

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At the regular meeting of the County Commissioners held in the Superior Courthouse in Barnstable, on the 30th day of November, A.D. 2016.

Board of the Barnstable County Commissioners:

Mary Pat Flynn	Present
Sheila R. Lyons	Present
Leo Cakounes	Present

Staff Present:

Jack Yunits, Jr.	County Administrator
Paul Niedzwiecki	Executive Director, Cape Cod Commission
Beth Albert	Director, Department of Human Services
Kalliope Egloff	Hazardous Materials Environmental Specialist
Andrew Gottlieb	Executive Director, Cape Cod Wastewater Protection Collaborative
Lynn Mulkeen	Environmental Specialist
Michelle Springer	Project Specialist
Erik Woods	Senior Environmental Specialist

Commissioner Flynn called the meeting to order at 10:05 a.m.

Commissioner Flynn welcomed former County Commissioner William Doherty to as a guest to the meeting.

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

I. Public Comment

Chairman Flynn asked if anyone would like to speak under public comment. None offered.

II. General Business

a. Discussion and vote to approve the Commissioners' budget review schedule.

Motion made by Commissioner Cakounes to approve the Budget Review Schedule with the following amendments; on Wednesday, January 4, 2017 10:30 A.M. remove Arts Foundation and Elder Services, on Wednesday, January 25 2017 9:30 A.M. add Arts Foundation, Elder Services and other non-county donation requests, 2nd by Commissioner Lyons, approved 3-0-0.

Commissioner Cakounes asked that the Arts Foundation and Elder services be moved to the last day of the scheduled budget hearing because they are non-departments of the County. He explained that these organizations are given donations by the County rather than receiving a budget and thus should be treated differently than County departments. He also stated that he would like the Board to speak with the County's Finance Director to put a policy in place so that additional groups could request such donations as well. Commissioner Flynn emphasized that these organizations were created and supported by the County and that the Board should look to the history of that support, as well as the successes of the organizations. Commissioner Lyons also urged staff to do so.

b. Discussion and vote on Executive Director of Cape Cod Commission Goals and Objectives for FY17.

Motion made by Commissioner Cakounes to approve the Goals and Objectives for Fiscal Year 2017 for the Executive Director of the Cape Cod Commission along with the prepared rating system as presented with an amendment including a new section regarding coordinating with other County departments, 2nd by Commissioner Lyons, approved 3-0-0.

Paul Niedzwiecki discussed guidelines for the Commissioners to review the performance of the Executive Director of the Commission. Mr. Niedzwiecki developed them from research into other human resource departments with input from the Commissioners. The guidelines would include a numeric ratings scale. Commissioner Flynn asked what changes have been made to the laws governing the Cape Cod Commission over time. Mr. Niedzwiecki detailed some of these changes. Commissioner Cakounes suggested adding a new section regarding coordinating with other County departments. Mr. Niedzwiecki answered that a section regarding this had already been prepared but had not been added to the latest draft. Commissioner Lyons asked about reviewing the analysis of regional capital infrastructure. Mr. Niedzwiecki stated that this included roads, water, wastewater broadband and utilities.

c. Motion to grant the County Administrator the authority to execute contracts up to \$50,000 (from the present \$35,000) consistent with statutory changes to M.G.L. Chapter 30B.

Mr. Yunits stated that this item was on the agenda for discussion only due to changes in the Massachusetts General Laws. Commissioner Flynn suggested that doing so

would be in keeping up with inflation. Commissioner Cakounes stated that he did not support doing so at this time. This was due to the newness of the County Commissioner, a recent change authorizing an increase in the threshold from \$25,000 to \$35,000, and a desire for he as a Commissioner to review such contracts. Mr. Yunits suggested studying how many contracts this would affect. Commissioner Flynn asked to bring the item back in six months with such information. Commissioner Lyons expressed support for raising the threshold.

d. Presentation and discussion regarding the formal establishment of a Cape Cod Hoarding Task Force under the Department of Health & Environment.

Motion made by Commissioner Cakounes to approve the creation of the Barnstable County Cape Cod Hoarding Task Force and accept the Draft Guidelines as presented, furthermore instruct staff to compile the list of Members to be appointed to the Task Force with corresponding staggered term expiration dates, and present them to Commissioners for appointment, 2nd by Commissioner Lyons, approved 3-0-0.

Erika Woods, a Senior Environmental Specialist with the Barnstable County Department of Health and Environment, as well as Chair of the Cape Cod Hoarding Task Force introduced other members of the task force present at the meeting. She gave a presentation including an overview of what hoarding is, as well as information regarding the task force and its proposed future plans. She stated that they do most of their work through volunteers as well as donations and don't plan on changing that, but would like more leverage to access grant funding. Commissioner Cakounes reaffirmed that the County is not an enforcement authority for health violations and the formal establishment of a task force would not change that. He also stated that the task force was already operating and the request would solely make that operation official. Chairman Flynn also clarified that the task force was already doing this work. Commissioners Cakounes and Flynn asked that appointments with staggered terms for the task force be brought before the committee. Commissioner Lyons commended the work of the task force. Commissioners Lyons and Flynn stressed the problems associated with hoarding.

e. Review and Clarification of Amendment to the Deed Rider and Eligible Purchaser Certificate for 55 Osprey Lane in Sandwich.

