilor discussion and comment:

Further explanation of Unfunded Pension obligation,

- Pension reform is legislative. (Milne)
- Liability for health insurance has been reduced (Milne)

Explanation of Free cash; and permits (not necessarily new growth); fees not changing; equalized valuation; utility trends, commercial properties trends; mass debt per capita

PUBLIC COMMENT:

- ✓ Jane Saunders told the Council it was her 74th birthday. Saunders stated fighting for a settlement from this town for almost 10 years. We have property issues; I want people to address these problems.
- ✓ John Julius asked the council to do the right thing; set up a grievance committee. Why can't we have that in this town? Julius stated purchases with land bank acquisitions require conservation restrictions, and is concerned that many properties do not have conservation restrictions. Asked for explanation

Close public comment

COUNCIL RESPONSE TO PUBLIC COMMENT

- ✓ Precedence for an ombudsman.
 - (Lynch) the citizen's resource line handles many of these issues
 - (Lynch) we have not created a separate position.

Council looking at conservation restrictions for certain parcels; a complicated issue; staff handled calls regarding Stewart's Creek

- (Lynch) stated Len Gobeil, managed many calls regarding the concerns of Stewart's Creek area residents.

ACT ON MINUTES: (Includes Executive Session)

Upon a motion duly made and seconded it was voted to approve the minutes of the December 19, 2013 meeting as written

VOTE: Unanimous

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

Councilor Cullum updated the Council on recent Youth Commission events. As a council we need to be proactive regarding our youth.

Councilor Tinsley as the Liaison to the ZBA, attended a meeting involving the village green project; 40 apartments in perpetuity for low and medium income; attended BID Meeting; look for east end improvements;

Councilor Canedy stated that Barnstable Village may be the 2nd cultural district in Town of Barnstable.

Councilor Cushing announced a ham and bean supper in Marstons Mills with the proceeds to go to the Marstons Mills scholarship fund.

Councilor Dagwan attended a homeless conference; and hopes that the conference can be held in the Hearing Room next year. Dagwan announced the Martin Luther King walk and celebration is coming up in Hyannis. Please continue to submit your letters to NStar. Hyannis Fire station meeting for a new station. Vote scheduled for March 5th.

Councilor J. Crocker kudos to the DPW for a great job cleaning up our roads during the recent snow storm; working with the Osterville Village Association towards a resolve for the Bay School

Councilor Cullum thanked everyone for their support during a difficult time.

President Rapp Grasseti as liaison to Mid Cape Cultural Council, which supports the arts, was recently named the local council of the year, is the first council to receive this award, and there will be a presentation at the statehouse

Councilor Wallace announced the West Barnstable Civic Association semi-annual membership meeting, open to all. Wallace and Canedy are liaisons to the Sandy Neck Board. Due to the storm erosion, replenishment of the sand will be done.

ORDERS OF THE DAY:

2014-045 APPROPRIATION ORDER \$94,175 FROM THE BISMORE PARK SPECIAL REVENUE FUND FOR NEW PARKING STATION KIOSKS AT BISMORE PARK INTRO: 12/20/13, 01/16/14

Upon a motion that was duly made and seconded it was referred to Feb 6th

ORDERED: That the sum of \$94,175 be appropriated for the purpose of funding new parking station kiosks and related costs for Bismore Park; and to meet this appropriation, that \$94,175 be transferred from the Bismore Park Special Revenue Fund.

VOTE: refer to public meeting on Feb 6th-Unanimous

2014-046 ACCEPTANCE OF A \$113,700 GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS/COASTAL POLLUTANT REMEDIATION GRANT PROGRAM FOR A HYANNIS HARBOR BOAT PUMP-OUT FACILITY INTRO: 01/16/14

DPW Director Dan Santos gave the rationale

Councilor discussion and comment:

Charge for commercial vessels; charge for recreational vessels; fiscal impact from staff; tying into the existing sewer; providing information to residents that do not have internet capabilities

Upon a motion that was duly made and seconded it was

RESOLVED: That the Town Council does hereby accept a grant from the Coastal Pollutant Remediation Grant Program in the amount of One Hundred Thirteen Thousand Seven Hundred Dollars and 00 Cents (\$113,700.00), for the construction of a stationary pump-out station for commercial vessels, located to serve vessels which operate out of Hyannis Harbor and that the Town Manager is authorized to expend the grant monies for the purpose specified therein.

