

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES
First District Courthouse - Route 6A
Barnstable, Massachusetts 02630
(508) 375-6761 Fax No. (508) 362-6530
E-mail: smcauliffe@barnstablecounty.org
*E. Suzanne McAuliffe, Speaker***

September 28, 2017

Leo G. Cakounes, Chairperson
Barnstable County Board of Regional Commissioners
P.O. Box 427
Barnstable, Massachusetts 02630

Dear Commissioner Cakounes:

The Assembly Delegates requests the appointment of Attorney James Lampke as Special Counsel to answer several legal questions related to the Assembly's authority under the Barnstable County Home Rule Charter. Mr. Lampke has agreed to cap his cost at \$195.00 per hour not to exceed 5 hours or a total of \$975.00. I am attaching Mr. Lampke's resume and correspondence regarding his fee structure for reference purposes. The source of funding for this request would be derived from the county's legal budget.

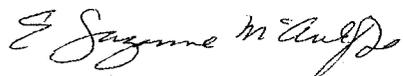
This request is predicated on a consensus of the Delegates taken at the September 20, 2017 meeting and based on the recommendation made by County Counsel via email to Commissioners and Assembly dated 6/22/17.

The Assembly of Delegates would like to seek an interpretation of the Barnstable County Home Rule Charter with respect to the following questions:

- 1) Given the Charter provision empowering the Assembly of Delegates with the authority formerly vested in the Advisory Board on County Expenditures, does the Assembly of Delegates have authority to amend the Budget submitted by the County Commissioners to provide for programs that were not included in the Commissioners' budget or is the Assembly's authority limited to increasing or decreasing the budget proposed by the Commissioners for programs that are identified in the Commissioners' budget?
- 2) Does the Charter permit the Assembly of Delegates to contract for and appoint Counsel to represent the Assembly in matters relating to policy disputes with the County Commissioners?

A response appreciated at your earliest convenience.

Sincerely,



E. Suzanne McAuliffe, Speaker
Assembly of Delegates

cc: Jack Yunits, County Administrator
Robert Troy, County Counsel

RESUME OF JAMES B. LAMPKE

Principal Office

LAW OFFICES OF
LAMPKE & LAMPKE
115 North Street
Hingham, MA 02043
(781) 749-9922
Fax (781) 749-9923
jlampke@massmunilaw.org

Residential Office

5 C Street
Hull, MA 02045
(781) 925-1587

cell- 617-285-4561

PROFESSIONAL EMPLOYMENT

1977 to
Present

Attorney at Law, Lampke & Lampke, 115 North Street,
Hingham, MA 02043, (781) 749-9922, fax (781) 749-9923; second
office is located in Hull

General practice of law with concentration in municipal law, real estate, civil law, general individual legal problems and litigation. Am at present or have formerly also served as Special Counsel, Special Assistant Town Counsel, Special Assistant Town Solicitor, Acting Town Counsel, Authority Legal Counsel and Hearing Officer to various municipalities and municipal boards, commissions and departments. Have also conducted numerous Internal Affairs Investigations, and administrative hearings serving as the Hearing Officer.

1978 to
Present

Town Counsel, Town of Hull, Municipal Building,
Hull, MA 02045, (781) 925-2000, fax (781) 925-0224

As Town Counsel, am in charge of the legal matters affecting the Town of Hull, including litigation, drafting of documents, advising boards, representing the interests of the Town and its officers, employees and officials in various matters, issuing opinion letters, etc. Supervise, work with and coordinate outside counsel. Also represent the Town in all real estate and zoning matters such as purchases and sales of property, eminent domain matters, leases, zoning appeals and related litigation. Serve as counsel to all Town Boards, Committees and Departments

RESUME OF JAMES B. LAMPKE, CONT'D.

