

**BARNSTABLE TOWN COUNCIL MEETING**  
**MEETING AGENDA**  
**February 28, 2013**  
**7:00 PM**

**A** quorum being duly present, Council President Debra Dagwan called the February 28, 2013, Regular Town Council meeting to order at 7:05 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

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

The Pledge of Allegiance was led by President Dagwan. Councilor Barton led the Moment of Silence for Anthony Beverly a young man who was an active shining light, and an emerging leader, our thoughts are with his family and friends.

An announcement was made by President Dagwan regarding the meeting being televised live and questioning if anyone was actively taping the session. This session is recorded and broadcast on Channel 18.

**PUBLIC COMMENT**

Tina Carey spoke about the possible dissolution of the Hyannis Main Street Business Improvement District (HMSBID). (Exhibit A)

Laurie Brown asked for more information on the Stewart's Creek betterments. Brown said there is confusion regarding the one sewer hookup per parcel. She asked for clarification on duplexes and will they be viewed as one parcel. Brown is tired of the finger pointing and lack of information.

Closed Public Comment

Councilor response to Public Comment:

- Who sponsored the legislation regarding the BID?
- Can someone address the cost per parcel for Stewart's Creek?
  - ❖ Mark Ells, Assistant Town Manager, said there were three options:
    - Per Unit
    - By Frontage
    - By Area, early in the process the “per unit” calculation was chosen

- The term, “one outlet pipe” describing how the properties were to be assessed. Norman asked for verification that if a duplex shared one outlet pipe, the assessment would be for one parcel.
- What was the cost to the people who have already hooked up to the Stewart's Creek Betterment? Is there a way to get that information available for the other people who have yet to hook up? What is it about the grinder pump?
  - ❖ Mark Ells, Assistant Town Manager stated a grinder pump is included, each person who needs one will get one, but they need to hook it up. We can communicate with the people who have the hook ups, to ask these questions.
- From emails there appears to be a lot of confusion regarding the betterments. David Still has been working to provide information in the Patriot newspaper.
- Can we get someone to do a little research on when the assessment changed from per parcel to per dwelling unit?
- What is the rationale of per dwelling and one pipe?
- Was the (BID) legislation filed by our legislators or was it from off-Cape?
  - ❖ Town Manager, Thomas Lynch stated he would find out that information.
- The Town should be gathering the information not the Barnstable Patriot.

## **ACT ON MINUTES**

Upon motion duly made and seconded it was voted to approve the minutes of February 7, 2013, as written.

**VOTE: Passed Unanimous**

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

Councilor Canedy acknowledged the Fire and Police Departments for doing a fantastic job during the storms. Canedy praised the DPW for doing a terrific job. She also would like to see Barnstable broaden our communications, and beef up our public service announcements during a time like this as many residents felt isolated.

Councilor Daley asked everyone to support the Whelden Memorial Library by attending a fundraising wine tasting at the Hyannis Golf Club.

Councilor Cullum regarding the storm, the Senior Center outreach program is very good, but many residents may not go to the Senior Center. Cullum is looking for a way to identify people who really need help during power outages.

Councilor Barton stated tomorrow night is family night at the HYCC, a free evening of fun.

## **ORDERS OF THE DAY**

### **A. OLD BUSINESS**

**2013-032 AMENDING CODE OF BARNSTABLE GENERAL ORDINANCES BY INSERTING, "CHAPTER 54. BUILDING AND PROPERTY MAINTENANCE" INTRO 10/18/12, 11/15/12, 12/06/12, 01/17/13, 02/28/13**

Upon motion duly made and seconded for continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**VOTE: Unanimous in favor** continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**2013-034 AMENDING CODE OF BARNSTABLE GENERAL ORDINANCES CHAPTER 170, RENTAL PROPERTIES INTRO: 10/18/12, 11/15/12, 12/06/12, 01/17/13, 02/28/13**

