

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

At a regular meeting of the Barnstable County Board of Regional Commissioners, held in the East Wing Conference Room, in the Old Jail Building in Barnstable, on the twentieth day of March, A.D. 2019

Board Regional Commissioners:

Ronald R. Beaty Present

Ronald Bergstrom Present

Mary Pat Flynn Present

Assembly of Delegates:

John Ohman Delegate, Town of Dennis

Staff Present:

Jack Yunits County Administrator

Steve Tebo Assistant County Administrator

Justyna Marczak Human Resources Director

Owen Fletcher Executive Assistant, Administration

Sean O'Brien Director, Health and Environment

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**

Deborah Krau, President of the Hyannis Civic Association, from the Town of Barnstable, read a letter to the Board from the association requesting a full public hearing on relocating the County Fire Rescue Training Academy (FRTA) and ending activities at the site. The association expressed its concern regarding the effect of the FRTA on drinking water in the Town of Barnstable.

5. **Approval of Minutes**

a. **Regular Meeting of March 13, 2019**

Motion by Commissioner Beaty to approve the minutes of the Barnstable County Board of Regional Commissioners' Regular Meeting of March 13, 2019 as presented, 2nd by Commissioner Flynn, approved 3-0-0

6. **General Business**

There was no General Business before the Board at this meeting.

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 acceptance of the Barnstable County Plan for the Early Retirement Incentive Program in accordance with Chapter 330 of the Acts of 2018, as approved by the Commonwealth of Massachusetts Employee Retirement Administration Commission (PERAC), as submitted by the County Administrator**

Motion by Commissioner Beaty to authorize the acceptance of the Barnstable County Plan for the Early Retirement Incentive Program in accordance with Chapter 330 of the Acts of 2018, as approved by the Commonwealth of Massachusetts Employee Retirement Administration Commission (PERAC), as submitted by the County Administrator, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Yunits gave a quick summary of the process. Ms. Marczak informed the Board that the program could involve up to twenty (20) employees and fourteen (14) additional employees could be affected. Mr. Yunits explained that all employees would be notified as required. He also explained that the County could not determine at the current time how many employees would participate because the County was still notifying staff. Mr. Yunits further explained that employees could leave as soon as May, but the County would have to replace some employees. Finally, he explained that savings would come largely from re-organization and consolidation of County staff.

b. Authorizing Special Counsel to add additional Counsel in the matter of Barnstable County v. 3M Company, et al.

Motion by Commissioner Beaty to the execution of an addendum to an Attorney Services Agreement with SL Environmental Law Group, PC and Kennedy & Madonna, LLP dated December 25, 2016 to grant consent to associate with additional firms in the matter of Barnstable County v. 3M Company, et al. as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Yunits answered questions from the Board on this item. He gave an update on the status of the case and spoke regarding the additional law firms. Mr. Yunits noted that the firms would be added to the legal team due to their experiences. He detailed the history of similar litigation around the Country. The Board clarified that the Item would not result in an additional cost to the County. Chairman Begstrom highlighted that many governmental bodies contributed to the issues surrounding this lawsuit. He noted scientific studies at the current time suggest that concentrations of chemicals in the drinking water do not significantly increase the risk of developing health issues.

c. Authorizing the approval of a reimbursement request from Kristy Senatori, Executive Director of the Cape Cod Commission, for the period of November 15, 2018 through February 27, 2019

Motion by Commissioner Beaty to authorize the approval of a reimbursement request from Kristy Senatori, Executive Director of the Cape Cod Commission, for the period of November 15, 2018 through February 27, 2019 as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. Yunits clarified the routine nature of the request.

d. Authorizing the award of contracts to Nauset Disposal and MA Frazier Disposal for the service and maintenance of portable toilets for the Towns of Brewster, Eastham and Yarmouth

Motion by Commissioner Beaty to authorize the award of contracts to Nauset Disposal and MA Frazier Disposal for the service and maintenance of portable

toilets for the Towns of Brewster, Eastham and Yarmouth, as presented, 2nd by Commissioner Flynn, approved 3-0-0

