



# TOWN OF BARNSTABLE

## BARNSTABLE RECREATION DIVISION

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### RECREATION COMMISSION MINUTES

1 August 2011 - CORRECTED

**Commission Members Present:** Joe O'Brien, Chairman; Kathy Pina; Rene King; and Clyde Takala

**Commission Members Absent:** Kevin Turner and Dan Proto

The meeting was called to order at 5:30PM, roll call was taken. **Clyde Takala** made a motion to accept minutes from July 11<sup>th</sup>, seconded by **Kathy Pina**. All approved.

**Greenleaf Garrison and Andrew McManus-Cape Cod Disc Golf Club-Burgess Park-** Presented PowerPoint presentation hope to create a collaborative working relationship with the Recreation Division. Wish to establish a Memorandum of Agreement between **Cape Cod Disc Golf Club** and the Town. **Cape Cod Disc Golf Club** organized in April 2011. Four focus points: 1) New course construction; 2) Maintenance of course; 3) Establish a working relationship with the local public entities, public benefit organizations, the business community and individuals; and 4) Education. **Cape Cod Disc Golf Club** will work to maintain Burgess Park for the use of all, not just **Cape Cod Disc Golf Club**. All other users of the park shall be yielded to at all times by **Cape Cod Disc Golf Club**. Barnstable Recreation will continue to provide trash disposal, maintain fields, seasonal outhouse facility, stone dust for apron, fill potholes and maintain tee pads. **Andrew McManus**, Conservation Agent for the Town of Mashpee, stated that they would like to have Memorandum of Agreement signed by them and the Town for a period of three years. **Kathy Pina** stated before making a decision need to look further into land and water at Burgess Park, **Kathy** moved that contingent on what is found concerning the layout of the land, that the Recreation Commission accept the proposal presented by **Cape Cod Disc Golf Club**, **Rene King** seconded the motion. **Joe O'Brien** asked **Lynne Poyant** if she had any concerns. **Lynne** stated that the Legal Department would need to be consulted on the creation of a MOU; also need to contact our Conservation Agent concerning what was in the park in the past. Also, Recreation budget was set in June and need to look at the timing of the work at the park. **Joe O'Brien** stated we have a motion on the floor, asked all in favor, Commission all in favor. **Joe** stated we would work out the issues with **Cape Cod Disc Golf Club**.

**Bay School Recreation Area-Lawyer John Kenney for Jim Crocker.** **Joe O'Brien** read email from **Patrick Murphy, Chairman of the School Department**, into the minutes on the timeline of the closure of Osterville Bay School. **Mr. Kenney** requested the Recreation Commission take over the "place holder" position for requesting funds from the Community Preservation Committee. There is a request before the CPC for \$1.1 million, with a deed restriction on the Bay School for recreational use in perpetuity, the fact that it has the potential to be a source of funding is a bonus. The request is for the Recreation Commission to be the sponsor for the CPA funding to keep property for public use. The hearing on funding is scheduled

for August 22nd. The property is held by the Town. It has never been dedicated for just Recreation use. Osterville has never asked for funds from CPA. This is a final opportunity to obtain a 4.4 acre property in Osterville. **Mr. Kenney** stated you may wonder why the property could not be used for both public and private use. The RFP would deed out the School Building and the parking lot for private use. One of the problems would be the school would use the Recreation building during school hours - 52 weeks a year. Private school use of parking would mean no parking for public use of the fields. **Mr. Kenney** handed out photos of the fields and parking showing them being used that were taken on July 31<sup>st</sup>. A fear is that short term agreement with the School on parking use could be removed due to insurance issues. Other issues are the kids who use the fields are much younger than the demographics of the age of the students in the RFP. We are not asking the Recreation Commission to decide the best use for the property; it is not your job that is up to the Town Council to decide. We are asking the Recreation Commission to step forward and be the sponsors for the CPC funding. We are asking you to protect this last piece of public property for public use. We are asking that you vote to be the sponsor and allow the public process to follow through. **Joe O'Brien** asked what the timeline with the CPC Committee is. **Mr. Kenney** stated next meeting is August 22<sup>nd</sup> and they would be taking up the request at that time. **Mr. O'Brien** asked if they had a breakdown for the \$1.1 million allocations. **Mr. Kenney** stated \$250,000 to raze the building; \$200,000 to enlarge parking; and \$650,000 for renovations and grounds. **Mr. Kenney** stated the Recreation Division would have final say on how money is spent. **Joe O'Brien** asked if the figures are legitimate estimates. **Mr. Kenney** stated rough estimates, no written estimates, it is a concept plan. **Joe O'Brien** asked the Commission if they had any questions. **Kathy Pina** stated they had asked **Mr. Crocker** all their questions at the last meeting. **Mr. Kenney** requested another five minutes after **Mr. Ford** and public comment. **Joe O'Brien** said yes.

