CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES


Speaker BERGSTROM: Good afternoon. Welcome to the Wednesday, July 18 session of the Cape Cod Regional Government, Assembly of Delegates.

Before I begin the meeting, I’d like to introduce a couple of people. We have Greg Hildebrant who will be doing our recording; Greg over there in the corner. You can’t see him because the camera’s pointed away from him.

And we have Linda Wesson, who’s going to be taking our minutes and stuff. So, welcome aboard.

Also, this meeting will be recorded by other besides Greg.

Okay. So, we will now begin with a moment of silence -- I call the meeting to order and begin with a moment of silence to honor our troops who have died in service to our country and to all those serving our country in the Armed Forces.

(Moment of silence.)

Thank you.

We will now stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

The Clerk will call the roll.

Roll Call (86.14%): Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Ronald Bergstrom (2.84% - Chatham), Leo Cakounes (5.67% - Harwich), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Teresa Martin (2.30% - Eastham), Deborah McCutcheon (0.93% - Truro), Spyro Mitrokostas (11.02% - Yarmouth), Paul Pilcher (1.27% - Wellfleet), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61% - Falmouth).

Absent (13.86%): Christopher Kanaga (2.73% Orleans), John Ohman (6.58% - Dennis), Anthony Scalese (4.55% - Brewster).

Clerk O’CONNELL: Mr. Speaker, we have a quorum present with 86.14 percent of the Delegates present and 13.86 percent absent.

[John Ohman arrived at 4:05 p.m.]

Committee of the Whole

Speaker BERGSTROM: Thank you.

Now that he’s made it official that he’s actually here, I’d like to introduce to those who don’t know Patrick Princi, who is the new delegate from Barnstable appointed recently by the Town Counsel, and he’ll be with us through the remainder of the term. A well-known figure here on the Cape. I’m sure he’ll sit in ably for his predecessor Tom.

I’ll now need a motion to approve the Calendar of Business.

Deputy Speaker ANDERSON: So moved.

Ms. KING: Second.

Delegate BERGSTROM: Okay. All those in favor, say “aye.” Opposed?
(Motion passed.)
You should have received a copy of the Journal of June 20, 2012. Are there any additions or corrections to the Journal?
Hearing none.
Deputy Speaker ANDERSON: Move approval of the Journal of June 20 as presented.
Ms. KING: Second.
Speaker BERGSTROM: Okay. It’s been moved and seconded. All those in favor say "aye."
Opposed?
(Motion passed.)
Okay. We now move to Communications from the Board of Regional Commissioners. I see two of the Commissioners here. Would someone like to step up to the microphone?

Communications from the Board of Regional Commissioners

Commissioner FLYNN: Thank you, Mr. Speaker. Good evening or morning -- afternoon, whatever; it’s been a long day.
I’m very happy and pleased to see Patrick Princi here. Congratulations, Patrick. That was a very good appointment on the part of the Barnstable Town Counsel, and I think we’re all pleased to be able to work with you, at least for the remainder of the year.
A few things I wanted to mention today. The County is represented on what’s called M3³ and that’s an advisory group to the Commanders at the Mass. Military Reservation, and the group meets anywhere from four to five times a year.
And they met last week and the Department of Defense and through the Congress has determined that there shall be another they call a JLUS, which is a Joint Land Use Strategic Planning Process for the Base.
Five years ago, they had a strategic -- they had a JLUS, and this year, they have another. And the Cape Cod Commission has been contracted to oversee and do the majority of the planning work associated with the JLUS. And Sharon Rooney will be the -- who is our Chief Technical -- our Regulatory Planner.
Ms. ROONEY: Chief Planner.
Commissioner FLYNN: Chief Planner for the Cape Cod Commission is the lead person on this project. And it will be a very interesting project. The M3³ Committee has been established as the Policy Committee by the MMR Commanders, who actually will be providing the input and the review and the recommendation during the progress of the plan and when the plan is completed.
The Base has taken on some activities that are going to be very helpful to the citizens of the towns surrounding the Base. They are improving the Sandwich gate, which is, as any of you that use the Sandwich gate know that it’s very close to the neighborhood on Snake Pond Road, and they’re moving it closer to the Base so it won’t interfere so much with the movement of families and the people who live there in and out and down the street.
They’re also going to be making changes to the Falmouth gate so that people from Mashpee and Falmouth who want or need to enter the Base for any reason will have better access into the Falmouth gate than what is there right now.
The Coast Guard continues to enhance its Search and Rescue Operations on the Base. They are acquiring new and improved helicopters -- not helicopters -- planes that they use now for Search and Rescue, and they just completed, almost completed the construction of a new hangar that is required to house this aircraft. And that dedication of that hangar was held yesterday. So, that’s good.
The Base continues to be a major employer on the Upper Cape. It contributes a great deal to
the economic viability of the Towns that surround it, both in payroll and services.

And those of us who represent our communities, there are those who represent the Towns on the Base as well as the County has a representative as well.

One of the other items I wanted to mention is 911 Dispatch. We had a report today from Shawn O’Brien. That is moving along. The pace has picked up because there is more interest now on the Cape. We always knew that most of the Fire Chiefs really understood and appreciated this whole 911 process, and now, apparently, there are more Police Chiefs who are also looking at it and recognizing that there is great value in regionalizing the services of 911 Dispatch.

There were a group of them that had a tour of some of these facilities in other counties; one in New York State, one in Maine, and I can’t remember where the other one was, so they had some site visits. They were able to see from a hands-on the real value of a regional service for dispatch.

How that will end up/where it will be has not yet been determined but it is moving along on a much better path.

And one of the very positive parts about the dispatch too was the technology that when an engine -- when a call comes in, let’s say it’s a fire, immediately visible on the screen -- the dispatch is the location itself what’s on it. If it’s a home, you see the house. It shows you where the adjacent or nearest --

Ms. TAYLOR: Hydrant.

Commissioner FLYNN: -- yes, hydrants are. And it also tells you how many people live in the house, what their ages are, and if there are children, their ages. It also tells you if there is someone in the house who is disabled and is in a wheelchair.

So, it gives a whole lot of information about the area where the call originated. So, anyway, I just want you to know that it’s gone to another level now and it’s taking on a life of its own. And I think now, more than before, we know that we’re going to have an end stage very soon.

We also had an update today from Andrew Gottlieb on the Wastewater and where we are with that. I think you know that both Andrew and Paul have been meeting with Boards of Selectmen and with citizens in all the various towns.

I was at the meeting last Saturday in Falmouth because that’s where I live, and I can tell you that all the believers were there. All the people who really believe in wastewater solutions and particularly in the use of alternatives as opposed to big pipes.

And contrary to some public opinion, you may remember that in the recommendations from the Special Commission regarding Wastewater there was a statement in there that the County could consider creating a taxing authority with Legislative approval and have a big pipe solution. And that was suggested or it was recommended. I think Rob O’Leary sat here and told you about it and why he recommended it because he wanted to put a stake in the ground to let people know that this is a serious problem and towns have to take it seriously and do something about their wastewater plants, but that is now completely off the table. And it is not going to be considered by the Commissioners at all as part of any of the solutions that will come forward as this process begins to move forward.

I think that’s all I have.

Speaker BERGSTROM: Okay. Are there any questions for Commissioner Flynn? Yes, Cheryl.

Ms. ANDREWS: Thank you. Mary Pat, my question has to do with the original wording of the motion that asked Andy and Paul to examine the Special Commission’s recommendations and come up with -- I forget what the wording was -- but come up with an assessment of how it could go forward.

So, I guess what you’re telling us today about the taxing authority aspect of it is not a surprise because we had started to hear that, but my question is are you actually going to go back and revise
that task that you gave to Andy and Paul to memorialize what you just said?

Commissioner FLYNN: Well, as I recall the language of the vote we took was to -- we directed Paul Niedzwiecki and Andrew Gottlieb, Cape Cod Commission and Cape Cod Water Protection Collaborative to look at any and all possible -- to look at regional solutions to wastewater on a Cape-wide basis and complete that and make it available to the Commissioners by December of this year.

And we also asked them to consider public input, and what we did modify -- well, we didn’t modify it but we clarified the fact that public input should come before they make the recommendations to the Commissioners. In other words, don’t make the recommendations to us, and then we have to go out and do the public input. They have been, I think, I think they’ve probably met now with all of the Boards of Selectmen and probably had their conversations. If not, there are very few towns left.

