



Town of Barnstable Town Council

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MEETING AGENDA TOWN HALL HEARING ROOM December 3, 2015 7:00 PM

Councillors:

Jessica Rapp Grassetti
President
Precinct 7

Vacant
Vice President

John G. Flores
Precinct 1

Eric R. Steinhilber
Precinct 2

Paul Hebert
Precinct 3

Frederick Chirigotis
Precinct 4

James H. Crocker
Precinct 5

William Crocker, Jr.
Precinct 6

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Sara Cushing
Precinct 10

Philip N. Wallace
Precinct 11

John T. Norman
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator to the
Town Council:
Cynthia A. Lovell

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. PUBLIC COMMENT**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
- 6. TOWN MANAGER COMMUNICATIONS**
- 7. ACT ON MINUTES (Including Executive Session)**
- 8. COMMUNICATIONS – from elected officials, boards, committees, staff, commission reports, correspondence and announcements**
 - **Presentation from Christopher S. Galazzi, Executive Director, Cape Cod Maritime Museum**
- 9. ORDERS OF THE DAY**
 - A. Old Business**
 - B. New Business**
 - **Town Council Meeting Calendar 2016**
 - **Town Council Nominations for the Election of Officers**
- 10. ADJOURNMENT**

NEXT REGULAR MEETING: December 17, 2015

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A. OLD BUSINESS

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Philip Boudreau, 265 South Main Street, Centerville, as a regular member to a term expiring 06/30/18
Lindsey Counsell, 1183 Old Stage Road, Centerville, as a regular member to a term expiring 06/30/17
Casey Dannhauser, 49 Putnam Avenue, Cotuit, as a regular member to a term expiring 06/30/17
Fred Dempsey, 48 Field Stone Road, West Barnstable, as a regular member to a term expiring 06/30/17
Ed Eichner, 141 Pine Tree Drive, Centerville, as a regular member to a term expiring 06/30/18
Farley Lewis, 21 Wachusett Avenue, Hyannis port, as a regular member to a term expiring 06/30/17
Michael Moynihan, 33 Park Avenue, Centerville, as a regular member to a term expiring 06/30/18
George Zoto, 10 Widgeon Lane, West Barnstable, as a regular member to a term expiring 06/30/18
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B. NEW BUSINESS

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Please Note: The list of matters, are those reasonably anticipated by the council president, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Council may go into executive session. The Council may also act on items in an order other than they appear on this agenda. Persons interested are advised, that in the event any matter taken up at the meeting remains unfinished at the close of the meeting, may be put off to a continued session of this meeting, and with proper notice. Anyone requiring hearing assistance devices please inform the Town Clerk at the meeting.

A. OLD BUSINESS (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM #: 2016-041

INTRO: 11/05/15, 11/19/15, 12/03/15

**2016-041 APPROPRIATION ORDER OF UP TO \$34,999 FOR THE PURPOSE OF
HIRING AN OUTSIDE CONSULTANT FOR A TOWN MANAGER SEARCH**

ORDERED: That the sum of \$34,999 be appropriated for the purpose of hiring an outside consultant to assist in the search of the Town Manager, and that to fund this appropriation, that the sum of \$34,999 be transferred from the General Fund Reserves. This appropriation is for the consulting fees and any other costs associated with the search process.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>11/05/15</u>	<u>Refer to Public hearing 11/19/15</u>
<u>11/19/15</u>	<u>Public hearing closed/Charter Objection (Councilor Paul Hebert) Continue to 12/03/15</u>

- Read Item
- Rationale
- Council Discussion
- Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2016-041
INTRO: 11/05/15, 11/19/15, 12/03/15

SUMMARY

TO: Town Council
FROM: Town Manager Search Committee
SUBJECT: Professional Town Manager Search Consultant Services Appropriation
DATE: November 5, 2015

BACKGROUND: The Town Manager Search Committee, at its October 13, 2015 meeting, voted to recommend to the full Council the hiring of an outside search consultant to assist the Council in the hiring process of the Town Manager.