Upon motion duly made and seconded for continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**VOTE: Unanimous in favor** continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**2013-035 AMENDING THE CODE OF BARNSTABLE GENERAL ORDINANCES CHAPTER 133, NOISE INTRO: 10/18/12, 11/15/12, 12/06/12, 01/17/13, 02/28/13**

Upon motion duly made and seconded for continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**VOTE: Unanimous in favor** continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**2013-043 AMENDING THE CODE OF BARNSTABLE GENERAL ORDINANCES ARTICLE 1, §1-3, CHAPTER 170 RENTAL REGISTRATION INTRO: 11/15/12, 12/06/12, 01/17/13, 02/28/13**

Upon motion duly made and seconded for continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**VOTE: Unanimous in favor** continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**2013-069 AMEND THE ADMINISTRATIVE CODE BY ADDING SECTION 241-44.2  
PROBLEM PROPERTY APPEALS COMMITTEE INTRO: 01/17/13, 02/28/13**

Upon motion duly made and seconded for continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**VOTE: Unanimous in favor** continuing the hearings on property maintenance to March 21<sup>st</sup> Town Council Meeting

**2013-065 AMENDING CHAPTER 240 OF THE ZONING ORDINANCE TO ESTABLISH A  
TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND PERMITTING OF MEDICAL  
MARIJUANA TREATMENT CENTERS AND ASSOCIATED ACTIVITIES INTRO: 01/03/13,  
02/28/13**

Councilor Canedy read in the Substitute Text, explaining the only difference in the substitute text is in the last paragraph, extending the 90 day window to 180 days for the Town to effect regulations.

Upon motion duly made and seconded to move this item with substitute text to a public hearing on March 7th.

**SUBSTITUTE TEXT**  
**02/28/13**

Section 1.

WHEREAS, the citizens of Massachusetts, by passage of Ballot Question 3 on November 6, 2012, approved a referendum question that created a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes, which law takes effect on January 1, 2013;

WHEREAS, this law as passed allows a new land use Medical Marijuana Treatment Centers and other supporting activities that are not expressly regulated under Chapter 240;

WHEREAS, The Town's related land use regulations currently in effect are not adequate for the appropriate regulation of medical marijuana treatment centers and associated activities, nor do they provide sufficient definitive criteria with which the Town's Building Commissioner, Site Plan Review, Board of Health and/or the Zoning Board of Appeals can properly evaluate and condition the siting and design of this new use;

WHEREAS, the law requires the State Department of Public Health to issue regulations regarding implementation of the law within 120 days of January 1, 2013 and said regulations will not be promulgated by January 1, 2013;

WHEREAS, the regulations to be promulgated by the State Department of Public Health are expected to provide guidance and further regulation regarding the siting of medical marijuana treatment centers;

WHEREAS, the regulation and siting of medical marijuana treatment centers raises novel and complex legal, planning and public safety issues;

WHEREAS, the Town needs time to study and consider the regulation and siting of medical marijuana treatment centers so as to address such novel and complex issues;

WHEREAS, there is concern among Barnstable residents and public officials about the lack of Department of Public Health regulations which regulations will be a necessary part of the Town's planning analysis;

WHEREAS, the Town needs time to address the potential impacts of the law and the impending state regulations on local zoning requirements;

WHEREAS, the Town needs time to undertake a planning process to consider potential amendment of the Town's Zoning Ordinance regarding the siting of medical marijuana treatment centers and other uses related to the regulation of medical marijuana;

WHEREAS, the Town intends to adopt a temporary moratorium on the use of land and structures in the Town for the siting of medical marijuana treatment centers, so as to allow the Town sufficient time to engage in a planning process to address the direct and secondary effects of siting such centers in the Town and to enact zoning amendments in a manner consistent with sound land use planning goals and objectives. Such moratorium shall be in effect through and including January 1, 2014 or until one hundred eight (180) days after the effective date of the State Department of Public Health final regulations relating to Ballot Question 3, whichever occurs first.