VOTE: Passes Unanimous

2014-047 AMENDMENT TO ZONING ORDINANCE CHAPTER 240, ARTICLE VII, SIGN REGULATIONS BY STRIKING AND REPLACING PARAGRAPH 240-65C INTRO: 01/16/14

Upon a motion that was duly made and seconded it was referred to the planning board for a public hearing

ORDERED:

That Chapter 240, The Zoning Ordinance of the Town of Barnstable, Article VII, Sign Regulations be amended by striking Paragraph 240-65C in its entirety and by substituting in its place the following:

“C. The area of all signs for each individual business establishment shall not exceed 10% of the area of the building facade associated with the business establishment that contains the establishment's primary customer entrance or

100 square feet, whichever is the lesser amount. In instances where multiple business establishments share a customer entrance on the same facade, the total square footage for all signs of all business establishments attached to each facade shall not exceed 10% of the total area of the facade associated with the business establishments that contains the establishments' shared customer entrance or 100 square feet, whichever is the lesser amount.”

VOTE: Unanimous - referred to planning board for a public hearing.

**2014-048 RESOLVE TO ESTABLISH TOWN COUNCIL AD-HOC COMMITTEES INTRO:
01/16/14**

Council President Jessica Rapp Grassetto gave the rationale

Councilor discussion/comments: some of these committees were previously established; roads are an area of trepidation of our residents; support requests for ad hoc

Upon a motion that was duly made and seconded

RESOLVED, that the Council President in accordance with §241-8, B and Rule 11A, the following ad-hoc committees are hereby established for said purpose:

Council Compensation Review Committee

Council Rules Review Committee

Road Financing Review Committee

Town Manager Review Committee

VOTE: Passes Unanimous

**2014-049 RESOLVE APPROVING THE MEMBERS OF THE APPOINTMENTS COMMITTEE
INTRO: 01/16/14**

Council President Jessica Rapp Grassetto gave the rationale

Upon a motion that was duly made and seconded

RESOLVED, that the Council President in accordance with Administrative Code §241, Chapter 37, Article I and Council Rule 11, designates the members of the Appointments Committee for 2014:

Councilor Ann Canedy

Councilor William Crocker, Jr.

Councilor Debra Dagwan

Councilor John Norman

Councilor Eric Steinhilber

VOTE: Passes Unanimous

2014-050 AMENDING CHAPTER 240, ARTICLE III, OF THE ZONING ORDINANCES AMENDING CHAPTER 240, THE ZONING ORDINANCES TO CREATE A MEDICAL MARIJUANA OVERLAY DISTRICT AND DISTRICT REGULATIONS FOR ESTABLISHING AND OPERATING REGISTERED MARIJUANA DISPENSARIES INTRO: 01/16/14

Upon a motion that was duly made and seconded referred to a joint public hearing with the planning board 02/06/14

VOTE: referred to a joint public hearing with the planning board on Feb 6th-Unanimous

2014-051 ACCEPTANCE OF A \$35,000 GRANT FROM THE MASSACHUSETTS DEPT. OF ENVIRONMENTAL PROTECTION FOR THE PURCHASE OF THREE ELECTRIC VEHICLES AND AN ELECTRIC VEHICLE CHARGING STATION INTRO: 01/16/14

Richard Elrick, Energy Coordinator gave the rationale

Councilor discussion/comments: Cost of vehicles; cost for current gas powered vehicles; life of vehicle; warranties; accepting the grant does that lock us in; budgeted through Regulatory services; are the recharge stations being used; will this include the charging station;

Upon a motion that was duly made and seconded.

RESOLVED: That the Town Council hereby accepts a grant award in the amount of \$35,000.00 from the Massachusetts Department of Environmental Protection as an incentive for the purchase of one Plug-in Hybrid vehicle (\$5,000), Two Battery Electric vehicles (\$15,000), and one Level 2 dual head charging station (up to \$15,000) and that the Town Manager is authorized to expend the grant monies for the purpose specified therein.

VOTE: Passes 11 yes, 2 No (Canedy, Wallace)

TOWN MANAGER COMMUNICATIONS:

- Accepted Grants
- Welcomed Phil Gaudet new Assistant Town Clerk
- Storms updated in real time
- Shooting Range meeting
- Mass Cultural Council-Barnstable Historic Cultural District
- First Tee program
- Common Back Yard Grant
- McCarthy Boat Ramp
- Ceremony and celebration on Sunday the 19th open to one and all
- Rehabilitation Grant-regarding Foreclosed Properties

Assistant Town Manager

Mark Ells, Assistant Town Manager updated the Council on the Shooting Range. This property is conservation restricted land for passive recreational use. A lengthy discussion regarding the history of the shooting range; maintain the land and the control of the land ensued. Leave it as conservation land but remove the conditions of the grant. Legal is involved; under advisement at this point; case by case basis; swapping a piece of town land without any restrictions to one with restrictions; conservation restrictions are in perpetuity;

ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED to adjourn.

Unanimous

Adjourned at 9:50 PM

Respectfully submitted,

Ann M. Quirk, CMC

Town Clerk – Town of Barnstable

NEXT REGULAR MEETING: February 6, 2014

Exhibits:

A Joint Meeting of Town Council and School Committee (Budget review)