Motion made by Commissioner Cakounes to approve and execute the Amendments and the Eligible Purchase Certificate along with related documents for the Deed Rider to 55 Osprey Lane in Sandwich as presented, 2nd by Commissioner Lyons, approved 3-0-0.

Mr. Yunits explained that this item was approved at a previous meeting but was being brought before the Board again to correct an issue with the signature pages.

III. New Business – Other business not reasonable anticipated by the Chair

Chairman Flynn clarified the budget schedule. She also discussed when the re-organization meeting must take place and its effect on that schedule.

IV. Commissioners' Actions

- a. Approval of the October 26, November 2, November 9 and November 16, 2016 meeting minutes.**

Motion made by Commissioner Cakounes to approve the following Regular Session minutes as presented; October 26, November 2, November 9, and November 16 all in 2016, 2nd by Commissioner Lyons, approved 3-0-0.

Commissioner Cakounes clarified that members could vote for the minutes even if they had not been present for the meeting.

- b. Appointment of Alyxandra Sabatino as the Town of Harwich representative to the Barnstable County HOME Consortium for the term of January 1, 2017 through January 1, 2020.**

- c. Reappointment of Richard Carroll as the Town of Yarmouth representative to the Barnstable County HOME Consortium for the term of January 1, 2017 through January 1, 2020.**

Motion made by Commissioner Cakounes to appoint the following to the HOME Consortium: Alyxandra Sabatino as the Town of Harwich Representative; and Richard Carroll as the Town of Yarmouth Representative with terms to expire January 1, 2020, 2nd by Commissioner Lyons, approved 3-0-0.

- d. Approval of Jack Yunits timesheet for the payroll period of 10/30/16 – 11/12/16.**

Motion made by Commissioner Cakounes to approve the timesheet for Jack Yunits for payroll period 10/30/16 to 11/12/16 as presented, 2nd by Commissioner Lyons, approved 3-0-0.

- e. Contract with Petersons' Oil Service to provide fuel to county locations for the period of July 1, 2016 through June 30, 2017(bid awarded 4/20/16).**

Motion made by Commissioner Cakounes to approve and execute the contract with Petersons' Oil Service to provide fuel to County locations for the period of July 1, 2016 to June 30, 2017 in conjunction with bid awarded April 20, 2016 as presented, 2nd by Commissioner Lyons, approved 3-0-0.

Commissioner Flynn stressed that this was a great service provided by the County to the Towns allowing them to access much cheaper prices.

- f. Approval of closing documents for a HOME loan in the amount of \$200,000 including Master Subordination Agreement, HOME Project Developer Agreement, Lender Advisor Agreement, HOME loan Agreement, for 250 Gull Pond Road in Wellfleet.**

Motion made by Commissioner Cakounes to approve and execute the closing documents for a HOME loan in the amount of \$200,000.00 including the Master Subordination Agreement, HOME Project Developer Agreement, Lender Advisor Agreement, and HOME Loan Agreement, all for property at 250 Gull Pond Road in Wellfleet as presented, 2nd by Commissioner Lyons, approved 3-0-0.

Mr. Yunits state that the County is receiving a large amount of requests for HOME monies. He also pointed out that Michelle Springer was doing a great job collaborating with the towns as well as the Cape Cod Commission and assisting the production of affordable units. Commissioner Cakounes asked if the documents were reviewed by legal counsel before being brought before the Commissioners and Ms. Springer assured him they were. She also spoke about the involvement of Wellfleet in the project in response to a question by Commissioner Flynn. Finally, she informed the Commissioners that the Down Payment program providing closing costs for first time homebuyers has seen an increase in use this year.

g. Agreement with Provincetown Center for Coastal Studies for water quality monitoring of Cape Cod Bay, Buzzards Bay, and Nantucket Sound for fiscal years 2017 – 2019.