The Town Manager Search Committee met on October 20, 2015 and reviewed the presentation from Chief Procurement Officer Johanna Boucher on the parameters and guidelines in hiring a consultant. The Committee was advised that the budget should include the maximum allowed for the services in order to receive the greatest number of pertinent and appropriate candidates. The appropriation order will include professional consultant fee as well as any other costs associated with the search process.

STAFF ASSISTANCE: Johanna Boucher, Chief Procurement Officer

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2016-049
INTRO: 11/19/15, 12/03/15

2016-049 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoint the following individuals to a multiple-member board/committee/commission:

WATER RESOURCES ADVISORY COMMITTEE (WRAC): Philip Boudreau, 265 South Main Street, Centerville, as a regular member to a term expiring 06/30/18; Lindsey Counsell, 1183 Old Stage Road, Centerville, as a regular member to a term expiring 06/30/17; Casey Dannhauser, 49 Putnam Avenue, Cotuit, as a regular member to a term expiring 06/30/17; Fred Dempsey, 48 Field Stone Road, West Barnstable, as a regular member to a term expiring 06/30/17; Ed Eichner, 141 Pine Tree Drive, Centerville, as a regular member to a term expiring 06/30/18; Farley Lewis, 21 Wachusett Avenue, Hyannis port, as a regular member to a term expiring 06/30/17; Michael Moynihan, 33 Park Avenue, Centerville, as a regular member to a term expiring 06/30/18; George Zoto, 10 Widgeon Lane, West Barnstable, as a regular member to a term expiring 06/30/18

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>11/19/15</u>	<u>Second reading 12/03/15</u>
_____	_____

- _____ Read Item
- _____ Rationale
- _____ Council Discussion
- _____ Move/Vote

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM # 2016-051
INTRO: 11/19/15, 12/03/15

2016-051 APPROPRIATION ORDER \$8,000 COMMUNITY PRESERVATION FUNDS FOR ACQUISITION OF OPEN SPACE AND RECREATION LAND AT 230 OLD COLONY ROAD, HYANNIS, MAP 325, PARCEL 33, CONSISTING OF A PARCEL OF 2.11 ACRES MORE OR LESS

ORDERED: That pursuant to the provisions of the Community Preservation Act, G.L. c 44B, the sum of Eight Thousand and No/100 (\$8,000.00) Dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund to be expended for acquisition of open space and recreation land shown on Assessors Map 325 as Parcel 33 with an address of 230 Old Colony Road, Hyannis; and that the Town Manager is authorized to expend the amounts appropriated for the stated purposes by purchase of the land on behalf of the Town and execute, receive, deliver and record any written instruments, subject to prior approval of the grant of a conservation restriction by the Town Council and oversight of the Community Preservation Committee.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>11/19/15</u>	<u>Refer to Public hearing 12/03/15</u>

- Read Item
- Motion to Open Public Hearing
- Rationale
- Public Hearing
- Close Public Hearing
- Council Discussion
- Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2016-051
INTRO: 11/19/15, 12/03/15

SUMMARY

TO: Town Council
FROM: Lindsey Counsell, Community Preservation Committee
SUBJECT: Appropriation order of \$8,000 Community Preservation funds for acquisition of open space and recreation land at 230 Old Colony Road, Hyannis, MA
DATE: November 5, 2015

BACKGROUND: The Community Preservation Committee unanimously recommended to the Town Council, through the Town Manager to acquire a 2.11 acre +/- piece of vacant land at 230 Old Colony Road in Hyannis, Map 325 & Parcel 033 which has been owned for many years by the Amaral family. The agreed upon purchase price for the land is \$8,000.00 to be taken from the Open Space Set aside of the Community Preservation Act funds. These 2.11 acres+- of land is located at the headwaters of Snows Creek in the Lewis Bay area of Hyannis. The purposes of this acquisition meet several of the criteria established for property purchases by the Community Preservation Committee under the Community Preservation Act. These include preservation of open space, protection of wetlands buffer areas and waterbodies and connectivity to other protected open space. Further this property provides mixed habitat for a variety of wildlife that live in the Snows Creek watershed. There may be recreational opportunities via Snow's Creek.