NOW THEREFORE, and consistent with the rationale provided above and consistent with the Town's powers and authority under the Massachusetts Zoning Act and the Town's coincident obligations thereunder, the Town adopts the following temporary moratorium with respect to the permitting of Medical Marijuana Treatment Centers and associated activities.

## Section 2.

That Chapter 240, Article XIII of the Zoning Ordinance is hereby amended by adding a new §240-129 as follows:

"§240-129 Temporary moratorium on the establishment and permitting of medical marijuana treatment centers and associated activities.

A. There shall be a temporary moratorium on the use of land or structures in the Town for the siting of one or more medical marijuana treatment centers and associated activities.

B. No building permit, special permit, variance, site plan approval decision or other permit may be issued under this zoning ordinance for the purpose of establishing a medical marijuana treatment center or associated activities.

C. The moratorium shall be in effect through and including January 1, 2014 or until one hundred eighty (180) days after the effective date of the final regulations promulgated by the State Department of Public Health relating to Ballot Question 3, whichever occurs first.

D. During the moratorium period, the Town shall undertake a planning process to address the potential direct and secondary impacts of siting one or more medical marijuana treatment centers in the Town and shall review and consider the Department of Public Health regulations regarding the siting of such centers and related uses, and shall consider proposing the adoption of zoning amendments to address the potential direct and secondary impacts of siting one or more medical marijuana treatment centers and related uses in the Town.

E. Zoning amendments resulting from the aforementioned study process shall be deemed to be continuations of this moratorium and not new zoning amendments. Applications for permits submitted after the first publication of the notice of the public hearing which results in the adoption of this moratorium but before the moratorium's effective date, shall be administered according to established procedures until the effective date of this moratorium, and if a permit or other relief is granted prior to such effective date, it shall be subject to the effectiveness of this moratorium and shall be issued at the peril of the permit applicant and/or recipient. During the moratorium, any application shall be denied on the basis of this moratorium. In no event shall any permit or other relief sought after the first publication of the notice of the public hearing create or result in any protections with respect to the land, its uses or structures upon it.

F. Unless extended, continued or modified by a subsequent action of Town Council, this section shall cease to be effective January 2, 2014 or one hundred eighty (180) days after the effective date of the final regulations promulgated by the Department of Public Health relating to Ballot Question 3, whichever occurs first."

**VOTE: Unanimous in favor** to move this item with substitute text to a public hearing on March 7th.

<b>2013-070    APPROPRIATION AND TRANSFER \$32,000 COMMUNITY PRESERVATION FUNDS FOR A REHAB DESIGN PLAN OF THE RECREATIONAL FIELDS AT 93 WEST BAY RD, OSTERVILLE INTRO: 02/07/13, 02/28/13</b>
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Opened public hearing.

Lindsey Counsell, Chair of the Community Preservation Committee gave the rationale, and covered the funds available for each of the five items. (Exhibit B) Patty Machado presented a power point showing Osterville Bay Fields, which included a former playground behind a school, tennis courts, infields, outfields. (Exhibit C).

Joe O'Brien, Chairman of the Recreation Commission, stated that this particular site was very high on the list of things to correct. We owe it to our kids to upgrade.

John Crow of the Osterville Village Association would appreciate the Councilors vote for this project.

Colleen Lotuff member of the Osterville Village Association and a mother of young children attended to support this project and hopes the council will vote for it.

Kathy Pina member of the Recreation Commission, said that it is time to give our kids a field they can play on, to grow to be some of the finest young men and women in Barnstable.

Russell Jacobson spoke in favor of this project. Today we have to go to West Barnstable to let our kids play at a decent field.

Mark Germani stated, as an abutter to this field, he would like to see it go through and hoped the council was behind this.

Closed Public Comment.