But then when they come up with a proposed set of recommendations, they are going to take that back out again into the community, not town by town, but probably Upper Cape, Mid Cape, Lower Cape, and maybe other places in between.

So what we asked them to do is come back to us with recommendations for regional solutions, and it wasn’t specific at all as to what those solutions would be. But I’ll review that just to make sure, and if it wasn’t that and if it had in any way -- I don’t recall that it included anything about big pipes or sewering, but if it did, we’ll review it at our next meeting and make sure it gets clarified.

Ms. ANDREWS: Should I follow-up? Well, I should.

Speaker BERGSTROM: Go ahead.

Ms. ANDREWS: Okay. But it’s directed towards the comments. The word “entity” came through on your press release in that motion.

Commissioner FLYNN: That’s true.

Ms. ANDREWS: And I think what would be helpful, so that we’re all on the same page, is if the phrase, “If the entity which would have had taxing authority is off the table,” then a new motion from the County Commissioner’s would be helpful.

Commissioner FLYNN: Thank you for that.

Speaker BERGSTROM: Anybody else?

Deputy Speaker ANDERSON: I have some.

Speaker BERGSTROM: Yes.

Deputy Speaker ANDERSON: Following along on those lines, they were in Bourne after Falmouth Saturday and there were only six people there. I would hope that when they have these meetings that they have them at a time that’s convenient for the public. Saturday afternoons in the summer is not very convenient for the public to go out and say what they feel about this wastewater problem that we have on the Cape.

So that would be my suggestion is to have it sometime when people can actually attend.

Commissioner FLYNN: Thank you.

Speaker BERGSTROM: Yeah, Mary Pat, just because it’s on my mind, we went through this in Chatham and I see that they’re going through it in Orleans now and again in Falmouth, it was wastewater recommendations on wastewater treatment.

And parallel to what happened to us is that people are empowered to make recommendations and then if the recommendations don’t sit well with the segment of the public, they get hit with charges of bias or conflict of interest.

Unfortunately, people don’t come up and they say, “We don’t agree.” They say, “Well, we don’t think you should be making the decision.” It’s already been suggested I mean that County Officials will all be pipe people, and some of the things that I would hope -- I mean this isn’t aimed at
you, but just from my personal experience, I would hope that the County Commissioners and the people on the Assembly having empowered both Paul and --

Commissioner FLYNN: Andrew.

Speaker BERGSTROM: -- Andrew to do this that they would get the support of the Commission and the people that are out there because, inevitably, they’re going to be accused of being biased.

I mean already in Orleans they’ve accused a -- they spent $150,000 on a study to study alternatives. As soon as it came out, people didn’t like -- they said that the big pipe solution was more cost effective and, immediately, the citizens who didn’t agree with that came out and said, “Well, those people shouldn’t be making the decision. They’re biased. We want an independent jury.”

So, in other words, I think we should be ready to say no matter what comes out of this, there’s going to be somebody who’s going to jump up and say that the people who are making the decisions are biased.

Commissioner FLYNN: Okay.

Speaker BERGSTROM: And I hope that you would stand behind this all.

Commissioner FLYNN: If I may ask, who are you referring to when you say “people”? “The people who are making the decisions are biased,” which people? The people in the Town?

Speaker BERGSTROM: No. I’m saying that whoever -- let’s say Andrew and Paul came up with a recommendation, not only will people disagree with that recommendation, but they’re going to attack their standing.

Commissioner FLYNN: Oh.

Speaker BERGSTROM: In other words, they’re going to say these people are biased. They shouldn’t be making -- We want an “Independent group,” which usually means somebody who agrees with them. So, this is my personal rant because I’ve been through this but, you know.

Commissioner FLYNN: Yeah, well, you know, I think there probably will be -- the recommendations, well, I would expect that the recommendations would be very broad, very general because they won’t apply to everybody. They won’t apply to every town.

I mean I think too when you have public forums like that, they have to be very well constructed and very well planned. I’m used to public forums whether they’re on wastewater or whether they’re on wind turbines or no matter what they’re on that when you have -- the meetings have to be extremely well planned, the agendas have to be very well-planned, the public comment, and they’re best done by facilitators who are experienced in having public forums. So they know how -- they know what they’re looking for that every word that is said is recorded, and there are minutes, exact minutes, like stenographers that actually take word for word what people say, because this is a really important issue for the Cape and how these forums get planned will be key to the success of the information that we get back.

So it isn’t just Andy and Paul going out and having a conversation, which is what some of the meetings that Paul has been doing now have been. I was there for the one on Saturday, and it was a conversation because it was intended to be a conversation. And that’s what it was because you knew you weren’t going to get a whole lot of people. I think there were maybe 12 in Falmouth, and they were people who really care about wastewater and how the stake in solutions, particularly alternative solutions other than pipes.

So I think any kind of a public forum, that being what it is, has to be very, very well-planned.

Speaker BERGSTROM: Marcia.

Ms. KING: Thank you, Mr. Speaker. I think on your June 27 meeting -- I don’t know if you did it today too -- you discussed the recommendation of the Special Commission. I’m basing my question on the article that was in The Patriot last Friday and the comments that were made so I could
then write an update of what you have discussed regarding those specific recommendations on the Special Commission, unless you want me to read it?

Commissioner FLYNN: No, I read that.
Ms. KING: I’m sure you did.
Commissioner FLYNN: Yeah. I can’t remember everything now that was in it because we have not continued that discussion yet on governance within the last two meetings and we won’t because we’re working on other things right now and people are on vacations, so we probably won’t take it up again until August.

But we are very much aware of what was in the article and I’m sure we will address some of the aspects of it, particularly the part about our agendas. I always think there’s room to create much better agendas that are much more informed.

And even the Open Meeting Law has certain requirements that I’m not so sure that we absolutely always comply with the letter, but I think we can do a better job without agendas.

Ms. KING: This article didn’t discuss the agenda. That’s not what this article was about in the paper. This isn’t the one that you were talking about at the June 27 meeting.

Commissioner FLYNN: Oh, about the Assembly of Delegates.
Ms. KING: Correct.
Commissioner FLYNN: Oh, that’s the one.
Ms. KING: Right. That you have chosen that you don’t think is structure, that you think it’s us as a lump.

Commissioner FLYNN: I read that that was a quote of a member --
Ms. KING: Yeah.

Commissioner FLYNN: The Commissioner made that statement. I will let that Commissioner respond to his statement. I don’t want to speak for that individual. Thank you.

Speaker BERGSTROM: John, do you have a question?

Mr. OHMAN: Mr. Speaker, I would like the other Commissioner to defend his comments because I’m very curious as to how they came about.

Commissioner DOHERTY: And a cheerful good afternoon to one and all. Welcome Patrick. I was using what I would call a sports analogy, and the sports analogy had to do with if you were examining a structure, a team, if you will, and you are talking about suggesting improvements and how the team could be successful or not, the team is still in the league, so if you were to make any structural changes with regard to the numbers of the team, you put them at a disadvantage in terms of their ability to compete.

So, therefore, what’s the other thing you look at? Well, you look at the management or you look at the -- how do look at the individual members of the team to see whether or not there’s an opinion, and, again -- no, not again. I’m saying that there’s an opinion that you would pursue in an open and candid discussion as to what is the level of contribution or not among the members.

But the first part was preceded by discussion of -- if we’re having a discussion that looks at all of the issues that are involved, why would you not want to talk about who was on the team?

If we’re talking about the Red Sox, we can say we needed -- perhaps the center fielder could be better or the second basemen, you know, could be a little bit better.

But that was all part of the discussion. I don’t apologize for it. And I wrote a letter to the editor essentially defending the part where I said that it was a sports analogy and it was all part of a general discussion.

And in that letter, I gave an example because we didn’t discuss how I would define a high-contributing member; in that letter, it occurred to me that I could use an example of someone that I have served with on the Assembly and some that I have observed over time, and I took that occasion
to cite Julia Taylor as someone that I would suggest to you that based upon the contribution, in my opinion, that she’s made, based upon the fact that I served with her for four years as -- she was my Speaker at that time, that she has exhibited the kind of characteristics that I think that are in the higher standard with regard to if I were identifying what an ideal definition would be, that’s what it would be.

But we didn’t get to that part of the discussion; did we? We just got to the part where when they’re talking about members of the team; we’re talking about -- we’re having a free-reining discussion about how the team should be composed or reduced.

