

**AGENDA PACKET**  
**06/05/19 REGULAR MEETING**

# AGENDA ITEM 5a

Approval of Minutes: Regular Meeting of May 29, 2019

*COMMONWEALTH OF MASSACHUSETTS*

Barnstable, ss.

At a regular meeting of the Barnstable County Board of Regional Commissioners, held in Commissioners' Conference Room, in the Superior Courthouse, on the twenty-ninth day of May, A.D. 2019

**Board Regional Commissioners:**

Ronald R. Beaty                      Present

Ronald Bergstrom                  Present

Mary Pat Flynn                      Present

**Staff Present:**

Jack Yunits                            County Administrator

Steve Tebo                            Assistant County Administrator

Owen Fletcher                        Executive Assistant, Administration

Ian Roberts                            Technical Support Specialist, Information Technology

**1. Call to Order**

Chairman Bergstrom called the meeting to order at 10:00 A.M.

**2. Pledge of Allegiance**

**3. Moment of Silence**

**4. Public Comment**

No members of the public offered comment.

**5. Approval of Minutes**

**a. Regular Meeting of May 29, 2019**

*Motion by Commissioner Beaty to approve the minutes of the Board of Regional Commissioners Regular Meeting of May 22, 2019 as presented, 2nd by Commissioner Flynn, approved 3-0-0*

**6. General Business****a. Presentation from Deep Blue LLC regarding a Shark Deterrent Proposal**

Willy Planinshek and Kevin McCarthy, the founders of Deep Blue LLC presented to the Board regarding the Marine Acoustic Deterrent Systems (M.A.D.S). Mr. Planinshek asserted the Cape has an overpopulation of seals and sharks that will increase over time. He argued that seals can be directed into deeper waters and away from the Cape using sound waves. He further argued that the great white sharks would follow as the seals are their food source. He informed the Board that he had submitted this proposal to Woods Hole Oceanographic Institution (WHOI) for evaluation. Commissioner Beaty noted that each town would have to use this deterrent to ensure that seals and shark populations would not increase off their individual shores. Commissioner Flynn. Mr. Planinshek explained that the primary concern for his company was not financial, but he founded it in response to previous calls from the Board for possible solutions to the problem. Chairman Bergstrom noted local concerns with this issue. He also expressed that the Board would generally support any proposals that could be shown to be scientifically feasible while presenting no harm to the environment. He asked that Mr. Planinshek and Mr. McCarthy to conduct more testing and return when the project was further along.

Ms. Sharon Young, a resident of the Town of Bourne, and the marine issues field director for Humane Society of the United States (HSUS) spoke to the Board. She argued that the proposal relies on technology that has been unsuccessful in the past in solving the issue.

Brian Sharp, a resident of the Town of Yarmouth, Director of Marine Mammal Rescue & Research, for the International Fund for Animal Welfare also spoke to the Board. He noted his organization is tasked by the federal government with dealing with stranding on the Cape. He noted that scientific evidence showed that the seal population is not increasing and that sharks also eat other animals as well. He also noted that this proposal would have a large effect on all sea life, and not just sharks and seals.

Mr. John Kartsounis and Mr. Drew Taylor, residents of the Town of Wellfleet, expressed their opinions as residents to the Board. They discussed some of the history of the issue and argued for solutions that prioritize the effect of sharks on humans.

## 7. New Business – Other business not reasonably anticipated by the Chair

There was no new business at this meeting.