Andrew Gottlieb and Richard Delaney, President and CEO of the Provincetown Center for Coastal Studies, spoke to the Commissioners regarding the water quality monitoring project. The County has been working with the center as part of a grant program along with the Commonwealth, which provides a one for one match to County funds. The contract was proposed for three years to provide continuity, dependent on County appropriations, in concert with the Governor's four-year capital plan. Mr. Gottlieb stated that this funding is not dependent on appropriations by the Legislature in response to a question by Commissioner Flynn. Commissioner Cakounes asked Mr. Gottlieb to clarify the relationship between the contract and County budgeting. He commented on the fact that the contract was being presented to the Board late in the fiscal year. Commissioner Cakounes also expressed concern that the contracts have not been reviewed by legal counsel for the County. Mr. Yunits spoke regarding procurement concerns and legal review. Mr. Gottlieb stated that a procurement process under MGL Chapter 30B was not required for contracting with a non-profit. Commissioner Lyons stressed the importance of this project to Cape Cod and her support for this item. Mr. Yunits, in response to a question from Commissioner Flynn, stated that staff was concerned that a contract of this magnitude would be awarded without going through a procurement process. Mr. Delaney described the partnership between the center and the County. He also spoke regarding the importance of the project as well as the contract. Commissioner Flynn stated that the contract would be continued until the next Board of Commissioners meeting after further legal review.

h. Agreement with the Town of Eastham for water a quality monitoring and permeable reactive barrier investigation project for Eastham's Salt Pond from November 16, 2016 to June 30, 2018.

i. Agreement with the Town of Falmouth for a water quality monitoring project for several Falmouth South Coast and West Falmouth locations through June 30, 2019.

Commissioner Flynn asked a question regarding the nature of the above two contracts. Mr. Gottlieb informed the board that these contracts were similar to other agreements between the county and several towns. The Board agreed to wait for further legal review on these contracts and take them up at the next meeting.

j. Bid award to Crane Associates for a Housing Needs Assessment. Certificate for Dissolving Septic Betterments (Chair only).

Motion made by Commissioner Cakounes to approve and execute the bid award to Crane Associates for a Housing Needs Assessment as presented, 2nd by Commissioner Lyons, approved 3-0-0.

k. Certificate for Dissolving Septic Betterments (Chair only).

Motion made by Commissioner Cakounes to approve and authorize the Chair to execute the Certificates for Dissolving Septic Betterments as presented, 2nd by Commissioner Lyons, approved 3-0-0.

V. Commissioners' Reports

Commissioner Lyons:

- Ms. Lyons reported on attending the Regional Network on Homelessness.

Commissioner Cakounes:

- Mr. Cakounes reported on a meeting regarding an Orleans lease agreement which is still being reviewed by their counsel. The agreement will then be reviewed by lawyers for the County and presented to the Board.
- He also spoke on attending a premiere of the film "Thank You for Your Service" regarding veterans afflicted with post-traumatic stress syndrome and suggested that all try to go see it.

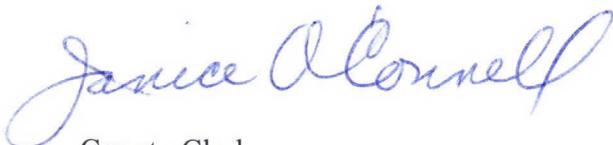
VI. County Administrator Report

Mr. Yunits:

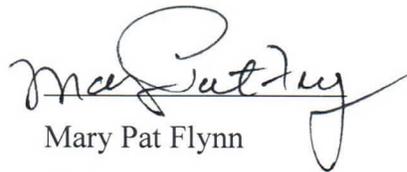
- He stated to the Commissioners that the water monitoring contracts would be delivered to County Counsel for review right after the meeting.
- He also stated again that county boards and commissions would be brought before the Board starting in February for review and educational purposes.
- Mr. Yunits suggested funding the communication team in part through Economic Development Council funds and stressed that the team was comprised of volunteers from already existing County staff.
- Finally, he updated the Board regarding the County's search for an Assistant Administrator and coordinating that position with OpenCape.

Barnstable, ss. at 11:55 a.m. on this thirtieth day of November, A.D. 2016, Commissioner Cakounes made a motion to adjourn, 2nd by Commissioner Lyons, approved 3-0-0.

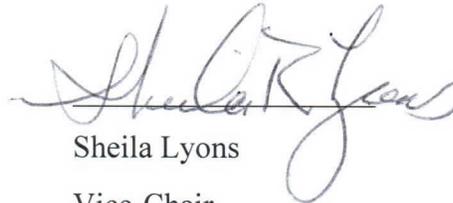
Attest:


County Clerk

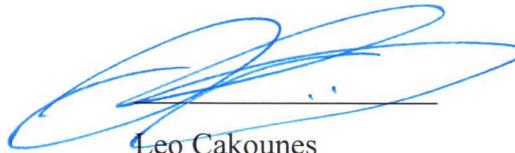
The foregoing records have been read and approved.


Mary Pat Flynn

Chair


Sheila Lyons

Vice-Chair


Leo Cakounes

Commissioner

List of documents:

- Goals and Objectives for Fiscal Year 2017 for the Executive Director of the Cape Cod Commission along with the prepared rating system.
- Presentation and discussion regarding the formal establishment of a Cape Cod Hoarding Task Force under the Department of Health & Environment.