January, 1989 to July, 1989
Mid-August, 2002 to October 6, 2002

Acting Executive Administrator/Town Manager, Town of Hull, Municipal Building, Hull, MA 02045. Served as interim Chief Administrative Officer of Town during implementation of new form of local government. Also served as Acting Town Manager during change or absence of Managers. Oversaw day to day operation of Town

Other current positions include Mediator/Arbitrator/Hearing Officer/Internal Affairs Investigations/Audits (available to serve as such); Justice of the Peace

Service as an Independent Hearing Officer in numerous local Civil Service matters, labor matters and other municipal matters involving disciplinary actions against police officers (including the termination of a Police Chief), fire fighters, emergency medical technicians and other public employees; municipal hearing regarding lease/license termination

Have also conducted Internal Affairs Investigations for municipal and private entities

Hearing Officer, Open Meeting Law, Public Records and other municipal topics training for local officials

EDUCATION

1976

New England School of Law, Boston, MA
Juris Doctorate, cum laude

1973

George Washington University, the School of Public and International Affairs, Washington, D.C., Bachelor of Arts degree in Public Affairs

Have also attended numerous continuing legal education programs sponsored by the Social Law Library, Massachusetts Bar Association, Massachusetts Continuing Legal Education, Massachusetts Municipal Lawyers Association (formerly the City Solicitors and Town Counsel Association), International Municipal Lawyers Association (formerly the National Institute of Municipal Law Officers), Massachusetts Defense Lawyers Association, Boston Bar Association and Plymouth County Bar Association. Have also attended educational programs on legal,

RESUME OF JAMES B. LAMPKE, CONT'D.

civil rights and labor/employment related matters sponsored by Georgetown University Law School, Suffolk University Law School, University of Massachusetts, Babson College, Council on Education in Management, Massachusetts Criminal Justice Training Council and American Arbitration Association

Have also attended Flaschner Judicial Institute programs for Hearing Officers

BAR ADMISSIONS AND CERTIFICATIONS

United States Supreme Court

First Circuit Court of Appeals

U.S. District Court-District of Massachusetts

Commonwealth of Massachusetts

Local Government Fellow, 2000 - 2005; re-certified 2005-2010; re-certified 2010-2015; re-certified 2015-2020; Designation by Certification by the International Municipal Lawyers Association - this specialized designation is conferred by the IMLA upon candidates who have successfully completed the Program requirements for this Certification, which consists, among other things, of a written exam, required number of years of experience in municipal law, attendance at Continuing Legal Education courses and researching/drafting of a research paper; one of under eighty-five municipal attorneys in North America to receive this designation and the first in Massachusetts.

Certificates of attendance and completion of programs in Internal Affairs (Massachusetts Criminal Justice Training Council); Conducting Internal Discrimination Complaint Investigations (Massachusetts Commission Against Discrimination and Massachusetts Continuing Legal Education); Have also attended and completing similar programs sponsored by other education and professional organizations

RESUME OF JAMES B. LAMPKE, CONT'D.

AWARDS

- 1996 *City Solicitors and Town Counsel Association - President's Award*
- 2003 *Massachusetts Bar Association - Public Service Award*
- 2005 *International Municipal Lawyers Association -
Distinguished Public Service Award*
- 2011- *International Municipal Lawyers Association-
State Chair National Award*
- 2013 *International Municipal Lawyers Association-
Charles Rhyne Lifetime Achievement in Municipal Law Award*

PROFESSIONAL ASSOCIATIONS

*Massachusetts Bar Association;
past Member and past Chairman, Public Law Council,
past Chairman of the Municipal Law Committee,
member, Public Law Section, Labor and Employment Law Section*

Plymouth County Bar Association

*Massachusetts Municipal Lawyers Association (formerly the City
Solicitors and Town Counsel Association) -
(presently serving as Executive Director/Secretary - Treasurer of this
state wide bar association; oversee day to day operation of
professional association of municipal attorneys, develop educational
programs for public officials and municipal attorneys, act as liaison
between association and various groups, served on Board of Editors
for "The Municipal Exchange", a monthly publication of the Association;
editor of MuniLaw Cases for website.)*

*International Municipal Lawyers Association
(State Chair- 2001- present; Program Planning Committee, longtime
member; Fellows Program Committee, longtime member; Vision 2020
Committee member)*

Selected publications and programs-

*Massachusetts Continuing Legal Education- City Solicitors and Town Counsel
Association, now Massachusetts Municipal Lawyers Association, Initial and*

RESUME OF JAMES B. LAMPKE, CONT'D.

continuing Co-editor and contributing chapter author of two volume set Massachusetts Municipal Law Handbook, 2012 Edition (third publication date), 2008 Edition (second publication date), 2002 Edition (initial publication date); (2015 update in progress)

Commonwealth of Massachusetts, Department of Public Safety- co-leader periodic programs on how to conduct administrative hearings for fire and building officials and municipal hearing officers