## 8. Commissioners' Actions

- a. Authorizing the approval of a reimbursement request from Jack Yunits, County Administrator, for the period of April 23, 2019 through May 21, 2019**

*Motion by Commissioner Beaty to approve a reimbursement request from Jack Yunits, County Administrator, for the period of April 23, 2019 through May 21, 2019, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

- b. Authorizing the re-appointment of Zenas Crocker to the Cape Cod Water Protection Collaborative Governing Board, as the Board of Regional Commissioners' representative, for a two-year term to expire June 30, 2020**

*Motion by Commissioner Beaty to re-appointment Zenas Crocker to the Cape Cod Water Protection Collaborative Governing Board, as the Board of Regional Commissioners' representative, for a two-year term to expire June 30, 2021, as presented, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

- c. Authorizing the execution of Certificates for Dissolving Septic Betterments**

*Motion by Commissioner Beaty to authorize the Chair to execute Certificates for Dissolving Septic Betterments, as presented, 2nd by Commissioner Flynn, approved 3-0-0*

## 9. Commissioners' Reports

Commissioner Bergstrom spoke regarding a recent Massachusetts Department of Environmental Protection (DEP) public hearing on Perfluorooctanesulfonic acid (pfos) standards.

## 10. County Administrator and Staff Reports

Mr. Yunits updated the Board and public regarding recent meetings with the DEP regarding training at the County Fire Rescue Training Academy. He noted efforts to move the academy to Joint Base Cape Cod.

## 11. Adjournment

*Barnstable, ss. at 11:32 A.M. on this twenty-ninth day of May A.D. 2019, Commissioner Beaty made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0*

### List of Documents:

- Draft minutes of the Board of Regional Commissioners Regular Meeting of May 22, 2019
- White Paper from Deep Blue LLC regarding a Shark Deterrent
- Reimbursement Request from Jack Yunits, County Administrator, for April and May 2019
- Appointees to the Cape Cod Water Protection Collaborative Board
- Memorandum dated May 27, 2019 to the County Commissioners from the Community Septic Management Loan Program regarding Certificates for Dissolving Septic Betterments

Approved, Board of Regional Commissioners:

\_\_\_\_\_  
Ronald Bergstrom, Chair

\_\_\_\_\_  
Mary Pat Flynn, Vice-Chair

\_\_\_\_\_  
Ronald R. Beaty, Commissioner

\_\_\_\_\_  
Date

The foregoing records have been read and approved, June , 2019.

A true copy, attest:

\_\_\_\_\_  
Janice O’Connell, Regional Clerk

# AGENDA ITEM 6a

Discussion on a proposed ordinance regarding the AmeriCorps Advisory Board

## **BARNSTABLE COUNTY**

In the Year Two Thousand Nineteen

### **Proposed Ordinance 19- \_\_**

*Whereas...* AmeriCorps Cape Cod is a national service program operating through Barnstable County;

*Whereas...* the AmeriCorps Program focuses on meeting Cape Cod's critical and pressing environmental and disaster response needs;

*Whereas...* the AmeriCorps Program and its member participants are dedicated to community service through local collaboration;

*Now therefore*

*The Cape Cod regional government, known as Barnstable County, hereby ordains;*

#### **Section 1. Establishment of the Barnstable County AmeriCorps Advisory Board**

There shall be a Barnstable County AmeriCorps Advisory Board established as a part of Barnstable County government, subject to the rules, regulations, and administrative and budgetary policies and procedures of the County, consistent with the federal grant and regulatory requirements for the AmeriCorps Cape Cod program.

The Barnstable County AmeriCorps Advisory Board shall be established for the purpose of monitoring the AmeriCorps Cape Cod program's impact within the communities of Barnstable County and provide recommendations to the County for the continuous improvement of the program.

##### **A. Membership and Appointments**

The Barnstable County AmeriCorps Advisory Board shall be constituted as follows:

- i. There shall be a total of fifteen (15) members comprised of thirteen (13) members with not more than two (2) additional ex-officio members, along with three (3) alternate members, all of whom shall be appointed by the County Commissioners.
- ii. Thirteen (13) members shall represent local, regional, state and federal program partners, collaborators, community service organizations, and other stakeholders, including but not limited to town natural resource, conservation, or public works departments, academic institutions, public safety departments, Cape Cod Commission, Massachusetts Department of Conservation and Recreation, Cape Cod National Seashore, and non-governmental organizations.
- iii. Ex-officio members include a representative of the Barnstable County Commissioners and the Barnstable County Assembly of Delegates, nominated by those respective bodies.