Councilor discussion ensued as follows:

- In this design, do you intend to have the septic removed?
  - Tom Lynch, Town Manager stated the septic system is shared with the recreation building
- Very happy to support this project
- What type of fields are you planning to put in?
- CPC funds and resident fundraisers were involved in Luke's love
- Support this make sure we keep things consistent
  - Patty Machado stated multipurpose, awaiting a conceptual design
  - Town Manager, Thomas Lynch stated the need for different designs, for different activities

Upon a motion duly made and seconded to move question

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of G.L. c. 44B, the sum of Thirty Two Thousand and NO/100 (\$32,000.00) Dollars be appropriated and transferred from the Open Space portion of the Community Preservation Fund; and that the Town Manager is authorized to contract for and expend the total amount appropriated, subject to oversight of the project expenses by the Community Preservation Committee, for the creation of a conceptual design plan for the rehabilitation of the recreational fields identified on plan book 644 page 17 as Lot 2 located at 93 West Bay Road, Osterville, MA with a assessor's map 115 and parcel 053.

**VOTE: Passed 12 YES**

#### **A. OLD BUSINESS**

<b>2013-071 APPROPRIATION AND TRANSFER \$275,000 COMMUNITY PRESERVATION FUNDS FOR HISTORIC PRESERVATION OF THE WEST PARISH MEETINGHOUSE, 2049 MEETINGHOUSE WAY, WEST BARNSTABLE, MAP 130, PARCEL 017 INTRO: 02/07/13, 02/28/13</b>
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Peter Smith and Georgia Lonkhart covered the power point presentation stating the West Parish Meetinghouse is one of the oldest public buildings in Barnstable. Barnstable Town Meetings were held in this building, and this building was Barnstable's first public high school. (Exhibit D)

Opened Public Comment:

Roger Henson stated the fire protection of this building is vitally important. Urge your support for this project.

Seeing no others closed public hearing.

Councilor comments and questions:

- ❖ Very worth while project, do you expect a second round to CPC funds.
- ❖ Do you have on going fundraising.

Georgia Lonkhart replied ongoing fundraising, going to other foundations and the State of Massachusetts in terms of grants.

- ❖ Is it wiser to do the fire suppression system first?

Lonkhart replied the assessment will determine what happens first

- ❖ Is this the Rooster Church, it is a critically important building

Yes the birthplace of the Town of Barnstable, a key place of history and a real treasure, open from Memorial Day to Columbus Day. (Lonkhart)

- ❖ Who owns the building?

West Parish of Barnstable owns the building (Smith)

- ❖ Can it be mortgaged or foreclosed on?

West Parish of Barnstable was a governmental entity, really impossible to delineate the owners of the building, so no it can't be foreclosed on (Smith)

- ❖ What kind of roof are you going to put on the building?
- ❖ What type of fire suppression system

Assessment will determine the roof type and fire suppression system (Peter and Georgia)

- ❖ Is this a tax exempt property?
- ❖ Is there a covenant in place to preserve and maintain this building

Yes tax exempt and the covenant has been repaired over the years

- ❖ Wholeheartedly in favor of this
- ❖ Have CPC funds ever been used for Churches

We have used CPC funds before for churches (Counsell)

- ❖ Sustainability of the building, moving forward

Elizabeth Crocker Jenkins created a foundation that had an endowment that would maintain the building with or without the Church. (Lonkhart)

- ❖ With the monies we would appropriate tonight this is for Phase One, what happens with phase two and phase three.

