



TOWN COUNCIL MEETING December 20, 2007



A quorum being duly present, Council President Janet Joakim called the regular meeting of the Barnstable Town Council to order at 7:00 pm, on December 20, 2007, at the Barnstable Town Hall, 367 Main Street, Hyannis, MA.

PRESENT: Richard Barry, Janice Barton, Ann Canedy, Frederick Chirigotis, James Crocker, Jr., Leah Curtis, Henry Farnham, Janet Joakim, J. Gregory Milne, James Munafo, Jr., Thomas Rugo and James M. Tinsley, Jr., Harold Tobey.

The Pledge of Allegiance was led by President Joakim, followed by a Moment of Silence.

Presentation: Cape Cod Pathways

Tom Mullen, Past President of the Barnstable Land Trust, thanked the council for years of cooperative work by and between the Barnstable Land Trust and the Town of Barnstable.

- He gave the history behind the Cape Cod Pathways with a power point presentation.
- It is a network of walking trails through the town.
- It was conceived in 1993 and a final working plan was completed in 2006
- (See Exhibit A for introduction and other materials).
- The plan protected wetlands, minimized road crossing, and maximized use of public lands, to name a few.
- They took advantage of existing trails in the town.
- He described each of the pathways.
- Mullen presented the town with a replica of the kiosk frames that are in the woods along the pathways with the key map of all the pathways.

Councilor Tobey asked if the maps are available to the general public. The maps are available on the town website – listed as Cape Pathways maps. They are also available on the Cape Cod Commission website.

Presentation: National Homeless Persons Memorial Day

- Janice Barton announced that the Homeless Memorial Day will be held on Dec. 21, 2007
- (See Exhibit B for full schedule.)
- Councilor Barton read a proclamation on the Homeless Persons Memorial Day.
- Alan Burt, Tom Naples, Bill Doherty and Mark and Mary Ann Alstead were present.
- Alan Burt, from the Salvation Army, said Barnstable has done the most for the homeless. He encouraged all town and individuals to step forward and help.
- Mark Alstead from Homeless not Hopeless told everyone about the large murals that will be on display in front of TD Banknorth. These were painted by a homeless artist. Alstead told about their creation and how they represent those who died without dignity.
- Bill Doherty, Cape Cod Commission, said don't miss the opportunity to donate tomorrow to this cause. We are in tough times.
- Tom Naples said he does this work from his heart; we need all the towns to come alive.

- Tom read the names of the homeless who have died this year: Thomas B, Carl M, Kevin K., Patrice P., Marlene P., David M., Roger P., Geller C., John K., Kenneth O., and Robert G., followed by a moment of silence.
- He also thanked the Barnstable Police Department for being there.
- Alan Burt announced that donations can go to the Cape Cod Council of Churches.

PUBLIC COMMENT

- ✓ Mary Clements asked to add her friend, Patricia, to the list, since she too passed away.
- ✓ Robert Tucker tried to get a homeless acquaintance in his car, but the man refused because he had too much pride. He said there needs to be a day shelter as well.
- ✓ Peter Doiron said he went to the Charter Commission meeting. Citizens speak – it is y our future and your charter. Comcast is 2007’s Grinch. Sidewalks are not cleaned. We need to also remember our military in Iraq.
- ✓ Mark Wirtanen talked about doubling the parking lot in West Barnstable (at bus stop). We need to look to other towns to help. Also there appears to be a plan to triple the size of the shooting range. What about the water. Let’s test the water and gets answers before we triple it.
- ✓ Lou Gonzaga said the rental ordinance is not fair. Make the people aware of it through the tax bill or some other way.
- ✓ John Alden said many homeless are veterans, and many have addiction problems. You have to look at the underlying problems other than economic.
- ✓ Gary Brown, former councilor, told about his ancestor who had been a sea Captain – he thanked the town for naming the launch area after him. He donned his Santa Claus hat as he has for about 10 years and wished everyone Merry Christmas.

COUNCIL RESPONSE TO PUBLIC COMMENT

Councilor Canedy told Mr. Wirtanen that he could correspond on the internet regarding the parking lot.

Councilor Milne reminded all that the recycling part of the landfill is free and he encouraged all to recycle cardboard, plastic, newspaper, etc. Could the landfill workers encourage the recycling?

Mark Ells, Director of Public Works – said we have percentages of recycling – we do pick a lot of recycling out of various piles. He will bring it up to staff. We recycle 50% of what is brought in. Stickers will go on sale shortly.

Councilor Milne asked about the parking lot expansion and the firing range expansion. Councilor Canedy suggested to go to the website.

Councilor Barton said Human Services Com. Is looking for a 24/7 building for the homeless. She said they have a veteran’s outreach person working on this as well.