- iv. Members shall have an understanding of the AmeriCorps Cape Cod focus areas which include natural resource management, disaster preparedness and response, environmental education, and volunteer engagement.
- v. The Barnstable County AmeriCorps Advisory Board shall solicit member nominations from agencies or organizations outlined in section I(A)(ii) of this ordinance. Nominations shall be recommended to the Barnstable County Commissioners for appointment and shall reflect consideration of a balance of the range of expertise and interests represented on the committee.
- vi. Committee members shall serve staggered three-year terms so no more than five members' terms expire each year. Committee members may serve for an unlimited number of terms (term limits not to apply to Ex-officio and Staff members).
- vii. There shall be three (3) alternate members appointed through the same process as written in section I(A)(ii).
- viii. A majority of the voting members shall constitute a quorum.
- ix. At the first meeting of each “program year” (a “program year” begins on August 15<sup>th</sup> and ends the following calendar year on August 14<sup>th</sup>), Barnstable County AmeriCorps Advisory Board members shall nominate and elect, by a simple majority of the quorum present, a Chair and a Vice-Chair.

**B. Staffing**

The Barnstable County AmeriCorps Cape Cod staff will provide program expertise and administrative support to the Barnstable County AmeriCorps Advisory Board as needed to fulfill the responsibilities outlined in this ordinance.

**C. Funding**

The Barnstable County AmeriCorps Advisory Board shall not have an annual budget and shall not have any formal authority over the financial management of the Barnstable County AmeriCorps Cape Cod Program.

**Section 2. Effective Date**

This ordinance is effective immediately upon adoption and replaces all previous ordinances or directives related to the establishment, function and membership of the Barnstable County AmeriCorps Advisory Board.

**Cape Cod Regional Government – Board of Regional Commissioners**  
**Proposed Ordinance 19- \_\_\_\_: To Establish BC AmeriCorps Advisory Board**  
**June \_\_\_\_, 2019**

Approved by the Board of County Commissioners \_\_\_\_\_ (date), at \_\_\_\_\_ (time).

\_\_\_\_\_  
Ronald Bergstrom, Chair

\_\_\_\_\_  
Mary Pat Flynn, Vice-Chair

\_\_\_\_\_  
Ronald R. Beaty, Commissioner

\_\_\_\_\_  
Date

# AGENDA ITEM 8a

Authorizing the filling of a vacancy for Chief Procurement Officer, vacated due to early retirement, as recommended by the County Administrator



# BARNSTABLE COUNTY

OFFICE OF COUNTY ADMINISTRATOR  
SUPERIOR COURTHOUSE  
3195 MAIN STREET  
P.O. BOX 427  
BARNSTABLE, MASSACHUSETTS 02630

**Justyna Marczak**  
Human Resources Director  
Phone: (508) 375-6646  
Fax: (508) 362-4136  
jmarczak@barnstablecounty.org

## MEMORANDUM

**DATE:** June 3, 2019  
**TO:** County Commissioners  
**FROM:** Justyna Marczak, Human Resources Director  
**SUBJECT:** Chief Procurement Officer Vacancy

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Please authorize the filling of the vacancy of Chief Procurement Officer, due to the County's Early Retirement Incentive Program, as recommended by the County Administrator.

Approved:

\_\_\_\_\_  
Ronald Bergstrom, Chair

\_\_\_\_\_  
Mary Pat Flynn, Vice-Chair

\_\_\_\_\_  
Ronald R. Beaty, Commissioner

\_\_\_\_\_  
Date

# AGENDA ITEM 8b

Authorizing the approval of a grounds request by Gosnold of Cape Cod for usage of County Grounds for the David Lewis 5K race on September 28, 2019 in honor of National Recovery Month