I know they have penalty periods in hockey, and during that time you might have a short-handed goal, but, again, when I had been asked with regard to my opinion about the Assembly, even though we’ve had our differences over the years, I’ve always felt that it’s difficult for me to accept the idea that you improve the quality of representation by reducing the number of representatives; especially since the most important constituent that I report to continues to remind me that I like the idea of having a representative of my own, even though it’s Leo, you know. So that’s all part of what I’d call a discussion.

Now, I hope -- I see a few smiles back here -- I hope that you understand let’s say the point from which I began the discussion on there, and, by the way, you’re all welcome to come and join us and be part of that discussion because I think that’s all part of what that kind of discussion is.

And at some point, I think that we have some responsibility to turn over the, let’s see, a bundle let’s say or recommendations and send them over here for further discussions.

I’m glad that you paid attention and saw that because it means that there’s interest beyond the discussion over there to see where, you know, where we’re going with this. So --

Speaker BERGSTROM: John, did you --

Mr. OHMAN: Let me lead it off. I found no sports analogy in anything I read in this article, and I’ve been a sports fan for more than 50 years.

Now, I can only quote, “I believe it’s a question of the members of the Assembly as opposed to the structure of the Assembly.” In other words, you really basically said that we weren’t doing our job, what I read, with no sports analogy whatsoever. And I’d just like to know who you were talking about. I’m somewhat offended.

Commissioner DOHERTY: John, we’ve been friends, and you certainly would not be included in any, you know, say of any accusation with regard to it, but that’s the kind of provocative question that I don’t think I’m going to answer.

Speaker BERGSTROM: Just --

Commissioner DOHERTY: You know who you are.

Speaker BERGSTROM: Before we move on to what’s official County business and get off this topic, are there any more questions on this?

Okay. Thank you. Have a good one, Bill.

I will -- now we move onto Communications from Cape Cod Cooperative Extension Director Bill Clark regarding the Aquacultural Research Corporation. I hope the Commissioners will stay around in case we have some questions for them.

Communications from Cape Cod Cooperative Extension Director

Mr. BILL CLARK: Okay. Thank you, Ron.

Speaker BERGSTROM: Yeah. You know we can’t hear you unless you’re at the microphone, so.

Mr. BILL CLARK: I will. Yes. Thank you, Ron. Before I begin on the ARC, two things. One, --
Speaker BERGSTROM: You’ve got to identify yourself first.

Mr. BILL CLARK: Bill Clark, Director of Cape Cod Cooperative Extension. Thank you.

Before I begin on the ARC, two things if I could; one is the annual tour of extension projects which we do, usually in August, is going to be happening on August 8. We hope as many Assembly members can join us as possible.

We typically load the bus -- we will load the bus here at 9 o’clock on August 8, and where the tour this year will be in Dennis, Harwich, and one project so far in Chatham. So what we try to do is showcase projects we’re doing in the communities, and as you -- those of you who have been on it in the past, we move the tour around different parts of the Cape. Last year, we went from Eastham to Provincetown. So every year we go somewhere different. So that’s the event.

This year, August 8, we’ll leave about nine and I’ll try to get you back, I don’t know, 2:30-3 o’clock. It does take up a whole day for you but we’ll make it worthwhile. Okay?

Item 2 on my list is my equipment malfunction story. I had a PowerPoint to show you, and across the parking lot it worked, and as I came across here, it’s not working. So I’m glad I made copies of the PowerPoint for you, so you’ll hear me talking as opposed to the PowerPoint. So my apologies. I’m sort of a technology dinosaur, but at least I had it working within the last 12 hours. So somehow it’s not working.

(Laughter.)

All right. So, I just wanted to inform you of a regional project that I’ve been working on for a couple of years and, hopefully, recruit your support for this project. So that’s my objective today.

First of all, for those of you that are not familiar with Aquacultural Research Corporation, it’s the only commercial shellfish hatchery in Massachusetts. One of the three owners is here, Gail Hart. Hi, Gail Hart --

Mr. BILL CLARK: -- is here. And several years ago, I guess probably three or four now, the owners came to me as our Department works closely with ARC on shellfish projects, and came to me and expressed concern that they’re looking forward to retirement sometime in the future.

Also, the hatchery is in need of repairs. They were not in a position to take large loans out at this point in their career to move forward with a new hatchery, and asked me if we could work together recruiting loan -- grants and maybe the County’s interest in obtaining this regional hatchery.

So, with that, I’ve been looking for support through federal and state agencies for the last couple years. Most recently working quite a bit with Seth and Senator Wolf’s office, and Seth is here and Representative Turner and Representative Peake.

Just to give you the list, Lieutenant Murray has been to the site; Secretary Sullivan, EOEIA, has been to the site; I’m leaving people out. When I was in Truro two weeks ago, Governor Patrick was there, and I was able to get his ear for five minutes and explain the importance of this hatchery.

Unfortunately, we haven’t received any funds yet. I’m still working on that. What I wanted to do is give you an idea -- background in why this project’s important. In my opinion, it’s the ultimate economy and environment project. That’s all you hear about when you hear about the Cape; you hear about the importance of how economy, economics and the environment work together. In my opinion, this is the ultimate in that case.

ARC, as I said earlier, is the only commercial shellfish hatchery in Massachusetts, and, actually, I believe they were the first hatchery in United States to actually spawn seed.

All of the commercial growers -- these harvesters, I mean, on the Cape get their seed at one point from ARC.

So, the way it works is the County goes out to bid. Through my Department, we find out what every town needs for seed for both the recreational fishery and the commercial fishery. Those seed are bid and we go out to bid.
In the last couple years, ARC was the only bidder. In the past, we did have a bid from a New York hatchery and one from Maine. They’re very small by comparison. And as an aside, in both cases, they couldn’t deliver when it came to the due date. So, we had to actually go back and rely on ARC.

So, all the seed that is sown and ultimately reaped by the commercial fisheries came from ARC. On average, we have about 1,400 commercial diggers on the Cape. I think this year we have around -- well, actually, last year we had about 1,254 licenses. But I took the average of the last ten years and there were 1,454. Those are jobs. Those are jobs that people are out harvesting clams, oysters, whatever, scallops and without the seed that was sown, those would not be harvested.

There are 235 shellfish farms on the Cape, Aquacultures. About 90 percent of them get their seed from ARC. So without ARC, those families that depend on their farm -- their seed for their farm would not have it without ARC.

So you can see the importance. They employee about 20 people year round, so they’re also an employer. So, we went to work looking for grants and, unfortunately to this date, I have nothing to report to you in spite of all our efforts.

Recently, I had this idea where maybe we could consider a user fee; some people translate that into a tax, but, if you know me, I’m pretty conservative, and it’s a user fee. In my town if I play golf, I pay for the golf course. If I don’t play golf, I don’t pay for the golf course. It’s all self-funded by user fees. That’s the analogy I’m using here.

The average number of recreational licenses that were sold on the Cape over the last 10 years was 16,200. The average number of commercial licenses was over 1,400.

My idea is to assess a $10 user fee for every commercial -- I’m sorry, recreational license that’s sold. For every commercial license that’s sold, there would be a $50 user fee. The towns would collect this money above their own license. That money would be sent to the County for our Finance Department and be used to payback a loan. Based on my numbers, the money we’d collect, we could borrow $3.2 million and payback over 20 years -- I used the 4 percent number; it’s a conservative number just to run the calculations.

The purchase price is $4 million so we’re 800 short. I then will be looking -- continue to look for grants and revisiting the Towns’ CPC Committees to see if they would be interested in contributing to this regional project.

So that’s what we’re doing. I wanted, again, to let you know what we’re doing. You have my slides. There are pictures of the place -- actually, the first visit on August 8 on our tour is ARC. So, if you want to see it, its 39.7 acres on a barrier beach called Chapin Beach for those of you that are not from the Mid Cape area. That alone is worth preserving. It has a salt marsh right adjacent to it. It’s alive with birds and other wildlife, but, as importantly, it has this hatchery that is the sole source for seed.

So that’s the pitch. I’m happy to answer your questions. I’m not sure through your protocol whether the others can speak here. I know Gail’s here and the County Commissioners have been very supportive of this effort.