Massachusetts Association of Conservation Commissions- co-leader annual training program on the Open Meeting Law and the Conflict of Interest Law

Various Emergency Management and Public Health Agencies- lecturer/consultant on emergency management legal issues and intermunicipal relations

Committee member on various state government working groups, including Emergency Authority Working Group (post 9-11); the new trench law

Massachusetts Continuing Legal Education-Massachusetts Municipal Lawyers Association Annual Municipal Law Conference- co-chair since its inception; now in its 14th year; also frequent speaker and contributor of materials

Massachusetts Municipal Lawyers Association (formerly City Solicitors and Town Counsel Association) training programs- organizer, speaker and contributor of materials; editor of numerous seminar handbooks

Lexis-Nexis publication on Massachusetts Administrative Law and Practice, co-author of chapter on the Open Meeting Law, published 2014

The Selectmen's Handbook, Massachusetts Municipal Association, co-coordinator and chapter author, published 2014

(Other publication information available upon request.)

Speaker and participant in various state and national code enforcement programs

Have also participated in numerous other continuing legal education and government management programs as a contributor of materials, faculty member, chair, co-chair or organizer, and contributed to seminar and handbook publications.

1.6.16



P.O. Box 427 • Barnstable, Massachusetts 02630
Telephone (508) 375-0410 • Toll Free (888) 863-1900 • Fax (508) 375-0409

MEMO

DATE: September 28, 2017
TO: County Commissioners
FROM: Stacy Gallagher 
SUBJECT: Children's Cove Advisory Board Members

Please **VOTE** to appoint the following to the Children's Cove Advisory Board.

Jordan Velozo, Representative of Senator Julian Cyr's Office, September 13, 2017 –
December 31, 2019

Tammy Thompson, Department of Children & Families – December 2017, as an alternative
for Elizabeth Parker

Leo G. Cakounes, Chair

Mary Pat Flynn, Vice Chair

Ronald R. Beatty



BARNSTABLE COUNTY COMMISSIONERS

RONALD R. BEATY
Barnstable

LEO G. CAKOUNES
Harwich

MARY PAT FLYNN
Falmouth

SUPERIOR COURTHOUSE
3195 MAIN STREET
P.O. BOX 427
BARNSTABLE, MASSACHUSETTS 02630
PHONE: (508) 375-6648
FAX:(508) 362-4136

HOME RULED CHARTERED
IN 1989

Date: October 4, 2017
To: Barnstable County Commissioners
From: Jack Yunits, County Administrator
Subject: Proposed 2017/2018 Thanksgiving, Christmas and New Year's Holiday Schedule for County Employees

Please approve the request from Barnstable County Administrator's Office for the following proposed 2017/2018 Holiday work schedule:

Consistent with MGL Chapter 4, Section 7 (clause 18) and the authority vested with the Barnstable County Commissioners under the Home Rule Charter, I am presenting the upcoming holiday schedule.

- **Wednesday, November 22, 2017** will be treated as a normal working day, with standard working schedules, up until 12:00 p.m. All County offices will close at 12:00 p.m. Employees required by their department manager to work beyond 12:00 p.m. will be compensated at a holiday rate.
- **Thursday, November 23, 2017** is a legal holiday and all county offices will be closed for the entire day.
- **Friday, November 24, 2017** is to be treated as a "Skeleton Day". Both union and non-union employees, with department's head approval, may elect to take this day off without penalty and the various County offices are to be open in accordance with normal working hours. Those employees who work on this day are to take this "Skeleton Day" off on or before January 31, 2018.
- **Monday, December 25, 2017** is observed as a legal holiday and all county offices will be closed for the entire day.
- **Monday, January 1, 2018** is observed as a legal holiday and all county offices will be closed for the entire day.

The Department of Finance will inform you of their requirements for the disbursement of paychecks and vendor payments under this schedule.

Leo Cakounes
Chair

Mary Pat Flynn
Vice Chair

Ronald Beaty
Commissioner

Legal Holidays 2018

(M.G.L. Chap. 4, Sec. 7, Clause 18)

New Year's Day	Monday, January 1
Martin Luther King, Jr. Day	Monday, January 15
President's Day	Monday, February 19
Patriots' Day	Monday, April 16
Memorial Day	Monday, May 28
Independence Day	Wednesday, July 4
Labor Day	Monday, September 3
Columbus Day	Monday, October 8
Veteran's Day	Monday, November 12
Thanksgiving Day	Thursday, November 22
Christmas Day	Tuesday, December 25

Sunday/Saturday Legal Holidays: All holidays falling on Sunday must be observed on Monday, under state law. Saturday holidays are observed on Saturday (if the holiday falls on a Saturday, the employee is given an additional day off within 60 calendar days). Unionized personnel should refer to the "Holiday" provision within the current contractual agreement(s).