STAFF ASSISTANCE: David Houghton, First Assistant Town Attorney

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2016-053
INTRO: 12/03/15**

2016-053 RESOLVE APPROVING A CONSERVATION RESTRICTION ON LAND CONTAINING APPROXIMATELY 2.11 ACRES MORE OR LESS AT 230 OLD COLONY ROAD, HYANNIS, MAP 325, PARCEL 33, TO BE PURCHASED BY THE TOWN WITH COMMUNITY PRESERVATION FUNDING

RESOLVED: That the Town Council approves the grant of a conservation restriction to the Barnstable Land Trust as recommended by the Land Acquisition and Preservation Committee on a parcel of vacant land to be purchased by the Town totaling approximately 2.11 acres more or less, with an address of 230 Old Colony Road, Hyannis shown on Assessors Map 325 as Parcel 33 for and in consideration of satisfaction of the requirements of the Community Preservation Act, G.L. c 44B § 12(a); and that the Town Manager is authorized to execute, deliver and record any written instruments necessary for this purpose.

SPONSOR: Councilor Jen Cullum

DATE	ACTION TAKEN
_____	_____
_____	_____

BARNSTABLE TOWN COUNCIL

ITEM # 2016-053
INTRO: 12/03/15

SUMMARY

TO: Town Council
FROM: Lindsey Counsell, Chair, Community Preservation Committee
SUBJECT: Approval of a conservation restriction to the Barnstable Land Trust on a parcel of vacant land totaling approximately 2.11 acres more or less, with an address of 230 Old Colony Road, Hyannis
DATE: December 3, 2015

BACKGROUND: Since the 2012 Community Preservation Act amendments, conservation restrictions are required to be recorded in separate instruments held by third parties on open space and recreational land acquired with Community Preservation Act funds.

STAFF ASSISTANCE: David Houghton, First Assistant Town Attorney

VOLUNTEER ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee

B. NEW BUSINESS (First Reading) (Refer to Planning Board)

BARNSTABLE TOWN COUNCIL

**ITEM # 2016-054
INTRO: 12/03/15**

**2016-054 AMENDING THE CODE PART I GENERAL ORDINANCES, CHAPTER 240
ZONING OF THE TOWN OF BARNSTABLE TO INCLUDE A HYANNIS
PARKING OVERLAY DISTRICT**

ORDERED: That Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning be amended as follows:

SECTION 1

By amending Section 240-6 the Zoning Map, to create a new overlay zoning district known as “Hyannis Parking Overlay District” which includes the area shown on the reference map entitled “Hyannis Parking Overlay District”, dated November 30, 2015, prepared by the Town of Barnstable GIS Department.

SECTION 2

By amending Section 240-5, Establishment of Districts, by adding under the heading “Overlay Districts” the term “Hyannis Parking Overlay District”

SECTION 3

Re-numerate sections as follows:

240-24.1.10 to 240-24.1.11

240-24.1.11 to 240-24.1.12

240-24.1.12 to 240-24.1.13

SECTION 4

These amendments are adopted pursuant to and in furtherance of the provisions of Chapter 240, Article II of the Zoning Ordinance, Section 240-24.10, Hyannis Parking Overlay District

240-24.1.10 Hyannis Parking Overlay District (HPOD)

240-24.1.10 Purposes and Intent.