We had it appraised. That’s where we got that number. We had it appraised actually three years ago, and then most recently last year too because of the market, I wanted to make sure the numbers were accurate. Actually, the appraisal was -- they said that the best use of this property would be for a kingdom home and maybe one adds a guest house on the property using the existing footprint.

We certainly -- I hope I don’t wake up some morning and see a kingdom home being built out there. So that’s why I’m here. That’s why I’m making the rounds to your Shellfish Committees, your
Selectmen. And I hope that if you’re interested, I can recruit you to be there when I come to your town.

So far, the Brewster Selectmen have voted to endorse the idea of this user fee concept if we get -- if it goes forward. The Chatham Shellfish Advisory Committee has agreed to promote this with their Selectmen. And I’m on the agenda for at least seven or eight other towns in the next month or so.

As you know, any regional project, it sounds good but it’s not easy. There are at least 15 opinions out there when you’re working with these regional projects.

I think Mr. Doherty has something to say.

Commissioner DOHERTY: No, no. You said what I wanted you to say, which is we’re asking them for help to get/recruit interest in the community that they represent.

Mr. BILL CLARK: Yes. And I didn’t invite any of the Shellfish Community here to stack the deck. You knew I wanted to have a conversation should you want to have a conversation, or I gave you a fact sheet through Janice. I hope you all have that fact sheet on all the details, the project benefits.

I will be happy to supply you with anything else. The owners have been very gracious about providing tours to everybody that I’ve been bringing out there, and I’m sure that will continue.

So, that’s what we’re working on.

Speaker BERGSTROM: Julia. We’ll take questions and then --

Ms. TAYLOR: If we don’t do this, is there any place to get shellfish seed?

Mr. BILL CLARK: To my knowledge, there’s only two other hatcheries that are in business currently: Fishers Island in New York is a small hatchery and Muscongus Bay in Maine is a small hatchery.

Ms. TAYLOR: Not as big as this?

Mr. BILL CLARK: No. And they’re not able to supply the seed that’s needed for the municipalities and the private shellfish grants.

Now, they also provide seed to community’s off-Cape and also to Rhode Island, so they’re exporting seed as well.

Now one other concern that the shellfish community, if I could speak for them, have is when seed comes from out-of-state, it may not -- it’s not local, it’s not native, it doesn’t maybe have the heartiness or may have other disease issues that otherwise may not exist.

Ms. TAYLOR: Could I ask one more?

Speaker BERGSTROM: Yes.

Ms. TAYLOR: Is there any way if we -- you’re talking about the County owning it; right?

Mr. BILL CLARK: Yes. The plan --

Ms. TAYLOR: And the County operates it?

Mr. BILL CLARK: No. This is the plan; I’m sorry. I’m glad you brought that up. That was part of my presentation, but it’s somehow in technology space here.

The plan would be that the County purchase this property, owns it, and maintains it in perpetuity so we have a hatchery. My opinion is that the County shouldn’t be in the seed business; we shouldn’t be in the farming business either or any business similar to that. We would lease it to a grower or to growers that are familiar with this.

We’ve been working with the owners on developing a purchase and sale agreement, and part of the purchase and sale would be that we would purchase it, lease it back to the current owners if they rebuild the hatchery at their own expense, and they would get a term of about 20 years. That’s unofficial because nothing’s been signed on yet. Both owners, their lawyer and the County Counsel and Mark Zielinski and I met with them on Friday and we still have a little ways to go on that.
But that’s the thinking at this point that we would own it and retain -- once this group is interested in not farming anymore or raising seed anymore, we would retain another group to perform this function.

Speaker BERGSTROM: Okay.

Mr. BILL CLARK: As I said, it’s 1,400-plus jobs. I would say that’s conservative if you include the aquacultures were in excess of 1,500 jobs.

What’s frustrating for me is if this was Raytheon or Genzyme, the politicians would be following over themselves to help them out. We’re talking about individual family farmers here and fishermen who don’t get the recognition they deserve. It’s all part of the way of life here. It’s a native historic industry.

And if I could add, I was talking to one of the wholesalers down in Wellfleet the other day. This is just one wholesaler; they’re doing 4,000 oysters a day, just oysters. So, they’re selling 4,000 a day. They’re hope is at some point they’ll be selling 10 million oysters a year. And when you think about that, what goes to restaurants, fish markets and all. In the restaurants, we have waiters, waitresses, kitchen help, truck drivers; so I’m very conservative when I talk about the jobs here and how this is part of the fabric of the Cape. People think about the Cape as the seafood industry.

Speaker BERGSTROM: Okay. Teresa, did you have something to say?

Ms. MARTIN: Yeah. I actually had two things. First, what I was hearing you say, this sounds like it’s very analogous to the County Farm. So there’s already a model for how this will work?

Mr. BILL CLARK: Yes, there is. Yes.

Ms. MARTIN: I just wanted to make sure I understood that. And, second, I just want to say that I think that we talk a lot about the economic mix of this region, and I think this is absolutely a critical component of it. I think it is a natural asset that the region has. It has never even begun to leverage in the way that it could, and I think this also makes a very strong statement that this is a sector that we can embrace and grow.

And you look around the world at how different regions that have similar assets have grown agriculture as an industry segment and there’s great potential. And I think we should be serious about that as an economic sector as well as the environmental components.

Mr. BILL CLARK: Just to add to the environmental component, when they did the TMDL’s for the nitrogen loading that included the existing shellfish populations that are out there. And several years ago, some of you were on the board and some are new, so we did a presentation on remediation of nitrogen using shellfish.

We have several projects. Those of you that were on the tour a few years ago in Orleans, we took you to a site where we’re building oyster reefs to clean up the water there. And if you take the shellfish out of the equation, the TMDL’s will go up.

So, as they -- like us, they need nitrogen in their diet for proteins and without it, they won’t exist.

Speaker BERGSTROM: All right.

Mr. BILL CLARK: I’m sorry that didn’t come out right.

Speaker BERGSTROM: Yes.

Ms. MC CUTCHEON: I’m the Delegate from Truro, and I’m also on the Truro Conservation Commission. We, very recently, approved two new aquaculture projects up there, and in doing that and having our hearings on the Notice of Intent, I was very surprised at the public perception. I think we have a -- I highly endorse these projects, but I think we have a public education issue here.

We had a lot of people come in to complain about the project going in saying, “Well, it’s going to make the water dirty. It’s going to attract too many birds.” Well, the public doesn’t really, I think, understand that it cleans the water; it doesn’t make it dirty, and that this is a traditional operation. This
is a traditional means of making a living here on the Cape. It’s one of the things that we took into consideration in permitting use. But I have another question for you and this is really like from the depths of my own ignorance. It used to be that there were oysters like everywhere; right?

Mr. BILL CLARK: Uh-huh.
Ms. MC CUTCHEON: Well, so how come we’ve got to grow seeds for them now?
Mr. BILL CLARK: For years they were harvested and very little was sown. So, if you reap, you have to sow. If you want to reap, you have to sow first.
Ms. MC CUTCHEON: The question of oh, we’re (Inaudible) --
Mr. BILL CLARK: Oh, yes. For years, Wellfleet, for example, has been in the oyster business for hundreds of years.
Ms. MC CUTCHEON: Right.
Mr. BILL CLARK: When you read Thoreau’s book, “Cape Cod,” he talks about the oyster men in Wellfleet. It was so big -- my dates might be wrong -- but within the last hundred years that they were bringing lots of seed up from the Chesapeake. Unfortunately, those oysters, even though they’re the same species, they’re a different variety.
Ms. MC CUTCHEON: Right.
Mr. BILL CLARK: Not as hearty and diseases came with them. They are several diseases my department’s working on: QPX, there’s another one called JOD, there’s a number of diseases that they have, so all the more reason to have local stock.
Ms. MC CUTCHEON: Right.
Mr. BILL CLARK: So that sort of wiped out the area. And, you know, to get a grant in Massachusetts, you have to go to a site that’s not currently productive. It has to be deemed unproductive. And to the credit of the farmer, he makes it productive or she makes it productive so.
Ms. MC CUTCHEON: Well, we have not had a large population of oysters in Truro for a long time. I think that’s the effort that’s under going now --
Mr. BILL CLARK: Yep.
Ms. MC CUTCHEON: -- is to try to bring that back to a --
Mr. BILL CLARK: To your comment on water clarity, the oyster reef we developed at the Mill Pond in Orleans, we rely on neighborhood people to help maintain it and get the falling off and so forth. One of the gentlemen that lives there who was telling us that -- he swims every morning, and as he swims across the bay and he gets towards that oyster reef, the water clarity’s much cleaner. And as he gets to the oyster reef, it’s really clean.
So, it’s a demonstration project for your -- the people in town that don’t believe it, we’ll take them there if you’d like.
Ms. MC CUTCHEON: And we firmly support the work that you’re doing here, and I hope that we can help you fund this project.
Mr. BILL CLARK: Just to give you some numbers, we’re looking at -- I was using the numbers just for what we could collect. The money we could collect if every town is on board, and, again, I use the 10-year average, there’s currently over 17,000 recreational shell fishermen on the Cape. The average is 16,5 or 16,2.
So, as the fishery goes, there are some years where the numbers go up. Some years we had only a thousand commercial diggers, and other years, back in ’99 through 2004, we had over 1,600, some years over 1,800 diggers. So, I’m using average numbers to come up with it. So, there are years that will be short and other years that we’ll have a surplus. But the number I used was just what we could afford and that was 3.2.
The 4 million if we were to borrow it all, it would be 290,000 a year to pay it back. I think we can bring in 235,000 a year using user fees.