- e. Authorizing the execution of a contract with Aggregate Industries for Roadway Materials for Towns in Barnstable County for the period of April 1, 2019 through March 31, 2020, with the option to renew for one additional year**

Motion by Commissioner Beaty to authorize the execution of a contract with Aggregate Industries for Roadway Materials for Towns in Barnstable County for the period of April 1, 2019 through March 31, 2020, with the option to renew for one additional year, as presented, 2nd by Commissioner Flynn, approved 3-0-0

- f. Authorizing the execution of a contract with Cape Cod Aggregates, Corp. for Roadway Materials for Towns in Barnstable County for the period of April 1, 2019 through March 31, 2020, with the option to renew for one additional year**

Motion by Commissioner Beaty to authorize the execution of a contract with Cape Cod Aggregates, Corp. for Roadway Materials for Towns in Barnstable County for the period of April 1, 2019 through March 31, 2020, with the option to renew for one additional year, as presented, 2nd by Commissioner Flynn, approved 3-0-0

- g. Authorizing the creation of a new fund for a grant from the Massachusetts Department of Environmental Protection to the County Health and Environment Department, for a Project on Reducing Phosphorus Impacts from Septic Systems Near Freshwater Lakes and Ponds-Defining BMPs in the amount of \$96,603.54, through June 30, 2021**

Motion by Commissioner Beaty to authorize the creation of a new fund for a grant from the Massachusetts Department of Environmental Protection to the County Health and Environment Department, for a Project on Reducing Phosphorus Impacts from Septic Systems Near Freshwater Lakes and Ponds-Defining BMPs in the amount of \$96,603.54, through June 30, 2021, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Mr. O'Brien described the nature and status of the grant.

- h. Authorizing the execution of a cooperative agreement with the Town of Chatham to do and perform all dredge related work at Stage Harbor**

Motion by Commissioner Beaty to authorize the execution of a cooperative agreement with the Town of Chatham to do and perform all dredge related work at Stage Harbor, as presented, 2nd by Commissioner Flynn, approved 3-0-0

Commissioner Beaty noted that the contract amount of \$390,000.00 is substantial. Mr. Tebo answered questions from the Board on the current state of our dredging equipment. The Board engaged in a lengthy discussion on the County's dredging

schedule. Mr. Yunits addressed the Board regarding grant funding for dredging that is only available this year. He further spoke regarding prioritizing work that is grant funded and the need for purchasing a new dredge.

i. 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 Beaty reported on his attendance at a Cape Cod Water Protection Collaborative Meeting. He noted that he discussed the FRTA with Barnstable Town Council member Paul Hebert.

10. County Administrator and Staff Reports

Mr. Yunits reported on the County's response to an editorial on clean-up at the FRTA. He also reported on difficulties with a potential move of the FRTA to Joint Base Cape Cod. Mr. Yunits stressed that the concerns of the Hyannis Civic Association are unfounded given the use of carbon filters for the water. Commissioner Beaty noted several letters of support for the FRTA in publications. Mr. Yunits addressed questions from the Board on the Municipal Airport and noted they were not in compliance.

11. Adjournment

Barnstable, ss. at 10:55 A.M. on this twentieth day of March A.D. 2019, Commissioner Beaty made a motion to adjourn, 2nd by Commissioner Flynn, approved 3-0-0

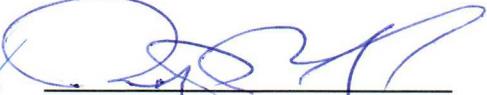
Approved, Board of Regional Commissioners:



Ronald Bergstrom, Chair



Mary Pat Flynn, Vice-Chair



Ronald R. Beaty, Commissioner

03/27/19

Date

The foregoing records have been read and approved, March 21, 2018.

A true copy, attest:



Janice O'Connell, Regional Clerk