# BARNSTABLE COUNTY

OFFICE OF COUNTY ADMINISTRATOR  
SUPERIOR COURTHOUSE  
3195 MAIN STREET  
P.O. BOX 427  
BARNSTABLE, MASSACHUSETTS 02630

**Jack T. Yunits, Jr.**  
County Administrator  
Cell: (508) 510-1127  
Office: (508) 375-6771  
Fax: (508) 362-4136  
jack.yunits@barnstablecounty.org

## MEMORANDUM

**DATE:** June 4, 2019  
**TO:** Board of Regional Commissioners  
**FROM:** Owen Fletcher, Executive Assistant  
**SUBJECT:** Grounds Request from Gosnold of Cape Cod

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Please authorize the approval of a grounds request by Gosnold of Cape Cod to utilize the Barnstable County Complex for the David Lewis 5K race on September 28, 2019 in honor of National Recovery Month, subject to the County Use Policy, including yet not limited to, proof of insurance, post event clean-up, and any other provisions set forth by the Facilities Director.

Approved:

\_\_\_\_\_  
Ronald Bergstrom, Chair

\_\_\_\_\_  
Mary Pat Flynn, Vice-Chair

\_\_\_\_\_  
Ronald R. Beaty, Commissioner

\_\_\_\_\_  
Date

# AGENDA ITEM 8c

Authorizing the award of a contract Ellicott Dredges for the supply and delivery of a new dredge

# COUNTY OF BARNSTABLE

## PURCHASING

SUPERIOR COURT HOUSE

P.O. BOX 427

BARNSTABLE, MASSACHUSETTS 02630

Phone: (508) 375-6603

Fax: (508) 362-4136

Email:

stebo@barnstablecounty.org

**Steve Tebo**  
Chief Procurement Officer

### MEMORANDUM

**DATE:** June 4, 2019  
**TO:** County Commissioners  
**FROM:** Steve Tebo, Chief Procurement Officer  
**RE:** Notice of Bid Award for the Supply and Delivery of Diesel Powered, 14' Cutter Suction Hydraulic Dredge

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Barnstable County issued an Invitation for Bids for the Supply and Delivery of Diesel Powered, 14' Cutter Suction Hydraulic Dredge. One bid was received from Ellicott Dredges at a cost of \$1,240,570.00. A review committee consisting of: Jack Yunits, County Administrator; Steve Tebo, Assistant County Administrator; and Jason Bevis, Interim Dredge Superintendent reviewed the bid and recommended awarding the bid to Ellicott Dredges.

Please award the bid to Ellicott Dredges as the responsive, responsible bidder offering the lowest price.

Board of Regional Commissioners:

\_\_\_\_\_  
Ronald Bergstrom, Chair

\_\_\_\_\_  
Mary Pat Flynn, Vice-Chair

\_\_\_\_\_  
Ronald R. Beaty, Commissioner

\_\_\_\_\_  
Date

# AGENDA ITEM 8d

Authorizing the discharge of a mortgage by Cindie R. Carney, to Barnstable County, acting by and through the Cape Cod Commission, dated November 12, 2009 recorded with the Barnstable Registry of Deeds Book 24158 Page 334

**DISCHARGE OF MORTGAGE**

**Barnstable County, acting by and through the Cape Cod Commission**, the holder of a mortgage by **Cindie R. Carney**, to

**Barnstable County, acting by and through the Cape Cod Commission**, dated November 12, 2009 recorded with the Barnstable County Registry of Deeds Book 24158 Page 334 acknowledges satisfaction of the same.

Witness our hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2019

**BARNSTABLE COUNTY, As County Commissioners**

\_\_\_\_\_  
Ronald Bergstrom

\_\_\_\_\_  
Mary Pat Flynn

\_\_\_\_\_  
Ronald R. Beaty

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, the undersigned notary public personally appeared Ronald Bergstrom, Mary Pat Flynn and Ronald R. Beaty, as Barnstable County Commissioners, and proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

# AGENDA ITEM 8e

Authorizing the discharge of a mortgage by Wayne T. Cline and Marissa J. Cline, to Barnstable County, acting by and through the Cape Cod Commission, dated January 11, 2010 recorded with the Barnstable Land Court Registry as Document # 1,133,093

**DISCHARGE OF MORTGAGE**

**Barnstable County, acting by and through the Cape Cod Commission**, the holder of a mortgage by **Wayne T. Cline and Marissa J. Cline**, to

**Barnstable County, acting by and through the Cape Cod Commission**, dated January 11, 2010 recorded with the Barnstable Land Court Registry as Document # 1,133,093, acknowledges satisfaction of the same.