A. This section allows as of right permitting for land located south of Main Street in Hyannis which land has some legal pre-existing nonconforming status or was licensed as of May 1, 2014 as an open air parking lot involving the temporary storage of vehicles. The scope of such uses would otherwise have to be clarified through a quasi-judicial or regulatory process. The purpose of this section is to:

- (1) Clarify this land use and create as of right permitting for land now used as open air parking lots and located south of Main Street in Hyannis;

- (2) Protect the safety of the users of the lot and the general public through site development standards providing constant access for emergency responders;
- (3) Ensure safe access to structures for emergency responders;
- (4) Protect adjacent property from nuisance which may result from the operation of cars and parking off streets;
- (5) Enhance and protect the visual quality of the Hyannis harbor area;
- (6) Reduce congestion on lot access streets which also serve residential areas; and
- (7) Contribute to traffic safety by ensuring orderly access to and egress from such lots.

204-24.1.10.2 Relationship to underlying districts and regulations.

A. The Hyannis Parking Overlay District (HPOD) shall overlay all underlying districts so that any parcel of land lying in the HPOD shall also lie in the zoning district or districts in which it is otherwise classified by this chapter.

B. All regulations of the underlying zoning district(s) shall apply within the HPOD to the extent that they are not inconsistent with the specific provisions of this section 240-24.10. To the extent the provisions of this section 240-24.10 are in conflict with or are inconsistent with other provisions of this chapter, the provisions of this section 240-24.10 shall govern and prevail even if such other provisions are more restrictive than those set forth in this section 240-24.10.

204-24.1.10.3 Definitions

Aisle - An aisle is that portion of the Commercial Surface Parking Lot circulation area providing safe and constant access for emergency responders and access to parking spaces for lot patrons. Aisle area is calculated exclusive of any other area on the lot such as driveway, parking stalls, and attendant areas.

Commercial Surface Parking Lot - The commercial parking of vehicles where parking is a principal use on the property. Non-commercial trucks, vans and other vehicles not exceeding 7.5 feet may use a Commercial Surface Parking Lot.

Emergency Access Aisles and Fire Lanes – Aisles, unobstructed at all times, for the safe and immediate access of emergency response vehicles. At no time shall any portion of a designated Emergency Access Aisle be used for parking or storing vehicles for any length of time no matter how short.

Kiosk – A structure, which may be temporary or seasonal, located on the Commercial Surface Parking Lot from which parking transactions are conducted.

Parking Attendant – An employee of the Commercial Surface Parking Lot available to customers to park and retrieve vehicles within the licensed lot.

Remote Parking Sites – Sites accommodating excess parking for HPOD parking lots that are located in another area of Hyannis where such parking use is allowed. Such remote parking lots shall be permitted and licensed only in connection with the HPOD parking lot.

Second Principal Use – A second principal use, lawfully permitted and established at the time of the adoption of this ordinance, may share a parcel with a Commercial Surface Parking Lot.

Stacked Parking: Parking of vehicles in a line or stack that may be up to three vehicles deep at a Commercial Surface Parking Lot. The lot operator shall have an attendant present to move vehicles out of the stack at all times that the lot is open for vehicle pick-up by vehicle owners.

240-24.1.10.4 Permitted Uses

- A. Principle Uses.
Commercial Surface Parking Lot

204-24.1.10.5 Site Development Standards

(A) Access Management

- (1) Entrance and exit driveways shall be a minimum of fourteen (14) feet wide for one-way use only and a minimum of twenty (20) feet wide for two-way use and shall be delineated.
- (2) Driveways shall be located so as to minimize conflict with traffic on public streets and where good visibility and sight distances are available to observe approaching pedestrian and vehicular traffic.

(B) Parking Spaces

(1) Computation

- (a) Within the property boundaries the number of parking spaces is limited only by the required dimensions for parking spaces, aisles, emergency access aisles, and fire lanes.
- (b) Where another principal use, lawfully permitted and established at the time of the adoption of this ordinance, is located on the same parcel as the Commercial Surface Parking Lot the number of parking spaces required to support that use shall be deducted from the number of spaces for the Commercial Surface Parking Lot use.
- (c) Where another principal use not located on the same parcel as the Commercial Surface Parking Lot uses some of the Lot's spaces as shared parking for the off lot use, those spaces shall be deducted from the zoning and licensing number of lots for the Commercial Surface Parking Lot.
- (d) Up to 10% of parking spaces may be designed for and allocated to compact spaces.
- (e) Parking facilities shall provide specially designated parking spaces according to 521 CMR the Architectural Access Board.