We do have some money, looking at other grant opportunities (Lonkhart)

- ❖ This is a good cause, we need to support this project
- ❖ Historic preservation does help the property to get other grants
- ❖ Could you explain how to become a member of the foundation

Upon motion duly made and seconded to move the question

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of G.L. c. 44B, the sum of One Hundred Two Thousand Nine Hundred Ninety Five and NO/100 (\$102,995.00) Dollars be appropriated and transferred from the Historic portion of the Community Preservation Fund and the sum of One Hundred Seventy Two Thousand Five and NO/100 (\$172,005.00) Dollars be



appropriated and transferred from the Undesignated portion of the Community Preservation Fund; and that the Town Manager is authorized to contract for and expend the total amount of Two Hundred Seventy Five Thousand and NO/100 (\$275,000.00) Dollars appropriated, subject to oversight of the project expenses by the Community Preservation Committee, for the preservation of the West Parish Meetinghouse, a contributing building in the Meeting House Way National Register Historic District and located in the OKH Historic District, in West Barnstable owned by the West Parish Memorial Foundation, Inc., to include: the bell housing, bell tower, roof and installation of a fire suppression system at the West Parish Meetinghouse at 2049 Meetinghouse Way, West Barnstable, MA 02668, Map/Parcel 130/017, to be secured by a historic restriction on behalf of the Town of Barnstable.

**VOTE: 10 YES, 2 NO (Chirigotis, Norman)**

<p><b>2013-072 APPROPRIATION AND TRANSFER \$200,000 COMMUNITY PRESERVATION FUNDS FOR CREATING AFFORDABLE ACCESSORY HOUSING AND ADMINISTRATION INTRO: 02/07/13, 02/28/13</b></p>
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Lindsey Counsell, Chair of the Community Preservation Committee gave the rationale for accessory affordable apartment program. A power point program was presented by Joanne Buntich Miller. (Exhibit E)

- Adopted by Town Council in 2000
- Uses existing housing stock
- Apartments blend into neighborhoods
- Primary residence must be owner occupied
- Annual monitoring ensures compliance

Opened to public comment, seeing no one, public comment closed.

Miller introduced Cindy Dabkowski and Arden Cadrin who presented a power point program and answered the following questions of the Councilors.

Councilor discussion:

- ❖ Why do we pay funds for unit upgrades if these units are owned privately  
Upgrades for septic, and egress
- ❖ Will not support
- ❖ Is the housing committee in support of this,  
No official position
- ❖ Elaborate on affordable guidelines for one bedroom  
Rent limits, one bedroom cap is \$1204.00 includes all utilities, ordinance puts a cap on it.
- ❖ How many units? Where would they be?  
(Miller) No way to know these are scattered throughout the 7 villages
- ❖ CPC balances, majority of the money is going to historic. Set aside for open space and housing have we used that money?  
Lindsey Counsell stated that we have not tapped out housing
- ❖ Housing for people who might not be able to stay in the area
- ❖ People are struggling to stay in their homes, convert an area above a garage that might allow them to keep their homes.  
Vacancy rates is very low

- ❖ We have to expend a third of these funds on housing
- ❖ Who administers this program?  
(Miller) stated the Growth Management Department administers this program and the vacancy rate was less than 5%.
- ❖ Once a homeowner accepts these funds is there any way to keep this upgrade and not rent  
Funds can only be used for the secondary unit. GMD notifies the homeowner, they need to rent or pay the money back. And then a mortgage is placed on the property to cycle the money back. Currently we are at 6% for affordable, the state wants us to be 10%.
- ❖ Is this a loan or a grant?  
Loan that they pay back only when the property transfers  
Counsell stated everything we do is through the manager. Counsell gave a step by step through growth management, to draw money and oversee each and every project
- ❖ Is it anticipated that you would be going back to CPC every year  
Given the history we anticipate that this is going to last for several years (Miller)
- ❖ Is this something that could come before CPC again  
I think it could if it was successful I think it would (Counsell)

This was originally called the amnesty program.

Upon motion duly made and seconded to move the question

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of G.L. c. 44B, the sum of Two Hundred Thousand and NO/100 (\$200,000.00) Dollars be appropriated and transferred from the Housing portion of the Community Preservation Fund; and that the Town Manager is authorized to contract for and expend the total amount appropriated, subject to oversight of the project expenses by the Community Preservation Committee, for the creation of accessory affordable apartments as well as provide funding for the current accessory affordable apartment program administrator. Accessory units shall be secured by a housing restriction, promissory note, and mortgage and loan agreement on behalf of the Town of Barnstable.