And, again, I haven’t been to all the towns. I’ve talked to the Constables. I’ve talked to Shellfish Committees, so I’m making the rounds. And I’m not here to tell you that we have all 15 towns on board. I have a lot of people that are interested, but as they say in Jerry Maguire’s movie, you know, “Show me the money.”

Speaker BERGSTROM: Let me take a few more questions here. Marcia.

Ms. KING: Thank you, Mr. Speaker. I think this is great. I concur with Teresa and Deborah. This is a regional economic development. This is what Cape Cod is.

In the sense of money, and I guess this is kind of directed to one of the Commissioners, this is where the EDC should be. The EDC gets $400,000 a year. I know they’ve given money to the Cape Cod Commission, but they, I believe, have over 100,000 per year. This is what the EDC should be paying for. This is exactly what is going on. And I would highly recommend and I will push to take EDC money to assist in this.

This is a fabulous project, and I would hope that we all come together and assist them in supporting this. As you said, this is Cape Cod in its best, and the first thing I thought of -- are you talking about in short form difference of money between the 4 million and the 3.3, that’s the EDC? The EDC should be stepping in and making that grant because everybody’s paying for that out of their license plate money.

Mr. BILL CLARK: And also we show good faith on the County’s part that we have some skin in the game too.

Speaker BERGSTROM: Spyro.

Mr. MITROKOSTAS: I’d like to see Marcia’s EDC and raise it.

Ms. KING: Thank you.

(Laughter.)

Mr. MITROKOSTAS: This industry is so vital to the local economy. It permeates to so many businesses and workers that it behooves us to preserve it as built said in perpetuity.

It is easy to say let’s ask the EDC to do it, but I suspect that we’ll be back here in six months’ time looking at something in our own budget to help effect this project and have it come to fruition.

And I, for one, wouldn’t mind seeing this show up in the County budget because it affects everybody who’s here, every County resident.

I’ve been privileged to be able to look at this project from the other side of the town line from the years I spent at Bass Hole kind of staring out at ARC and wondering what it was, and now I’m equally privileged to be serving the business community in the town of Dennis where they’re located and discovered exactly what it means in terms of economic impact to both that community and to the County.

So, I would wholeheartedly support your efforts and please come back and ask for whatever you need to make it happen.

Mr. BILL CLARK: Just so you know what you’re up against, if we got to the town together -- your town together or if you go on your own to speak to your local officials, a lot of towns have already or recently increased their fees, and now they’re looking at another fee? And you can imagine how many eyes will be rolled when that comes up.

But the option is, and to the credit of the commercial harvesters in Chatham, they make their living on the waterfront, and they asked -- I think I was there an hour and a half. They all peppered me with questions, and they realized that if this doesn’t happen, three years from now there’s not going to be a lot to harvest. So, to their credit, they said, you know what, they’ll go for it.

So that’s the pitch, and we’ve been working with the ARC owners for a few years. You know,
it’s their retirement. It’s there whole life. One of things we were talking about Friday in the P&S is giving us six months to -- more months to show some good faith effort on our part. That’s why I’m out amongst the towns trying to get their support and looking for more grants.

Senator Wolf and Seth have been very helpful in trying to coordinate meetings and find agencies within the state that might have funds. So, anybody you know that could help, I’m certainly willing to talk to them.

Speaker BERGSTROM: John, did you have something to say?

Mr. OHMAN: Thank you. Yeah, Bill and I have been talking about this for several years now, and I really wholeheartedly agree that we need to do this.

I guess just to follow up on what you were just saying; is there any hope? Is there any particular direction that we can talk to the state about some specific grants that might push this forward?

Mr. BILL CLARK: Well, I guess I’ll defer to Seth on that one. But the ones we’ve looked at so far, for example, land acquisition. This is, as I said earlier, is a perfect opportunity for land acquisition, but we’re talking about a business here. We haven’t found anything that allows for buying a business on really important land, real estate.

When we did the appraisal, we separated 29 acres of the 39 out, so I asked the appraiser to do a price on 29 and then a separate price on 10 plus the hatchery, so that in the event that there’s land money alone we could separate it.

Unfortunately through that 29, the way it’s set up, there’s a driveway and the road structure so that kind of reduces the value from a wildlife perspective in some people’s minds.

So, I guess that’s a long answer to your question. No, we haven’t found anything yet but we’re still looking. We’ve talked to federal EDA people. There was even money awarded for the Buzzards Bay Oil Spill knowing that they were trying to restore their fishery in Buzzards Bay. I was looking to them for funds and that didn’t work out, so we’ve been looking, and I’ve been working with our grant writers here in the County to find opportunities.

Speaker BERGSTROM: Cheryl, do you have something to say?

Ms. ANDREWS: Yes. Thank you. Not to do your job for you, but --

Mr. BILL CLARK: Please do.

Ms. ANDREWS: -- you mentioned about buying land to run a business. It seems a little more like what you’re doing is similar to what we do when we buy land to drop wells for water.

Mr. BILL CLARK: True. Yes.

Ms. ANDREWS: So it’s not precedent setting. So that was one thought.

Mr. BILL CLARK: Good point.

Ms. ANDREWS: The second one was very similar to what the delegate from Truro was talking about in terms of natural propagation versus us coming in and seeding it. I didn’t realize when I first got involved in Town government that my Town was buying seed. I had no concept of that. I thought it was like in the old days when you went out, there were the clams and you picked them up.

So then I started understanding that this was going on, and I started wondering what we were doing within this program to reseed it. Is there any obligation or is there any activity going on to measure what we’re pulling out relative to the seed so that we’re starting to build up a base?

Mr. BILL CLARK: Yes.

Ms. ANDREWS: And if there isn’t, you know, whose obligation is it; County or Town?

Mr. BILL CLARK: I’m not sure if I did it this year, but in past budget seasons in my budget I have $30,000 in there for buying seed for municipalities. It just passed through my budget. We go out to bid. This year we spent 38,000.
The argument that I usually bring with me to that subcommittee is a scenario of the number of seed we buy, and I give you a scenario on if 75 percent survive, 50 percent survive, 25 percent survive. So I give you that whole thing. I don’t have it with me, and I don’t even have my glasses with me so I couldn’t find it if I had it so.

I do have those numbers, and I know if you talk to Tony and your Warden that he can vouch for the fact that what they’re seeding is what is being harvested by both, commercial and recreational.

Ms. ANDREWS: Right. But my question was more about is there some obligation to harvest a little bit less than we’re seeding so that we start having a natural base again.

Mr. BILL CLARK: Oh, I see. That’s part of fisheries management. That would be town by town. Although, one of the big pluses to the aquaculture businesses is they have farms on municipal property that they’re raising oysters and quahogs for the most part. They spawned, and that spawn is in the water column, and the town fishery benefits from that spawn.

So, in Wellfleet, there are probably a hundred of those farms and they have the most but every town and out to Truro and Provincetown, I was at that meeting where we were trying to establish that aquaculture zone last winter, and it looks like it’s very promising. But the success of those potential businesses is whether or not they can get seed.

I’ve had growers from Wellfleet; I’ve had growers from Orleans come to me saying, you know, one guy in Wellfleet just said, “I just hired two people. If we don’t get seed, the three of us are out of a job.” So, it’s that simple.