**Mike Ford, attorney for the Osterville Bay Family School representing principals Antonia Bellanca, Chairman of the Board and Eileen Heffernan, Board Staff.** We would like to thank the Commission for hearing us. When we started out with the RFP in January of 2010 we did not know a stop with the Recreation Commission would be necessary. We now understand why. We think the comments we have to say will be pretty consistent with **Mr. Kenney's**. My clients were the sole parties to submit a proposal for the Bay School when an RFP was issued by the Town for the disposition of the property. My clients' proposed educational and residential program would serve approximately 45 young adults with moderate levels of autism, Asperger's and Down Syndrome. Curriculum would be a blend of physical and classroom education to boost coordination, focus and health. Major emphasis would be on promoting communication skills to help develop independence for these young adults. The proposal also involved the payment of \$500,000 just for the acre the school building and the parking lot sit on - not the fields or Recreation building. The funds would go to the School Department, with the goal of getting the school off the Town books. The community building was mentioned in the RFP not for purchase, but with a use agreement. We are endeavoring to work out an agreement with the Town. Physical activity is a critical part of the program. The school building is not laid out with a gymnasium. Clients wish to work out a time period during the school day, to use the Community building for students. Not with the exclusion of public use. This is an inclusive proposal. The use of the school would be at specified times. Feel this is a joint public/private use of the building which would be beneficial to all. Clients made no bid for the fields or additional land. Town Manager's Office stated a use agreement would need to be worked out with the Osterville Village Association, which has been done. The Association wanted the building to be available to the public from 3PM each day and on weekends. We agreed. Sent a letter June 6, 2011 to Mr. Sabatt, President of the Osterville Village Association. Stated he would give a copy of the letter and the proposal to the Commission. Why should the school have any use of the building you might ask? There again my clients

propose to invest another \$500,000 into the Community building in exchange for the school to have exclusive use before 3pm. There has never been anything proposed by my clients for any use of the fields. **Mr. Ford** stated that what has been presented by **Mr. Kenney** and his clients can go forward together. School can go on the path to the Town Council for a vote. **Mr. Ford** commented that his clients have never been asked or said no to any proposal with respect to parking. **Mr. Ford** believes all parties could work together to make parking available for public use when needed. **Mr. Kenney** made reference to the residential use of the property by clients, this may not be necessary for the program clients has proposed to go forward. Could find housing off site, therefore not affecting parking in the evenings. **Mr. Ford** believes this presents a wonderful opportunity for the Recreation Commission to step forward with a joint public/private partnership. Building gets sold still for educational purposes. The sale can have a provision where the parking is reserved to a certain degree for recreational use. Clients are not looking for any use of the fields. Limited use of the building would be in exchange for private funds to fix up the building. Here is a million dollars that is coming into Town and Town continues to have three quarters of the property for recreational use. **Mr. Ford** handed **Joe O'Brien** copy of proposal his clients submitted in response to the Town's RFP for the Oosterville Bay School and a letter dated June 6, 2011 sent to **Charles Sabatt, Esq., President of the Oosterville Village Association**. **Mr. Ford** stated his clients are all about inclusion and that this is a unique opportunity to have a shared use of this site. Private funds being used to help with public recreation use. **Kathy Pina** asked what would the school offer that our public schools do not offer. Eileen Heffernan stated the school would supply curriculum for 21 years olds-30 year olds. It is a curriculum that is not offered at all in public school system. **Kathy Pina** stated she did not realize the school was for that age group.