(2) Dimensions

- (a) Non-compact spaces 9' X 18'
- (b) Compact spaces 6' x 14'

(3) Demarcation

- (a) Emergency Access Aisles and Fire Lanes shall be marked as shown on the record parking plan drawn and stamped by a Registered Professional Land Surveyor. In addition to showing the number of spaces that can be accommodated according to the dimensions herein, such plan shall depict demarcations for emergency access aisles through a method permanently affixed to the ground and approved by the Building Commissioner and Fire Safety Official.
- (b) Wheel stops and/or striping shall be installed and maintained to mark each permitted parking space. Stacked parking spaces shall be marked using ground mounted delineators or other demarcation.
- (c) Property boundaries for properties abutting other separately owned properties shall be marked with fencing or other means as may be approved by the Building Commissioner.

B. Stacked Parking

- (1) Stacked parking in compliance with Section 204-24.10.4 B. may be permitted subject to the approval of the Building Commissioner and the Fire Safety Official.
- (2) Lots using stacked parking configurations shall have a full-time attendant supervising the lot and to enable owner access to vehicles at all times.

C. Aisle Width

- (1) Unless otherwise provided for in this section, parking lots shall be designed so that each motor vehicle is able to proceed to and from the parking space provided without requiring the moving of any other motor vehicle.
- (2) All angle parking shall have one way circulation with an aisle width of at least 14 feet.
- (3) Fire lanes and emergency access aisles shall be provided as required by the Building Commissioner and the Fire Safety Official.

D. Lot Circulation

- (1) Dead end aisles including but not limited to emergency access aisles, and fire lanes are prohibited.

E. Landscaping and Fencing

- (1) Parking lots shall install perimeter landscaping area along street frontages.
- (2) Fencing other than split rail fencing is prohibited.

F. Lighting - Lighting shall not cause glare for motorists, pedestrians or neighboring premises. Full cut-off light fixtures shall be used in which no more than 2.5% of the total output is emitted at 90° from the vertical pole or building wall on which it is mounted.

G. Signage – Signage provisions rely on the requirements of the underlying zoning district or on rights that may be vested in the property as determined by the Building Commissioner.

H. Accessory Structures

- (1) Parking Lot Kiosk - A kiosk for parking lot attendants and/or business needs may be allowed. Kiosks are typically located at the main entrance(s) to or exit(s) from the lot. Each kiosk shall not exceed 150 SF in gross floor area and shall be located so as not to interfere with fire lanes, emergency access aisles, or site circulation. Kiosks shall include temporary sanitary facilities for employees. In no case shall the temporary sanitary facility be visible from any public way. Such structures shall be subject to applicable code or other permitting requirements and shall not host other principal or accessory uses such as retail without the required approvals.
- (2) Trash receptacles – all lots shall provide accommodations for client and employee trash. Trash receptacles and/or dumpsters shall be located near each Parking Lot Kiosk as may be required by the Building Commissioner and the Fire Safety Official. In no case shall the receptacles be visible from any public way.

Section 5

Amend Section 240-51 Location of Parking Spaces by deleting the words , "except that in the MA-1 Business District, parking spaces may be located on another lot within 500 feet of the use, provided that no parking lot shall be created by the demolition of buildings within the MA-2 Business District, OR Office Residential District, or buildings with frontage on Main Street in the MA-1 Business District" from existing Section 240-51:

By re-numerating Section 240-51 to Section 240-51 A, and
By adding new Section 240-51 B. as follows:

Section 240-51 Location of Parking Spaces

- A. All off-street parking spaces required by this article shall be located on the same lot as the use for which such spaces are required, except that in nonresidential districts, parking spaces may be located on another lot within 300 feet of, and in the same zoning district as, the use for which such spaces are required.
- B. Parking facilities, including those governed by Sections 240-24.1.11 (as re-numerated herein). Site Development Standards Subsection A.(4) [4] [d] and Section 240-24.1.10 Hyannis Parking Overlay District may operate parking lots in other locations and propose shuttle service to transport patrons from these remote lots to their desired destination. Such proposals shall be subject to Site Plan Review.