Councilor Farnham said the hours at the shooting range will be reduced on Sundays and holidays....information is on the website. He said the opinion of many is that the water will

probably not be impacted due to the clay, etc. But he agrees that they should look at testing neighboring wells.

ACT ON MINUTES

Upon motion duly made and seconded it was voted to approve the minutes of December 6, 2007.

VOTE: 13 yes

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

Councilor Tobey read a letter from Pam Mears that thanked the council for help in cleaning up Fresh Holes Road. Tobey thanked all the departments that were involved in that project as well.

Councilor Barton gave a report on some other donations to the Operation in From the Streets.

Councilor Milne thanked BHS Football Coach "Spanky" Demanche for his tremendous contribution to the young people. He thanked the manager for information on the Danforth property parking lot. He wanted to know about the Circuit City proposal.

ORDERS OF THE DAY

A. OLD BUSINESS

**2008-069 - APPOINTMENT TO BOARD/COMMITTEE/COMMISSION
12/06/07, 12/20/07**

Upon motion duly made and seconded it was

RESOLVED: that the Barnstable Town Council appoints the following individual to a multiple member board/committee/commission.

PERSONNEL ADVISORY BOARD:

Stephen F. Whitmore, 1391 Hyannis Road, Barnstable, MA to a term expiring on 06/30/2010

VOTE: 13 yes

B. NEW BUSINESS

**2008-073 - GRANT ACCEPTANCE MARSTONS MILLS HERRING RUN RESTORATION
PROJECT - 12/20/07**

Doug Kalweit, Director of Natural Resources gave the rationale.

Councilor Munafo asked if it is a Federal Grant. Kalweit said yes, and they came on site to see what has to be done.

Councilor Barry said the herring numbers are down. He blamed the people who were taking the herring. We need to have someone monitor the run. It is a valuable resource and we need to monitor the run and the quantities taken. Kalweit said we do have a separate herring permit. He said this project is to clean out and fix the run.

Councilor Canedy asked if there are other possibilities for herring runs, such as Hinckley Pond. Kalweit does not think that Hinckley Pond would be a good site.

Councilor Curtis thanked him and the volunteers.

Upon motion duly made and seconded, it was

ORDERED, That the Town Council hereby accepts an Association of the United States Delegates to the Gulf of Maine Council on the Marine Environment grant award in the amount of \$14,620.00 to repair and restore the Marstons Mills Herring Run.

VOTE: 12 yes 1 no (Munafa)

TOWN MANAGER COMMUNICATIONS:

Manager Klimm said he received over 100 applications for the position of Assistant Town Manager, which he felt was a positive indicator. He gave a history of his assistants and announced that he had chosen Tom Lynch from Centerville as the replacement for Paul Niedzwiecki.

Tom comes from the Barnstable Housing Authority and Klimm stated that Deborah Converse and Joe Chili from the authority have also given their blessing to the appointment. Lynch has given many years of service to the authority, and has a long history in this community. Klimm asked the council to ratify his appointment.

2008-075 CONFIRMING THE APPOINTMENT OF THE ASSISTANT TOWN MANAGER

Upon motion duly made and seconded it was

ORDERED: that the Town Council confirms the appointment by Town Manager John C. Klimm, of Thomas K. Lynch as the Assistant Town Manager.

VOTE: 13 yes

Tom Lynch then gave a brief speech and said he looked forward to serving the town. He thanked the authority and those who worked in it. We need to continue the civic engagement and continue to plan for the future. I will work hard, listen, talk straight ...inject humor and on this I give you my word.

LATE FILE

2008-077 – AMENDMENT TO ZONING ORDINANCE – MULTI-FAMILY AFFORDABLE HOUSING DISTRICT

- Councilor Canedy stated that her name is on the item and she was not even aware of its existence.
- Councilor Curtis is against voting on even referring since she has not read it.
- Manager Klimm said work is being done on this. We are doing this in the open for the residents to see. He explained that all we are doing is referring it to a joint hearing with the planning board. We assume we are supposed to do it this way. We are introducing it to you and asking for input.
- Councilor Tobey thanked Klimm.
- President Joakim stated that Canedy's name will be removed.
- Klimm said we are trying to come to closure on this issue.
- The Town Clerk noted that the number needed to be changed from 2007-077 to 2008-077.

Upon motion duly made and seconded it was voted to refer this item to a joint public hearing with the Planning Board on January 17, 2008 as amended.

VOTE: 9 Yes, 3 No (Curtis, Canedy and Milne), 1 Abstain (Barton)

ADJOURNMENT:

Upon motion duly made and seconded it was

VOTED: TO ADJOURN.

ADJOURNED: at 8:49 p.m

Respectfully submitted,

Linda E. Hutchenrider, MMC/CMMC
Town Clerk/Town of Barnstable