Witness our hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2019

**BARNSTABLE COUNTY, As County Commissioners**

\_\_\_\_\_  
Ronald Bergstrom

\_\_\_\_\_  
Mary Pat Flynn

\_\_\_\_\_  
Ronald R. Beaty

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, the undersigned notary public personally appeared Ronald Bergstrom, Mary Pat Flynn and Ronald R. Beaty, as Barnstable County Commissioners, and proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

# AGENDA ITEM 8f

Authorizing the execution of Certificates for Dissolving Septic Betterments



**BARNSTABLE COUNTY  
COMMUNITY SEPTIC MANAGEMENT  
LOAN PROGRAM**

3195 MAIN STREET/ P.O.BOX 427  
BARNSTABLE, MASSACHUSETTS 02630



Kendall Ayers  
Program Administrator

Phone: (508) 375-6610

Fax: (508) 375-6854

[www.barnstablecountysepticloan.org](http://www.barnstablecountysepticloan.org)

**MEMORANDUM**

**DATE:** June 4, 2019  
**TO:** County Commissioners  
**FROM:** Community Septic Management Loan Program  
**SUBJECT:** Certificates for Dissolving Septic Betterments

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Please execute Certificates for Dissolving Septic Betterments certifying that the betterment assessments upon the hereinafter described parcels of real estate in the Notices of Betterment Assessment recorded in Barnstable County Registry of Deeds or Barnstable Registry District of the Land Court as listed below, stating that betterments to be assessed pursuant to a betterment agreement for septic improvements, in accordance with General Laws, Chapter 111, Section 127B 1/2 have, together with any interest and costs thereon, been paid or legally abated.

Approved:

Board of Regional Commissioners

\_\_\_\_\_  
Ronald Bergstrom, Chair

\_\_\_\_\_  
Ronald R. Beaty, Vice-Chair

\_\_\_\_\_  
Mary Pat Flynn, Commissioner

\_\_\_\_\_  
Date

# CERTIFICATES FOR DISOLVING SEPTIC BETTERMENTS FOR 06/05/19

Barnstable Registry District of the Land Court		Barnstable County Registry Of Deeds						
Notice of Betterment Assessment Document No.	Deed Reference Document No.	Deed Reference Certificate of Title No.	Notice of Betterment Assessment Book	Notice of Betterment Assessment Page	Deed Reference Book	Deed Reference Page	Owner(s) Named in Betterment Assessment	Location of Property
X	X	X	30449	337	12725	300	Susan Larrabee	Assessors Map 112 Parcel 60 28 Willow Street Yarmouth Port (Yarmouth) 40 Deepwood Road Eastham
X	X	X	29442	87	16685	156	Linda P. Mayers	Assessors Map 170 Parcel 191 131 Seth Parker Road Centerville, MA 212 Harbor Hills Road Centerville (Barnstable)
X	X	X	31674	214	23554	106	Eileen F. Powers	Assessors Map 209 Parcel 069 156 Old Stage Road Centerville (Barnstable)
X	X	X	31771	136	26937	65	Adam W. Hazard Trustee, Joya A. Colombo Living Trust Dated December 6, 2012	Assessors Map 81 Parcel 71 34 Moody Drive Sandwich
1088482	932220 Lot 57 Plan 37432-F	169993	X	X	X	X	Michelle R. Barbano	Assessors Map 147 Parcel 11-2 25 Captain Lumbert Lane Centerville (Barnstable)