### **Public Comment**

**Joe O'Brien** requested speakers limit time to 3 minutes and sign name and village on paper at podium.

**Bruce Harding-Oosterville- Member of the Oosterville Village Association** stated he has yet to see parking at playground full. Believes there is adequate parking near playgrounds. Concerned about tearing Community building down. Tennis courts are being used for street hockey. He asked children using the courts how about using Community Center? They stated it is locked all the time. Feels Town is telling the children of Oosterville they are not wanted by placing fence with a lock around tennis courts. Stated he never sees anyone playing softball in the fields. Stated the fields are a dog park. Have been told Town would improve grounds, only thing done is mow the lawn and repair the fence, no access to playground, not handicap accessible.

**Joe O'Brien** commented that the building is no longer being proposed as a razing project. Recreation does run spring programs at those fields. Member of audience requested diagram **Mr. Kenney** presented be handed around so everyone could see. **Mr. O'Brien** agreed.

**David Reissfelder-Oosterville**. Stated he and his wife think it would be great if CPC used funds to revitalize an area that is almost 5 acres near downtown Oosterville. Disagrees with **Mr. Harding** believes there are a "ton" of people who use fields and not just for walking dogs. July 31, saw basketball game, modified cricket, and youth breakout cookout and softball game. Cookout party asked **Mr. Reissfelder** if he could hook up to his electricity to run a cotton candy machine, said yes. Feels it would be great if electricity was at the field. Thinks school is a noble cause but they are older children and will need exercise; both the

school and village are likely to grow. Wonders how joint use would work down the road. Field does get used, feels this is a golden opportunity for Osterville.

**Judy Dowd-Osterville.** Leader of Muddy Paws, a 4-H dog club that does use the Community building every Thursday night and has used it for 17 years as a tenant of the Recreation Division. Parking is difficult in the spring as the fields are being used. The building is the only place in Barnstable that we can use as the floor is safe for students and dogs. The Cape Cod Kennel Club also uses the building. We have maintained the building when no one else has. **Mrs. Bellanca** does not feel dogs and autistic children can mix. **Judy** stated her other career is teaching at Cape Cod Community College for Project Forward, a program for special needs children. She teaches students animal care with own dogs. Fear is they will be forced out of the building as dogs are not wanted. We are all citizens of Osterville.

**Mark Manning-Osterville.** Tearing building down a crime. Believes fields not used often and parking is not needed. Here on behalf of the school.

**Gloria Smith-Carney-Osterville.** Not taking sides. Would like to make a few points; watch the tennis courts frequently, that is where people walk their dogs. However land is used, it must be for the people who currently have needs. The public park everywhere. Keep spirit of Osterville alive, for the dogs also.

**Mary Gail Wareham-Osterville.** Wonderful program for these young adults. Feels there is a serious need for this school. Does not understand why now all this renewed interest in this property. Believes this a win/win situation; get the school and money to fix building and fields. This is a small piece of property - one acre; don't know how big you can get with that. Even with school we still get to keep the Community building and fields. Nice plus for Osterville. Miss the old feeling of Osterville, a family-oriented Town.

**Dan Wareham-Osterville.** Coached softball 12 years, those fields are atrocious as the Recreation Commission, would be embarrassed to have anything to do with the fields. Battle when the school ran it to get lawns mowed or stone down. Combine the two and put the fields under the Community Preservation Act, to fix them up, that would be great. See problem with maintenance, Recreation Division has not maintained for the last 20 years. Win/win in favor of the school and leasing of the building, fulfills a need in the community. Getting a half million dollars in the coffers and money for the school department.

**Brian O'Donnell-Osterville.** Main concern is the school; it has been an educational institution since 1911. There seems to be an area for compromise. Razing of the building is off the table? **Joe O'Brien** stated that is what he believed had been stated earlier. **Mr. Kenney** agreed.