Section 6

Amend Section 240-128 Definitions by adding the following definition:

Shuttle Service – Use of a multi-passenger vehicle to shuttle parking lot patrons between remote parking lots, parking facilities, and transportation terminals.

SPONSORS: Town Council Parking Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Move/Vote

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2016-055
INTRO: 12/03/15

2016-055 ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$40,600 FROM THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION

RESOLVED, that the Town Council hereby accepts the Sustainable Materials Recovery Grant award in the amount of \$40,600.00 from the Massachusetts Department of Environmental Protection for recycling materials, education and outreach, trash compactor, mattress recycling, and food waste collection program, and that the Town Manager is authorized to expend the grant monies for the purpose specified therein.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2016-055
INTRO: 12/03/15

SUMMARY

TO: Town Council
THROUGH: Thomas K. Lynch, Town Manager
FROM: Daniel W. Santos, P.E., Director, Department of Public Works
DATE: December 3, 2015
SUBJECT: Grant Acceptance in the amount of \$40,600 from the Massachusetts Department of Environmental Protection under the Sustainable Materials Recovery Program (SMRP)

BACKGROUND: The Town has been awarded \$40,600 in grant funds from the Massachusetts Department of Environmental Protection (MassDEP) under the Sustainable Materials Recovery Program (SMRP). The total amount of grant funding includes separate amounts under the SMRP sub-programs enumerated below.

2015 Mass DEP grants awarded under Sustainable Materials Recovery Program

Round 1:

Recycling Dividends program (rewards town for current recycling programs):	\$9,000
Small Scale Initiative program:	<u>\$1,500</u>
	\$10,500

Round 2:

Food waste collection pilot program - up to:	\$4,000
Compactor for collection of single stream recyclables - up to:	\$7,500
Education materials to publicize the food waste collection pilot - up to:	\$1,000
Mattresses Recycling Incentive - up to: \$30,100	<u>\$17,600</u>
Total award:	\$40,600

ANALYSIS: The acceptance of this grant will allow the Solid Waste Division and the Town to enhance its waste reduction programs through the acquisition of public space and outdoor event recycling containers, recycling carts and recycling bins, waste reduction and/or recycling outreach and education materials, the purchase of a new compactor unit, and/or program development and disposal costs for a new organics (food waste) diversion pilot program.

FISCAL IMPACT: There is no Grantee cost share or match requirement. There will be no Operating Budget impact as a result of the acceptance of these grants. Any additional efforts required will be absorbed into existing budgets.

TOWN MANAGER RECOMMENDATION: Town Manager Thomas K. Lynch recommends acceptance of this grant.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director Department of Public Works, P.J. Kelliher, Supervisor, Solid Waste Division, Richard Elrick, Energy Coordinator

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2016-056
INTRO: 12/03/15

2016-056 ACCEPTANCE OF FY2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF \$49,251 FROM THE U. S. DEPARTMENT OF JUSTICE

RESOLVED: that the Barnstable Town Council does hereby accept the Federal Fiscal Year 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local from the U. S. Department of Justice in the amount of \$49,251.

