

**MEETING NOTES**

**Board of the Barnstable County Commissioners:**

William Doherty	Present
Mary Pat Flynn	Present
Sheila R. Lyons	Present

**Staff Present:**

Justyna Marczak	Administrative Assistant
Mark Zielinski	County Administrator

The Commissioners recited the Pledge of Allegiance followed by a Moment of Silence.

**I. Public Comment - None offered**

**II. 12:02 p.m. Cobb Property Report - Commissioner Bill Doherty**

Commissioner Bill Doherty presented his report regarding the Cobb Farm in the village of Barnstable and the issue of Tim Friary (the lessee of the Cobb Farm) clearing the land that belongs to Cara Harding, the resident of the Town of Barnstable, who owns the property abutting the Cobb Farm.

Ms. Harding claimed that Mr. Friary destroyed her bamboo plants while clearing the land that, according to the plot plan and the deed, belongs to her.

Commissioner Doherty stated that based on his findings he would recommend that the easement be marked and identified in order to determine how the said property was crossed.

Mark Zielinski, County Administrator recommended that the County should direct Mr. Friary not to utilize the property that's outside the railroad right of way.

*Motion made by Commissioner Doherty to direct Mark Zielinski, County Administrator to notify Tim Friary to only use the right of way and the direct access to the Cobb Farm property, 2<sup>nd</sup> by Commissioner Flynn, approved 2-0-0.*

**III. Commissioners Actions**

*Motion made by Commissioner Doherty to approve the Meeting Minutes of March 6<sup>th</sup> and March 15th, 2<sup>nd</sup> by Commissioner Flynn, approved 2-0-0.*

Commissioner Lyons arrived at 12:15.

Mark Zielinski, County Administrator, informed the Commissioners about rescheduled invitation to the Barnstable Action for New Directors (BAND) Graduation Ceremony on April 5, 2013 at 1:00 o'clock at the First District Court.

*Motion made by Commissioner Doherty to approve the Summary of Items, 2<sup>nd</sup> by Commissioner Lyons, approved 3-0-0:*

- 1) Adopted Ordinance 13-01 to add to the County's operating budget for FY 2013, as enacted in Ordinance No. 12-04, by making supplemental appropriations for Building Conversion: Gym to Lab: Facilities Department, in the amount of \$494,190.00.
- 2) Executed the Contract between Cape Cod Commission and TischlerBise, in the amount of \$88,120.00, for technical assistance regarding market analysis and fiscal model, for the execution through September 30, 2013.
- 3) Executed the 2<sup>nd</sup> Amendment to the Contract between Cape Light Compact (CLC), in accordance with our responsibility as Fiscal Agent for CLC, and Ecova, Inc., in the amount of \$400,000.00 and \$300,000.00 for Commercial & Industrial Upstream Lighting Initiative for the program years 2012 and January 1, 2013 - August 31, 2013.
- 4) Executed the 2<sup>nd</sup> Amendment to the Contract between Cape Light Compact (CLC), in accordance with our responsibility as Fiscal Agent for CLC, and Rise Engineering, in the amount of \$3,000,000.00, for Commercial / Industrial Direct Install Services for the period of January 1, 2013 - December 31, 2013.
- 5) Executed the 2<sup>nd</sup> Amendment to the Contract between Cape Light Compact (CLC), in accordance with our responsibility as Fiscal Agent for CLC, and Rise Engineering, in the amount of \$40,000.00 for Commercial / Industrial Ancillary Services for the period of January 1, 2013 - December 31, 2013.
- 6) Executed the 3<sup>rd</sup> Amendment to the Contract between Cape Light Compact (CLC), in accordance with our responsibility as Fiscal Agent for CLC, and ICF Resources, LLC, in the amount of \$175,260.00 for the period of January 1, 2013 - December 31, 2013.
- 7) Executed the 2<sup>nd</sup> Amendment to the Contract between Cape Light Compact (CLC), in accordance with our responsibility as Fiscal Agent for CLC, and Conservation Services Group, in the amount of \$35,190.58 for Administrative Services for the Cape Light Compact Cool Smart Program for the period of January 1, 2013 - December 31, 2013.

- 8) Executed the 11<sup>th</sup> Amendment to the Contract between Cape Light Compact (CLC), in accordance with our responsibility as Fiscal Agent for CLC, and Rise Engineering, in the amount of \$100,440.00 for Multi-family Energy Efficiency Services for the period of January 1, 2013 - May 31, 2013.
- 9) Executed the 3<sup>rd</sup> Amendment to the Contract between Cape Light Compact (CLC), in accordance with our responsibility as Fiscal Agent for CLC, and Helgeson Enterprises, Inc., in the amount expected to exceed \$25,000 for CoolSmart Residential HVAC Equipment Program Services for the period of January 1, 2013 - December 31, 2013.
- 10) Executed the Statement of Intent from Department of Health and Environment to Commonwealth of Massachusetts stating that the Barnstable County, Department of Health and Environment will use Women-Owned and Minority-Owned businesses for the procurement in the project titled: "Continued Investigation of Contaminants of Emerging Concern Discharged from Onsite Systems with Emphasis on Endocrine Disrupting Compounds".
- 11) Awarded a bid in the amount of \$88,120.00 to TishlerBise for a consultant for market analysis and development of a fiscal impact model for use by municipalities for the Cape Cod Commission.
- 12) Awarded a contract to Lawrence Lynch and PJ Keating for Road Resurfacing.
- 13) Authorized a transfer request from Department of Human Services in the amount of \$61,950.00 to make funds available for Human Services Grant for the Navigator Project.
- 14) Approved a time sheet for Mark Zielinski, County Administrator.
- 15) Executed an Easement between Barnstable County and NSTAR Electric Company for the parcel of land situated in the Town of Barnstable, Barnstable County, MA, described as: Main Street/Rte 6A, Barnstable, Title in Book 517, page 308 as recorded at the Barnstable County Registry of Deeds shown on plan book 52, page 113.
- 16) Authorized Patricia D. Rogers, Assistant Treasurer, in the absence of Edward M. Zielinski, County Administrator and Margaret T. Downey, Assistant County Administrator, to execute the County Commissioners and Finance Department Payroll and the Accounts Payable Warrant.
- 17) Authorized Patricia D. Rogers, Assistant Treasurer, as an approved signer of purchase requisitions, invoices, transfers and other documents which relate to the Finance Department.