Floating Holidays: The following days **ARE NOT** legal holidays in Barnstable County but may be taken as floating holidays within 100 calendar days following the holiday (per non-union handbook Leave 8.2). For Union personnel please refer to provisions within the current contractual agreement(s).

Evacuation Day	Saturday, March 17
Bunker Hill Day	Sunday, June 17

Leo Cakounes
Chair

Mary Pat Flynn
Vice-Chair

Ronald Beaty
Commissioner



RESOURCE DEVELOPMENT OFFICE

FUND REQUEST MEMO

DATE: September 29, 2017

TO: Jack Yunits, County Administrator

FROM: Sonja Sheasley, Resource Development Officer

SUBJECT: NEW FUND FOR SNAP-ED Program

Explanation: The UMASS Nutrition Education Program subcontracts to the Cape Cod Cooperative Extension each year for the SNAP-ED program. Funding is through the MA Department of Transitional Assistance.

Department: Cape Cod Cooperative Extension

Funder: UMASS Nutrition Education Program

Amount: \$31,878.00

Purpose/Project: The funds pays for contractual services and supplies to deliver a nutrition education program to elementary youth under the Barnstable County School Nutrition Education Project.

Please establish a new fund for this grant.

Respectfully Submitted,

RDO Officer Signature: *Sonja J. Sheasley*

County Administrator

Date:



205 Chenoweth Laboratory • 100 Holdsworth Way • Amherst, Massachusetts 01003-9282 • ph:413.545.2195 • f:413.577.4320

September 25, 2017

Mr. Michael Maguire, Director
Cape Cod Extension
Deeds and Probate Building
Railroad Avenue, PO Box 367
Barnstable, MA 02630-0367

Dear Mr. Maguire,

This is to confirm that the University of Massachusetts Extension Nutrition Education Program is intending to contract with Barnstable County Cape Cod Extension to deliver the nutrition education program as documented in the FY2018 Barnstable County SNAP-Ed project plan. Through this project, UMass will provide \$31,878.00 for the educational program detailed in the approved Scope of Services (10/1/17 to 9/30/18).

Funding for this contract is contingent upon provision of funding from USDA under the Supplemental Nutrition Assistance Program (SNAP-Ed funding). The Massachusetts Department of Transitional Assistance (DTA) and the USDA Food and Nutrition Service have approved our SNAP-Ed plan and the contract between DTA and UMass is being developed. The start of the contract year will be October 1. As in past years, once the contract is dually signed by both UMass and DTA, then our UMass Office of Grant and Contract Administration will be able to proceed with setting up the subcontract with Barnstable County.

As always, thank you for your support and commitment to this program and I look forward to another successful year.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Sullivan-Werner".

Lisa Sullivan-Werner
SNAP-Ed & EFNEP Leader, NEP Director

Cc: Susan Bourque

TO: Lisa Sullivan-Werner, SNAP-Ed Leader
FROM: Michael Maguire
Director, Cape Cod Cooperative Extension
SUBJECT: SNAP-Ed Scope of Services
DATE: April 12, 2017

EXHIBIT A

Scope of Services

Barnstable County- Cape Cod Cooperative Extension
FY 2018 Supplemental Nutrition Assistance Program Education (SNAP-Ed)

October 1, 2017- September 30, 2018

1. Nutrition education will be provided through single session workshops, workshops series, displays, food demonstrations, food tastings, and printed materials to low-income adults and youth as well as the staff/volunteers serving them throughout Barnstable County. See planned activities as described in the attached Excel spreadsheet.
2. A mid-year report and a final report will be submitted documenting participation and educational outcomes from the project.

EXHIBIT B

\$19,080.00	Contractual Services (100% SNAP-Ed Project; 1060 hours at \$18.00/hour)
\$9,900.00	Teaching Supplies/Materials for SNAP-Ed Project
\$2,898.00	Indirect Costs (10% of total direct costs)
\$31,878.00	Total Budget