Speaker BERGSTROM: Bill, can I get some more questions?

Mr. BILL CLARK: Absolutely. Sorry.

Speaker BERGSTROM: Okay. Leo, our aquaculture or head of the Cape and Islands Farm Bureau.

Mr. CAKOUNES: Okay. With the fear of being labeled a team player --

(Laughter.)

Mr. CAKOUNES: -- I’ll let you know that I, too, am concerned with this property, and I would like to see us move forward in some fashion.

You mentioned and have been talking about us purchasing the property and then in turn releasing it to a farmer. I’ll use the term “farmer” because aquaculture is our farmers.

Mr. BILL CLARK: That’s correct.

Mr. CAKOUNES: Have you looked into the purchase of an Agricultural Preservation Restriction on the property so that an individual can actually own the property and have a vested interest in, you know, the buildings and the land so that they will be able to, when they go to retire, reap some benefit to that.

And I say this to you, Bill, from two points.

Mr. BILL CLARK: Well, the answer to your question is “yes.”

Mr. CAKOUNES: Okay. You have.

Mr. BILL CLARK: When we started talking, I don’t know, I’ve lost track now, three or four years ago, the first meeting I had was with the Commissioner of Agriculture. And at the time, he was Scott Soares, the former aquaculture specialist, and their whole program was based on soil as a resource. Now this is a sand dune. The APR Committee does not even understand aquaculture, never mind look at their soil as a resource. We were trying to convince them otherwise.

And the other issue is the most they pay is usually around $2,500 an acre, and waterfront property goes for a lot more than $2,500 an acre. So, that was another problem.

Mr. CAKOUNES: Well, I --

Mr. BILL CLARK: We have a new Commissioner on July 30 at 10 o’clock, that Commissioner and I will be visiting with the owners to revisit that topic.
Mr. CAKOUNES: Well, I --
Mr. BILL CLARK: To see if we can make some exceptions.
Mr. CAKOUNES: I just want to tell you don’t put a lot of weight into the APR program either by the State of Massachusetts or the Federal program.

My kind of direction or suggestion would be that the County be the holders of the Agricultural Preservation Restriction. And instead of the County coming up with $4 million, and I’m just going to use rough numbers just to get my point across.

Instead of the County coming up with 4 million to purchase the property and then leasing it to Leo for a thousand dollars a year because I have to put in all these improvements, and I’m only going to have a 20-year lease on the property, so 20 years from now when I retire, I really don’t have anything to give to my daughter.

It would seem to be just an area that I would like you to look into that the County put up 3 million and Leo puts up a million. Now I own the property. I will want to invest in the property. I will want to make it a going business because in 20 years when I want to retire and I want to give something to my daughter, I can subsequently sell it to someone else. It’s not going to be for $6 million because it’s going to have an Agricultural Preservation Restriction on it held by the County, which only allows me to do one thing there -- grow seed.

But I will be able to certainly recoup my million. Maybe, if I’m lucky, and the market goes up a little bit, I might even be able to get a million and a half out of it.

I tell you that from a personal standpoint as a farmer because not only do I own my own farm land, I also lease farm land from a municipality. And when I tried to make that pitch to the municipality, the narrow-mindedness of some of those people in charge thought it was better for them to purchase it and I argued that I didn’t think it was because, again, now I’m paying a pretty reduced rate for a large amount of land, but, again, I only have 10 more years left of my lease. At the end of that lease, I have no equity. I would have much rather had done a purchase agreement with the Town where they held the Agricultural Preservation Restriction, and I had equity in this land.

Mr. BILL CLARK: Sure.
Mr. CAKOUNES: It’s just a thought, and, again, please don’t hang your hat on the APR programs of the State because, I’m telling you from my experience, that’s either dried up or has a lot more narrow-minded team players than we do here on Cape Cod.

Speaker BERGSTROM: Bill, can I ask you a couple questions?
Mr. BILL CLARK: Sure.

Speaker BERGSTROM: Two issues here is what the benefits are going to be to the Cape, to Barnstable County. And I know that you’ve spoken generally of the benefits, but normally what happens is something like this is you kick in a few dollars, $10,000, and you go to somebody who is in the business of making these assessments and they come back to you in a month or two months and they say we have looked at the economic impact of this business to Cape Cod, and it is X millions of dollars.

In other words, just rather than have us as the pitch man going out and saying well, it’s a great idea. Here’s what -- that we have something actually concrete. I don’t know; I think the EDC would be perfect in giving that kind of money but something. Do a study and say, “Look, it’s not just us telling you this. We looked and we documented; this is the economic benefit to Cape Cod of the Shellfish Industry.”

The other thing is that I have learned from personal experience is, you know, 15 years ago the fishermen in Chatham and eventually throughout most of the outer Cape were having problems and they got together and they formed the Cape Cod Hook Fishermen’s Association, which essentially is a lobbying group. I mean that’s what they do. Seth is very familiar with it, and they became very
instrumental in getting funding and regulations and promoting the interest of fishermen on Cape Cod. Unfortunately, the shell fishermen have not done that. In other words, they’re not as cohesive a group, but if they -- they are going to benefit from the existence of this hatchery; they’re going to have to step up in places. I mean, Chatham; I know Chatham very well. I’m a former Chairman of their Shellfish Advisory Committee. I know Wellfleet would be very supportive. I mean you have a direct financial interest to this; Barnstable, a very direct financial interest; Falmouth; Bourne.

You know, you get to other towns like Sandwich, for instance, they might not have as much of an interest, but if you go through the permitting process by increasing the fees, they’re not going to kick in that much money because they probably haven’t got as many licenses as let’s say Chatham.

Mr. BILL CLARK: That’s correct.

Speaker BERGSTROM: I was looking at some guys today bringing in some clams. They have kind of a clam-boom there in Chatham, and there are some guys that have been doing it for years; not me. I kind of like to do quahogs but, and they would bring in 400 pounds. Four hundred; one guy and I don’t know what the price is. It’s over a buck and a half. So they will complain if you raise their fee $50 but don’t listen to them.

(Laughter.)

In other words, I don’t listen to them. Don’t listen to them. They’re more -- it’s well worth it in the long run for the commercial diggers to support this industry which is as another industry.

But I’m more concerned as to how we get from here to there and what the time frame is. I know you’ve gone to the towns and so on. The Boards of Selectmen are the ones who raise the fees. Do you have an end game here? Do you have some kind of a time frame in which you could get a commitment on the part of the Boards of Selectmen to increase those fees if that’s the way you’re going to go?

Mr. BILL CLARK: In the perfect world, they would approve it and have it in their Fiscal ’14. So, again, all 15 towns have different times when they set fees.

Assuming that many set them before July -- January 1, I would hope that they’d be willing to do this and set their fee with this user fee for January 1.

Speaker BERGSTROM: That being --

Mr. BILL CLARK: Some towns are kind of wondering, gee, what are the other towns doing?

So, it’s kind of chicken and egg, but as we build up some inertia here, we’ll --

Speaker BERGSTROM: Well, I know in Chatham the fee-setting process doesn’t go through Town Meeting. The Boards of Selectmen can set the fees.

Mr. BILL CLARK: Right. That’s correct.

Speaker BERGSTROM: That’s how it works. I mean I think this is a good idea. I personally deal with ARC and have for a number of years, and I know there are benefits that they do other things besides seed and so on. But from an environmental standpoint, that’s basically beach property. I’m amazed that no one, the town of Dennis or somebody, hasn’t stepped forward to say we want to preserve this property. I mean they wanted to put up a wind turbine there and everybody’s yelling and screaming, but, yet, here’s an example of them stepping in to preserve the property regardless of the hatchery, just simply for the property in the public domain and no one seems to be pushing that issue. I know you have.

Mr. BILL CLARK: Uh-huh.

Speaker BERGSTROM: I’m surprised they haven’t, but I’d like to see this go to the next level. You seem to have the support of the Assembly. If we could give it a structure to which we say, okay, we’re aiming to -- I know you’re still in negotiations with ARC, but from our standpoint, you have a concrete proposal; we can put it out there in a sense rather than go here, there, and everything. This is a proposal. We can publicize it. We can ask people, and I know they’re organized in
Wellfleet. I know that Barnstable has an active shellfish community. We can basically push the project that way.