- 18) Authorized Joanne P. Nelson, County Accountant, in the absence of Edward M. Zielinski, County Administrator and Margaret T. Downey, Assistant County Administrator, to execute the County Commissioners and Finance Department Payroll and the Accounts Payable Warrant.
- 19) Authorized Joanne P. Nelson, County Accountant, in the absence of Patricia D. Rogers, Assistant Treasurer, as an approved signer of purchase requisitions, invoices, transfers and other documents which relate to the Finance Department.
- 20) Executed the Lease Agreement between Barnstable County and Barnstable County Archives, Inc. for the lease of the property in Barnstable, Massachusetts, including a building complex located off of Main Street, Barnstable, formerly known as the Barnstable County Jail and House of Corrections for the period of five (5) years.

*Commissioner Flynn in her capacity as Chairman:*

- 21) Executed Certificate for Dissolving Betterments for Cynthia C Clifford.
- 22) Executed Certificate for Dissolving Betterments for George E. Hults, Jr and Mary Hults.
- 23) Executed Certificate for Dissolving Betterments for William P. Naples and Kathleen P. Naples.
- 24) Executed Certificate for Dissolving Betterments for Diana E. O'Toole.
- 25) Executed Certificate for Dissolving Betterments for Peter D. Vatousiou.
- 26) Executed Certificate for Dissolving Betterments for Joseph A. Arone and Suzanne Arone.
- 27) Executed Certificate for Dissolving Betterments for Mary T. Flavin.
- 28) Executed Certificate for Dissolving Betterments for Richard J. Cavill, Jr. and Maristela M. Cavill.

**IV. 12:24 p.m. Information Technology Department review project proposal, Webb Consulting discussion and potential vote.**

Mark Zielinski informed the Commissioners that in order to comply with the state requirements the County needs to obtain three separate quotes regarding the Information Technology Department's review. The County has already obtained the proposal from Webb Consulting but will need to acquire two more.

The Commissioners agreed to ask Elaine Davis, Chief Procurement Officer, to obtain two additional quotes.

#### **V. Reports from Commissioners and County Administrator**

Commissioner Flynn talked about the Cape Cod Arts Foundation Conference that she attended on Monday, March 18<sup>th</sup> and how well organized it was. She applauded the organizers for the enrolment and the amazing speakers.

Commissioner Doherty talked about the issue of Mental Health and the eligibility criteria for Department of Mental Health (DHM) services and the meeting he attended regarding this matter.

Commissioner Flynn talked about the Mayors Day of Recognition for National Service and the Commissioners' involvement in that project. Mr. Zielinski said that April 9<sup>th</sup> is the National Service Day and that the month of April is the National County Month.

The Commissioners agreed to have Darlene Johnson-Morris, the Manager of Barnstable County Resource Development Office/AmeriCorps Cape Cod to come to the next meeting and have a discussion regarding Commissioners' involvement.

#### **VI. 12:54 p.m. Home Rule Charter Review and Special Commission Recommendations, Discussion and Potential Vote.**

General discussion about the Home Rule Charter review and the Special Commission's recommendations regarding the governance and the idea of merged legislative elected group that would include the County Commissioners and Assembly of Delegates. Also the issue of increasing the amount of elected members for the relatively small budget compering to the most of the Cape Cod towns. The Special Charter Review Committee will include the County Commissioners, Assembly of Delegates and the members of the public.

Commissioner Flynn suggested bringing an attorney that would review the charter and separate the important issues from the administrative code. There is also a suggestion to separate the most important issues and amend them rather than reviewing the whole charter.

Commissioner Flynn said that the most important issue at the present moment is to decide whether County Commissioners

should merge with the Assembly of Delegates. In order to make that decision Commissioner Flynn recommended asking the Department Managers for their opinion.

The Commissioners decided to present to the Speaker of the Assembly of Delegates the following findings:

- Find an independent Counsel to help with the Charter review.
- Look at the Special Commission recommendations on the County governance (items 12 through 17) for the Charter review

Paul Niedzwiecki, Executive Director of Cape Cod Commission recommended bringing professional help to the Charter review discussions to speed up the process and to make sure that Cape Cod Commission act is well represented. He suggested looking at other towns/counties that have similar government as Barnstable County.

Barnstable, ss. at 1:43 p.m. on this twentieth day of March, A.D. 2013, Commissioner Doherty moved to adjourn, 2<sup>nd</sup> by Commissioner Lyons, approved 3-0-0.