**Russell Jacobson-Osterville.** Recently moved back to Osterville with family. All other villages have great fields. West Barnstable has the best playground. Like to see my children playing in Osterville. Don't go to the park as it is a big death trap. Hope you make the best decision you can.

**David Fleming.** Like to speak for the "little people", there are some children who do play here, but would like to see more. All agree we would like to see the place cleaned up and hopefully that will happen. Kids come from all over town; not many open spaces left. Concerned about school having access to playground; interaction of little kids with young adults. Would like on record, will this be an overnight or just a day school?

**Bob Kilmartin-Osterville.** Walk my dog; there are spikes in usage of the fields. The point on parking is overstated. Chances of students driving low; some staff, yes. Thinks it should be straight forward and easy to accommodate the different factions of the community. In support of the school.

**Linda Crocker LaSalla.** Bring grandchildren to play there. Great thing about Barnstable is the wonderful places to bring children when they are young. There really is a shortage of parking in Osterville. A partnership would be wonderful. Would like to know the staff ratio to students.

**Gale Klen-Centerville.** Wished to reiterate **Judy Dowd's** words. Stated she is a member of the Cape Cod Kennel Club, who use the Community building on Wednesday nights, not the group that walk dogs on fields. We clean up after ourselves and our mission is to raise responsible dogs. We serve a purpose and do hope the school will reconsider allowing dogs on the property. Hope we can all work together.

**Mark Curley-Osterville.** Not here to put one party against the other. Here to consider the deed restriction, continue to be a public facility overall. My kids use the grounds quite a bit. No money put into fields in a long time. Stone dust was dumped 6 weeks ago and is still there. Once the property is gone it is gone forever.

**Chrissy Crocker-Osterville-fifteen years old.** Feels the children of Osterville don't get a say. Children do exist and use the parks; sister uses the fields in the spring. Not against the school, but would like the property to stay public. Not many places to hang out in Osterville. Churches have youth groups that use the parks. Sad to see 4-H forced out. Nice to see it fixed up, but people do use it as it is.

**Courtney Germani-Osterville.** Four children who go to the fields "16,000 times a day". Facilities are not fabulous right now. Understands from talking to people that the Town would not be able to access CPC funds unless the park went to the Recreation Division. Funds won't be available once the property goes to private use. The fields are being used all the time. Don't want to see the school program brought down. But don't think a public/private use will work. Don't know if Village of Osterville can sacrifice that piece of land.

**Joe O'Brien** requested one or two people speak in order to start closing issues and discussions.

**Mark Germani-Osterville.** Unique opportunity to keep this property deeded as recreational use forever. Has a vision. You build it they will come. Think of the community as a whole.

**Warren Hansen-Osterville.** Asked if Recreation Division has jurisdiction over field right now. **Joe O'Brien** stated yes. In favor of leaving building where it is and using it as a school. Field is used a lot, parking is not a problem. Don't have a great deal of faith in the Park and Rec to take care of the field as it should be.

**Leslie Harmon, Veterinarian-Sandwich.** Stated her kids have grown up in the 4-H Muddy Paws Club, trained own dogs through the Cape Cod Kennel Club, recommends the Club, as it is low cost. Talking about a great public/private endeavor; but all ready there is contention over dogs in the building. 4-H is all about public service, there are not a lot of programs for children and animal activities on the Cape anymore.

**Joe O'Brien** closed public comment. **Kathy Pina** advised the audience that the Commission meets every first Monday of the month at 5:30, public comment for any village is always allowed at the beginning of each meeting. **Rene King** commented on the attendance and welcomed the audience to come to Recreation Commission meetings to see how we are addressing issues. Definitely got her attention and that the playground is in need of some repairs. Thanked all for coming, their commitment and she will listen with an open mind. **Joe O'Brien** stated glad to hear about field concerns, Recreation Division oversees the fields and issues permits for use, Structures and Grounds handles the maintenance. Not trying to pass the buck. We try to work hand in hand. It is a huge undertaking. With the limited funds available, in the spring the fields are a high priority, fields do get a little run down after the season. Commission will look into. **Lynne Poyant** stated that some of the fields, like the Bay School, are maintained by the schools. It is a matter of finding out who does what, when, and scheduling.