Mr. BILL CLARK: True.
Speaker BERGSTROM: That’s what I’m looking at. Leo.
Mr. CAKOUNES: Yeah, I listened to everybody around the table and we all seem to be in favor of this and, you know, I’m prepared, if it’s appropriate and my colleagues would accept it, just to make a motion, a very vague motion that the Assembly support the efforts of Bill Clark and the County Extension Service Office in pursuit of the Regional Plan to purchase the ARC property, and also that he continue to research creative funding plans and applying for grants for this purpose.

Just, again, it doesn’t --
Speaker BERGSTROM: You got that in writing?
Mr. CAKOUNES: Yes, I do.
Ms. MC CUTCHEON: Second.
Speaker BERGSTROM: Okay. Why don’t you submit it to the Clerk just so we know what we’re talking about.
So that’s a motion on the table, so before we can go any further discussion, I need a second.
Ms. MC CUTCHEON: I seconded that.
Speaker BERGSTROM: Okay. Second.
Mr. CAKOUNES: Other discussion purposes, Mr. Speaker.
Speaker BERGSTROM: Yes.
Mr. CAKOUNES: It’s very vague; it’s very simple. I just want Bill to leave here being able to when he goes to these towns saying that he made a brief presentation to us and that we are in favor for him to continue to pursue this idea. It doesn’t put us on the hook for anything. We’re not signing any purchase and sales agreements. We’re just giving him a little pat on the back and saying, you know what, we need to further research this. So, I hope everybody will vote in favor.
Speaker BERGSTROM: Yes. Teresa.
Ms. MARTIN: I just want to note that in the materials that Bill provided us it looks like the USDA says it’s a $10.8 million industry.
Mr. BILL CLARK: Yes. When you were asking about economic numbers, you’ll find -- it depends on what agency you talk to, you’ll get a different number. So, unfortunately, there’s nobody compiling the data that I’ve found.
And it’s also Farm Gate numbers. So, I think the economic -- the real number should be multiplied times four to give you the real number.
Ms. MARTIN: So in light of that, I think Leo’s idea is an excellent one. That’s definitely something we should support.
Speaker BERGSTROM: Okay. Cheryl.
Ms. ANDREWS: Yep. At the risk of that someone will be looking at it from this perspective, I’m just looking at the way this is posted and it doesn’t look like it’s a discussion with the Assembly and a potential vote on a policy. It just says, “Communication from.”
Speaker BERGSTROM: You’re overruled.
Ms. ANDREWS: That’s fine. But if this motion goes forward, you know another way to deal with it is just put it on your next agenda as a policy discussion so the public understands that we were debating something in front of all them.
Speaker BERGSTROM: Leo.
Mr. CAKOUNES: For the record, we did, in fact, ask the AG’s Office for a ruling on that specifically, and they gave us a ruling in writing that stated that we did not necessarily have to have written in the Agenda that a motion or action was going to be taken or not. Just the fact that the item
itself was on the Agenda was enough to warn them that a possible action could have been taken.

Ms. ANDREWS: Okay.

Mr. CAKOUNES: So I feel very in okay grounds if we go ahead and approve this.

Ms. ANDREWS: Do we have a copy of that?

Speaker BERGSTROM: We actually submitted it to the Clerk; yes.

Ms. ANDREWS: Super. Thanks.

Speaker BERGSTROM: Okay. If there’s no further comment, I will take a vote. All those in favor, say “aye.” Opposed? (Motion carries)

Okay. I didn’t give you any money, but that’s --

Mr. BILL CLARK: Well, I thank you. This really means a lot. One of the owners is here, and I don’t know if your procedure allows for a public comment or not?

Speaker BERGSTROM: No, yeah, before --

Mr. BILL CLARK: Before a presentation?

Speaker BERGSTROM: Before we meet, anybody can say anything to us.

Mr. BILL CLARK: I don’t want to put Gail on the spot, but if you want to be on the spot, it’s your turn.

Gail Hart is one of the three owners of the ARC so.

Mr. CAKOUNES: You can’t sell a used car twice. You don’t have to say anything else.

(Laughter.)

Ms. GAIL HART: Gail Hart, Agricultural Research Corporation. I’m officially the Vice President, and my two partners Richard Kraus and Susan Machie are still back at work working hard, and that’s the only reason they aren’t here with me this afternoon, but we really appreciate your taking an interest in this project.

We’ve dedicated our lives to this company. We’ve all spent several decades there each, and we would really like to see this continue because we feel we have an obligation to all of the farmers we support and several generations of farm families in the shellfish industry here as well as the commercial fishermen who benefit from all of the work that we do.

We just don’t want to see it just go away. That would be the easy way out, just sell the property and go away.

But we’ve committed to not do that, and we’re trying very hard and we appreciate all the help that we’re getting to see it go forward and all of your suggestions.

So, thank you, very much.

Speaker BERGSTROM: Thank you.

Mr. BILL CLARK: Sure. Just -- sorry. I mentioned that Seth is here, and you all know Seth, but Sarah Peake and Cleon Turner’s aides are also here. I believe they’re here in support of this; I don’t know -- I want to give everybody an opportunity. They were nice enough to come, if they wanted to say anything or just be acknowledged, one way or the other.

Thank you.

Speaker BERGSTROM: Now, with the Assembly’s support, the circle is completed of support.

Mr. BILL CLARK: I’ve got more support than -- no. I really appreciate it.

Speaker BERGSTROM: Okay. Thank you, very much.

Mr. BILL CLARK: All right. And if you don’t mind, I’ll try to remember to let you know when I’m coming to your town so if you have that day or night free, you can come in and you’ll know what’s happening in these right now. Thanks.

Speaker BERGSTROM: We now move on to Communication from Public Officials. Any Public Officials wish to speak?
Communications from Members of the Public? We have a member of the public who would like to speak.

Communications from Members of the Public

Ms. KATHY SHERMAN: I’m Kathy Sherman. I did not intend to speak, but you’ll notice I’m wearing the Brewster Oyster T-shirt today. And what I wanted to say related to the ARC’s proposal is that some of us have been interested in the SPAT program. There’s a SPAT Program on Long Island that -- I forget the name of the Bay, but they use solar energy for the growing of the algae, and they also have sort of like a greenhouse for eelgrass.

So, in terms of agricultural product, it’s not just seed that they’re producing, but the way they use their cooperative extension it’s connected to Cornell and it’s an opportunity -- they’re mostly staffed by volunteers, and there can be community, sort of like a community garden except shellfish, or there can be private homeowners. And it’s partly -- the rationale is partly that the water quality but also the food.

So, in terms of like funding ideas and in terms of serving Cape Cod in a way if part of this could be not just simply a lease back to an improved business, but sort of like the 4H of marine life. I just thought that those might be somewhat crazy ideas, but it’s worth adding onto it.

Assembly Convenes

Speaker BERGSTROM: Thank you. Any other members of the Public wish to speak? Hearing none.

The Assembly will now convene, and we will begin with Standing Committee on Governmental Regulations and Recommendations on Proposed Ordinance 12-07, Gravel Mining. So, governmental regulations is --

Deputy Speaker ANDERSON: You.
Speaker BERGSTROM: That’s correct. I am.
(Laughter.)

Okay. We have, in your packet, the report which you should have all received, and it was -- I’m not going to go into the details, but it was approved, carried 4 to nothing to approve 12-07. Seems like a hundred years ago. It does.

Deputy Speaker ANDERSON: It does. A long, hot summer.
Speaker BERGSTROM: Anyway, we had members from the Commission here to speak if any of you have any further questions on this, but I think we’ve thoroughly got a proposal.

Deputy Speaker ANDERSON: No questions.

Proposed Ordinance 12-07

Speaker BERGSTROM: So I’m going to need -- I don’t normally make motions from the Chair, so I’m going to need one from someone else.

Deputy Speaker ANDERSON: All right. I’ll make a motion we accept Proposed Ordinance 12.07 (sic) with Sand and Gravel Mining and Cape Pipelines -- Cable Pipelines; excuse me.

Delegate KING: Second
Speaker BERGSTROM: Okay. I have a second. It’s been moved and seconded. Okay. Any other further comments? If not, we will take a vote on that.