**VOTE: 9 YES, 3 NO (Canedy, Hersey, Norman)**

**2013-073 APPROPRIATION AND TRANSFER \$200,000 COMMUNITY PRESERVATION FUNDS AND \$100,000 GENERAL FUND FOR PRESERVATION OF THE SCHOOL ADMINISTRATION BUILDING, 230 SOUTH ST, HYANNIS, MAP 326, PARCEL 021 INTRO 02/07/13, 02/28/13**

Lindsey Counsell gave the rationale for the School Administration Building and introduced Dan Santos, Director of Public Works who presented the power point presentation. (Exhibit F)

Opened the public hearing; seeing no one, closed public hearing.

Councilor discussion:

- How much of the CPC funds were returned from the Town Hall project?

(Mark Milne) \$400,000 was returned from the Town Hall project with a possibility of another \$200,000 to be returned

- This is a major historic project that needs to go forward
- Historic value, heavily used by people in the town, working properly, looks professional I support this project
- In an earlier project, someone pointed out that neglect caused this deterioration, I will not be supporting this
- These funds are not coming from historic...why

(Lindsey) We have the remaining in undesignated funds. We got 100 plus years out of the roof and the same for the bricks. Historic preservation is done to our standards. We are very frugal.

- Excellent job done on the CPC committee.
- Center of town activity we are committed we should do this
- There was a problem with the airport, asking for what you need, don't come back for more.

Upon motion duly made and seconded to move the question  
Withdrew that motion

- The other property previously mentioned was tax exempt, privately owned property and they will be coming back to us for phase two and three. We need to know what the projects are to vote. I am fully for the town owned property being repaired.

Upon motion duly made and seconded it was

<b>SUBSTITUTE MOTION</b> <b>02/28/13</b>
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**ORDERED:** That, pursuant to the provisions of G.L. c. 44B, the sum of \$300,000 be appropriated for the purpose of design, repair or replacement of the roof, brick pointing, windows, soffits and gutters for preservation of the historic structural resources at the School Administration Building located at 230 South Street, Hyannis, MA (map 326 parcel 021); and that in order to fund this appropriation that \$200,000 be transferred from the Undesignated Funds within the Community Preservation Fund; and that \$100,000 be transferred from available funds within the General Fund; and that the Town Manager is authorized to contract for and expend the amount appropriated, subject to oversight of the project expenses by the Community Preservation Committee for said purposes.

**VOTE: Passed 12 YES**

<b>2013-074 APPROPRIATION OF \$35,000 TO CREATE AFFORDABLE HOUSING ON 72 GINGER LANE, CENTERVILLE, MAP 247, PARCEL 148 INTRO: 02/07/13, 02/28/13</b>
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Lindsey Counsell gave the rationale for this project. A brief presentation was given by Leedara Zola of Habitat for Humanity of Cape Cod. The targeted housing group is those who make between \$36,000 and \$52,000. (Exhibit G)

Opened to public hearing, seeing no one closed public hearing.

Upon motion duly made and seconded to move the question

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of G.L. c. 44B, the sum of Thirty Five Thousand and NO/100 (\$35,000.00) Dollars be appropriated and transferred from the Housing set aside of the Community Preservation Fund; and that the Town Manager is authorized to contract for and expend the total amount appropriated, subject to oversight of the project expenses by the Community Preservation Committee, for the purpose of creating affordable housing on the property located at 72 Ginger Lane, Centerville located on map/parcel 247/148 to be secured by a housing restriction on behalf of the Town of Barnstable.