**Mr. Kenney** stated when the first RFP was put out, a bid was given but it was rejected by the Town. This is a second RFP and there is no guarantee it will be accepted by the Town Council. It has come across that tonight, the Recreation Commission should make a decision on public use of the property or not. It is not your decision about the RFP, we are simply asking you to be the sponsor for the CPC funds. The Town Council will have responsibility on the private and or public use of the property. When the School budget is around \$80 million, is selling the building for \$500,000 that critical? We could be losing the property for public use forever. If a public facility is being used for parking now, there is a need for parking. We are recommending to you, a mechanism to fund the fields, to bring them back to how they should be. Not asking you to chose one over the other, just asking you to let the public process continue. Thanked the Commission.

**Mr. Ford** thanked the Commission, agreed with **Mr. Kenney**, not asking Commission to choose between the two. First, all for putting a recreational restriction on the fields; older students conflicting with the playground; not seeking to use the playground. Seeking to buy the school building, and the use of the community building for certain designated hours. Use of the fields would be for a special event; would sign up for a permit like anyone else. The two can exist together. Razing of the building has been dropped. Who is going to pay to keep that building up and what will it be used for? The proposal is to exchange \$500,000 for the title to the building and that is just the beginning of the money. Why should the building be restricted with only a recreational use? Not being used now and no money to maintain it. The ratio is three to one for staff to student. The students do not drive. Have a need for 15 parking spaces. We can work something out with the parking. After 3PM, if the dogs are in the building that is fine, not looking to control the building after 3PM. Do not think we are at odds before we even start. Think that Osterville can have both. Recreation Commission can endorse the CPC for funding for the fields. **Mr. Ford** stated his clients' message is a message of inclusion not exclusion. Thinks the request for the four acres to be deed restricted for recreational use makes little sense. Agrees with **Mr. Kenney**, that another stop at the Town Council will be necessary. Thanks to the Commission, again.

**Joe O'Brien** thanked everyone for coming and that it is an important issue and a beautiful part of Osterville. **Kathy Pina** thanked everyone. **Clyde Takala** thanked everyone for giving different outlooks, and based on your input we will be making the right decision down the road. **Joe O'Brien** proposed the Commission take time to absorb information, does know there is a CPC time restriction, and could meet again keeping that August 22<sup>nd</sup> date in mind. **Clyde Takala** agreed, commented three members of the Commission missing

tonight, would like other members involved. **Kathy Pina** asked **Mr. Ford** why his client had not come before the Commission, previously. **Mr. Ford** responded they did not know it was a “stop along the way”. If directed, would have been here earlier. **Audience member** asked when next Recreation Commission meeting was being held. **Clyde Takala** responded September 12<sup>th</sup>. **Clyde Takala** motioned that the Commission table the discussion on Bay School until next meeting, **Kathy Pina** seconded. **Rene King** asked if we needed a special meeting for the CPC hearing on August 22nd. **Joe O’Brien** stated he believed the CPC could take up the issue of funding at a later date. **Mr. Kenney** affirmed **Mr. O’Brien’s** statement. Motion approved by all. **Kathy Pina** stated to the audience that list of meetings is on the Town website and Channel 18.

#### **New Business None**

**Old Business Kathy Pina, Nate Nickerson Memorial at Lombard Field.** Obtained two estimates for a bronze plaque that would adhere to the side of building; \$600 for 8x10 and \$800 for 9x12. The date is August 20<sup>th</sup> – the West Barnstable Village Festival; still no time when ceremony will take place, the Nickersons are working on the wording that will go on the plaque. **Lynne Poyant** commented that she spoke to Assistant Town Manager, Tom Lynch, and that the Town through Recreation would pay for the plaque, but that three quotes are required, plus approval of the wording. **Kathy Pina** asked what size are the plaques that have been placed on rocks around Town. **Lynne** replied it varies and sometimes the words are engraved directly into the stone. **Joe O’Brien** asked if refreshments were being taken care for the August 20<sup>th</sup> ceremony. **Kathy** replied she had been working with **David Curley** on that. **Kathy** is sure there is something in regards to refreshments as it is West Barnstable Village Festival. **Joe O’Brien** requested that **Kathy Pina** work with **Lynne Poyant** on the plaque, **Kathy** replied yes.