Mr. MITROKOSTAS: Mr. Speaker.
Speaker BERGSTROM: Yes.
Mr. MITROKOSTAS: Just for the benefit of anyone who might be listening in or watching it on television, anyone want to offer a quick synopsis of what we’re voting on?
Speaker BERGSTROM: Okay. If you want. I pretty much explained the whole thing, but this was part of the -- well, anyway, the Cape Cod Commission Natural Resources began with a PowerPoint presentation. The presentation provided the Committee with an introduction, process review and overview of the proposed regulations.
The RPP amendments are a response to the Ocean Act of 2008 of Sand Mining, Cables, and Pipelines and offshore waters that are open for development.
The proposed regulations address a gap in protection on Cape Cod. The last two years were spent planning and developing regulations.
You’ll see from the minutes that they had questions existing local beach nourishment and, basically, the education of the potential disputes related to the jurisdictional re-nourishment of public and private properties as it says in this little page here.
Ms. MC CUTCHEON: I have a comment.
Speaker BERGSTROM: So, you have a comment.
Ms. MC CUTCHEON: I’ve read all of this. We had, up in Truro, some real interest in much smaller projects, and the only thing I would say is I think these are very good regulations. I would like to see the Commission go a little further.
We’ve got people -- everybody who owns a front loader would like to get down below the low-water line and push something up on the beach. And we’re standing with our fingers in the dark trying to keep, you know, it causes erosion in other places when you do that change in topography, and I just would like to see that we go a little further into this.
Speaker BERGSTROM: Yeah, that was something that I brought up at the meeting about people looking to re-nourish their beaches, but the potential conflicts among private property owners; some want to do something and some don’t and they got repealed. The impression of the Commission is it’s still going to be under local conservation regulations. It’s still going to be unfortunately the sorry task of the Town officials to try to educate that. John.
Mr. OHMAN: Also, the Commission went to great lengths to identify exactly where sand mining could occur especially.
Speaker BERGSTROM: Right.
Mr. OHMAN: And it’s very restrictive, so it wouldn’t affect anything -- I think anywhere near the Town of Truro for one thing. We were very specific about certain areas within the Bay.
Ms. MC CUTCHEON: Well, this is why I think we need to go a little further because I think there is a lot of pressure out there for the kind of beach nourishment that you see there down in Florida, and I think that’s going to become more of an issue as the water gets higher and the coast continues to erode.
In Truro, all the big money is up along the Bay, so that’s where your pressure’s coming from. I’m just simply encouraging them to go in further than you have here because local regulations are helpful, but when you look at that controversy that’s going on right now, there’s a new report about those -- where they can do beach scraping to protect those houses.
Speaker BERGSTROM: Okay. We have a Motion on the table. It’s been moved and seconded. We’re going to take a vote on this.
The Clerk will call the roll.
Roll Call Vote on Proposed Ordinance 12-07: Amendment to the Regional Policy Plan per Section 8H of Chapter 716 of the Acts of 1989, as amended.

Voting YES (92.72%): Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Ronald Bergstrom (2.84% - Chatham), Leo Cakounes (5.67% - Harwich), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Teresa Martin (2.30% - Eastham), Deborah McCutcheon (0.93% - Truro), Spyro Mitrokostas (11.02% - Yarmouth), John Ohman (6.58% - Dennis), Paul Pilcher (1.27% - Wellfleet), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61% - Falmouth).

Voting NO (0%):
Absent (7.28%): Christopher Kanaga (2.73% Orleans), Anthony Scalese (4.55% - Brewster).

Ms. O’CONNELL: Mr. Speaker, Proposed Ordinance 12-07 passes with 92.72 percent of the Delegates voting “Yes”; 7.28 percent absent.

Whereupon, it was moved, seconded, and by a roll call vote with 92.72% voting yes, and 7.28% absent: VOTED to adopt Proposed Ordinance 12-07: Amendment to the Regional Policy Plan per Section 8H of Chapter 716 of the Acts of 1989, as amended.

Speaker BERGSTROM: Thank you. We have it at two separate sections. One is a report from the Standing Committee on the Ordinance, and the other is the actual vote on the Ordinance.

Deputy Speaker ANDERSON: Okay.

Speaker BERGSTROM: We’re just taking a vote on the ordinance. I gave a spotty report on that.

Deputy Speaker ANDERSON: All right.

Report of Committees

Speaker BERGSTROM: Now we have reports from Committees. We have to do the minutes of the Special Committee on Inquiry into CVEC and CLC. Have the members had a chance to read the minutes? Any additions or questions on that?

Mr. CAKOUNES: I’ll move the minutes as intended.

Speaker BERGSTROM: Okay. Do we have a second?

Ms. McCUTCHEON: Second

Speaker BERGSTROM: Okay. Moved and seconded. Further comment?

All those in favor, say “Aye.” Opposed?

(Minutes approved.)

Okay. We now have a report from the Clerk.

Report from the Clerk

Ms. O’CONNELL: Thank you, Mr. Speaker. I just want to remind everyone that the AmeriCorps Year ’13 Graduation Ceremony will take place Thursday, July 26. I think you received notice to this effect earlier, a month or so ago. I’m just reminding you.

Speaker BERGSTROM: Oh, by the way, I’m just going to jump in here. There was a news article this morning I think you should be aware of that the House of Representatives took a vote to defund the AmeriCorps Program. So, if any of you have any influence in Washington, it’s been a valuable program for us, and I think we should try to continue it. Go ahead; I didn’t mean to interrupt
Ms. O'CONNELL: That’s fine. Also, just to let you know that we did receive approval to have the Assembly Meeting of August 15 at Nauset Beach. I was advised of that. That was approved.

As you will recall, Mr. Clark reminded you about the County Tour on August 8, and I think I also sent you some information regarding how to contact him if, in fact, you want to attend that tour so he can reserve seating on the bus.

And I also want to introduce, just briefly, Barbara Austin, who will act in my stead hopefully on August 1 when I will unfortunately be absent from my first Assembly Meeting since I’ve been doing Assembly Meetings. And, Barbara -- you’ll be in good hands with Barbara. I’m just letting you know that.

And that’s it. That’s all I have today.

Other Business

Speaker BERGSTROM: Any other business to be brought before the committee? Leo.

Mr. CAKOUNES: Thank you. On June 30, I had my annual farm Open House, in which all of you were invited to, and I’m here this evening to present a couple of awards.

We had our first annual pig race held at that event, and this year was very unique because we actually had two winners.

Deborah from Truro actually came in First Place. She won the -- she actually broke the record with her pig. It went down the chute at an expounding speed, but she incorporated the use of one of our Cur dogs, and I don’t know if any of you know what a Cur dog is, but it’s basically a herd dog for pigs. They’re a cross between a Pit Bull and a Bulldog. And she got one of those Cur dogs to jump in the chute and chase the pig down the chute and she won in record time. So we have a trophy for Deborah.

Ms. MCCUTCHEON: Thank you.

Mr. CAKOUNES: Another First Place winner and completely on the other end of the scale was Janice. Janice won our second heat, and, ironically, by then the pigs were quite use to the chute and she did not use one of the dogs. So, basically, what happened is they actually strolled down the chute, and she won First Place having the longest time that it took from one end of the chute to the other. So we have two trophies for them.

And since both First Places went to the Assembly of Delegates, Cape Farms and Supply thought it was appropriate that the Assembly get to hold the Annual Pig Bowl. And, hopefully, next year we’ll get some more people to participate because this year the County Commissioners did not show up, and who knows, maybe next year they’ll win the Pig Bowl if they come.

But, anyhow, thank you, and I’ll make those presentations later. Thank you.

Speaker BERGSTROM: Okay. Any other business to come before -- Yes, John.

Mr. OHMAN: Yes, thank you, Mr. Speaker. I cordially invite the Assembly to visit Liam’s in Nauset Beach for a small get together after the meeting on the 15th of seafood and our famous onion rings.

Speaker BERGSTROM: Okay.

Mr. OHMAN: I hope you will kindly all attend.

Speaker BERGSTROM: I have a little business with the new member Pat. I’m going to do some adjustments in the Committee assignments, and I’ll send them out after I talk to the people about, you know, a very few minor changes but we’ll go from there.

And I guess I will see you all August 1. If that’s it, I’m going to need one more piece of business.
Deputy Speaker ANDERSON: Motion to adjourn.
Ms. KING: Second.
Speaker BERGSTROM: Moved and seconded. All those in favor, say “aye. Opposed?

Whereupon, it was moved, seconded and voted to adjourn the Assembly of Delegates at 5:25 p.m.

Respectfully submitted by:

Janice O’Connell, Clerk
Assembly of Delegates