**VOTE: Passed-12 YES**

<b>2013-075 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 02/07/13, 02/28/13</b>
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Upon motion duly made and seconded it was

**RESOLVED**, that the Town Council appoint the following individuals to a multiple-member board/committee/commission.

**ECONOMIC DEVELOPMENT COMMISSION**

Sara Cushing, 128 Brindle Path, Marstons Mills, as a member with a term expiring 06/30/2016

James Poplasky, 12 Edgewood Road, Hyannis, as a member with a term expiring 06/30/2016

David Wood, 649 Main Street, Hyannis, as a member with a term expiring 06/30/2014

**WATERWAYS COMMITTEE**

Peter Cross, 70 Highland Street, Hyannis, as a member with a term expiring 06/30/2016

**VOTE: Passed unanimous**

**B. NEW BUSINESS (First Reading)**

<b>2013-077 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 02/28/13</b>
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Upon motion duly made and seconded it was voted to move this item to a second reading.

**VOTE: Unanimous to move this item to a second reading**

<b>2013-078 AUTHORIZATION FOR EXPENDITURES IN EXCESS OF APPROPRIATIONS FOR COSTS RELATED TO MAJOR AND CATASTROPHIC STORM EVENT INTRO: 02/28/13</b>
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Town Manager, Thomas Lynch gave the rationale, this appropriation is to include things like tree removal.

Council discussion:

- Do you anticipate federal or state funds

(Mark Ells) Stated we have submitted to FEMA, yes we are in the process for submitting that paperwork now, we anticipate 70% return

- Does this include damage to the Sandy Neck dune?
- Some of our residents on fixed incomes had major trees that fell in the storm on private property, can the town do anything for those residents that can't afford the clean up?

(Thomas Lynch) Would love to say yes, I would have to check with legal,

- Lots of people are looking for firewood, what about an ad to come and take it away
- If someone is able to cut up their trees, and put it on the roadway, would we pick it up...(No-Mark Ells)
- Are we still accepting brush,

(Mark Ells) Not at this time

Upon motion duly made and seconded to move the question

**VOTE: Unanimous**

Upon motion duly made and seconded it was

**ORDERED:**

That pursuant to Chapter 44, Section 31 of the Massachusetts General Laws, the Town Council hereby authorizes expenditures in excess of appropriations for storm related expenses incurred as a result of the major and catastrophic storm event that occurred on February 8<sup>th</sup> and February 9<sup>th</sup>, 2013, this authorization being in addition to excess expenditures for snow and ice removal, which have already been authorized under Town Council Order 2013-045.

**VOTE: Unanimous**

## **TOWN MANAGER COMMUNICATIONS**

Manager Lynch made the following announcements:

- Received two bids for the armory
- Review Committee has been formed
- NEMO prompted the largest number of calls around the sheltering system. The Regional group decided to open three locations as shelters and BHS was not one of them. The Red Cross staffs these shelters and unfortunately did not have a large enough staff.
- The Police department opened a warming station as did the Cape Cod Hospital
- We are looking for a better location than BHS for future sheltering during storms
- The Accreditation team will be here next week to evaluate the High School
- Hockey East Women's Championship team is coming to the HYCC next weekend
- Congratulations to BHS Gymnastics Team
- Met with the Trust Fund Advisory Committee
- Trying to evaluate the Federal Cuts
- Expect a trash update next
- Working with the Comprehensive Financial Advisory Committee, we are close on what we would like to see funded
- Capital improvement plan on March 21<sup>st</sup>

## **ADJOURNMENT**

Upon motion duly made and seconded it was

**VOTED: To adjourn.**

**ADJOURNED:** at 10:20 p.m.

Respectfully submitted,

Ann M. Quirk, CMC  
Assistant Town Clerk/Town of Barnstable

**ATTACHMENTS:**

- A Dissolution of the Hyannis Main Street Business Improvement District
- B Community Preservation Fund
- C Recreation Division Conceptual Design
- D Preservation of the 1717 Meetinghouse (West Parish)
- E Accessory Affordable Apartment Program
- F School Administration Building
- G Habitat for Humanity of Cape Cod

**NEXT REGULAR MEETING: March 7, 2013**