#### **Public Comment None**

**Director’s Report Presented by Lynne Poyant, Community Services Director.** Patti Machado worked with the entire crew this past weekend on the Regatta, understand it went very well. **Lynne** read letter, (on the back of Director’s Report), from **Deputy Fire Chief Francis Pulsifer** to **Patti** concerning a rescue at Hathaway’s Pond. **Lynne** stated to the Commission they now had proof to the wonderful training the staff receives – something they have been reminded of in years past. **Lynne Poyant** handed out pictures depicting the topping of 15 trees at Fortes Beach. As Recreation is steward of the land, it is the Recreation Division’s responsibility to clean up the space and possibly replant the trees. The Conservation Commission will make that determination and **Lynne** has been asked to appear before the Conservation Commission on August 9<sup>th</sup>. **Kathy Pina** stated this was done at night. **Lynne** replied yes, that she understands from **Darcy Karle, Conservation Department**, it was three consecutive nights after 10pm and some sort of device was used to disguise the chain saw noise. **Darcy** has done door-to-door interviews along with the police seeking any information. **Kathy Pina** asked if the Town has insurance for vandalism. **Lynne** will look into insurance. **Rene King** asked if any communication had been received concerning the view or anything prior to this happening. **Lynne** replied no such communications known of, and she was shocked by this vandalism. **Lynne Poyant** thanked **Mr. Takala** for serving on the HYCC General Manager Search Committee. **Kevin Turner** was unable to participate when it came down to the interviewing part of the search. Pictures of **Paul Wylie** with the Learn to Skate program, are on the HYCC website and Facebook

page. Air conditioning for HYCC will be up and running by the end of this month. **Kathy Pina** stated she brought up at last meeting healthy food choices, and asked if something could be installed in the agreement with whoever has the lease, that they have healthy offerings. **Lynne Poyant** stated they do offer healthy choices. **Lynne** commented she would look further into healthy offerings. **Joe O'Brien** stated that **Dan Proto** will be stepping down from the Commission. **Lynne Poyant** stated a letter of resignation is required. **Rene King** stated she has a resume to send to the Chair concerning a new Commission member. **Kathy Pina** asked if it is possible to critique potential applicants so that they have no conflicts with the Commission. **Lynne** said that is a question for the Town Council's Appointments Committee and she would ask. **Rene King** asked what the procedure would be to ask a matriculating student to join the Committee. **Lynne Poyant** stated the Appointment Committee requires an application, a resume and then an interview. **Rene** commented any youth interested would just go through the process. **Lynne** replied yes. **Kathy Pina** asked about memorial plaque at the entrance of HYCC. **Lynne Poyant** replied she will look into this. **Joe O'Brien** commented the Osterville Bay School will need to be on the September 12<sup>th</sup> agenda, along with update on Fortes Beach, and how the Lombard dedication went. **Mike LeBlanc** has stepped down from Barnstable Little League; **Joe** will ask **Kevin Turner** to follow up, to see if someone from Barnstable Little League wants to appear before the Commission. **Joe O'Brien** stated going forward, anything on the Agenda that will be voted on needs to have the word "vote" after it. **Rene King** asked if the Commission plans to vote on the Osterville Bay School at next meeting. **Joe O'Brien** replied yes. **Joe O'Brien** stated he will get together with **Lynne Poyant** for the specifics that the Commission will be addressing and voting on for the next meeting.

**Clyde Takala** made a motion to adjourn; seconded by **Kathy Pina**. Meeting adjourned at 8:10.

Respectfully submitted by **Michele Arigo**, Recreation Division.