SPONSOR: Thomas K. Lynch, Town Manager

<u>DATE</u>	<u>ACTION TAKEN</u>
_____	_____
_____	_____

- _____ Read item
- _____ Rationale
- _____ Council Discussion
- _____ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM #2016-056
INTRO: 12/03/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Paul MacDonald, Chief of Police
DATE: November 16, 2015
SUBJECT: Acceptance of a Federal Financial Fiscal Year 2015 Byrne Memorial Justice Assistance Grant in the amount of \$49,251

BACKGROUND: The Police Department applied for and was awarded Federal Fiscal Year 2015 Byrne Memorial Justice Assistance Grant: Local Solicitation from the United States Department of Justice in the amount of \$49,251. The grant has been deemed to be a disparate certification allocation to be distributed among three towns as outlined below based on a prescribed grant formula amount for each town and the Town of Barnstable Police Department will act as the grant administrator and fiscal agent for all towns:

Barnstable Police Dept.: \$24,488 to be expended for the purchase of air card service.

Falmouth Police Dept.: \$10,695 to be expended on the purchase of 4 tasers and related accessories; 2 motorcycle hand-held radar units; 2 mountain bikes; and 4 body cameras.

Yarmouth Police Dept.: \$14,068 to be expended on enhanced surveillance equipment, and a community policing type of program which will improve community relationships.

ANALYSIS: The acceptance of this grant will allow the aforementioned police departments to take action on the programs as described previously.

FISCAL IMPACT: There is no matching funding required for this grant. This is a reimbursement grant as expenses are incurred up to the total dollar amount of the grant. The Town of Barnstable Police Department will serve as the fiscal agent for all the towns and will be responsible for all grant reporting, reimbursement of funds and draw downs.

TOWN MANAGER RECOMMENDATION: Thomas K. Lynch, Town Manager

STAFF ASSISTANCE: Chief Paul B. MacDonald; Anne Spillane

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM #: 2016-057
INTRO: 12/03/15**

2016-057 ACCEPTANCE OF FISCAL YEAR 2016 911 DEPARTMENT SUPPORT AND INCENTIVE GRANT IN THE AMOUNT OF \$177,282 FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF PUBLIC SAFETY

RESOLVED: that the Barnstable Town Council does hereby accept the Fiscal Year 2016 911 Department Support & Incentive Grant from the Commonwealth of Massachusetts, Executive Office of Public Safety, in the amount of \$177,282

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM #2016-057
INTRO: 12/03/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Paul MacDonald, Chief of Police
DATE: November 9, 2015
SUBJECT: Acceptance of a Fiscal Year 2016 911 Department Support & Incentive Grant in the amount of \$177,282

BACKGROUND: The Police Department applied for and was awarded a 911 Support and Incentive Grant from the Commonwealth of Massachusetts, executive Office of Public Safety and Security, State 911 Department in the amount of \$177,282. The Barnstable Police Department serves as a primary Public Safety Answering Point (PSAP) in that it receives all categories of 911 calls (Fire, Police & Medical Emergency) and then dispatches to the appropriate service according to the type of need of the call. Additionally, Emergency Medical Dispatch continues to be administered by the Barnstable Police Department throughout the duration of the call, in keeping with State 911 regulations. Eligible entities for this grant are primary, regional and regional secondary PSAPS and Regional Emergency Communications Centers (RECC). Additional monies are available under the grant guidelines pertinent to this grant, because the Barnstable Police Department serves as a Primary PSAP. The Barnstable Police Department proposes that this funding be used to fund overtime costs incurred in the operation of the department's 911 Telecommunications Center.

ANALYSIS: The acceptance of this grant will allow the Department to replace qualified personnel in the communications center in order to provide adequate staffing to that area on an understaffed shift without incurring undo overtime expenses.

FISCAL IMPACT: This is a reimbursement grant for overtime.

TOWN MANAGER RECOMMENDATION: Thomas K. Lynch, Town Manager recommends acceptance of this grant.

STAFF ASSISTANCE: Chief Paul B. MacDonald; Anne Spillane

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2016-058
INTRO: 12/03/15**

2016-058 ACCEPTANCE OF FISCAL YEAR 2016 STATE 911 DEPARTMENT TRAINING AND EMERGENCY MEDICAL DISPATCH GRANT IN THE AMOUNT OF \$193,876.95 FROM THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

RESOLVED: That the Town Council hereby accepts a Fiscal Year 2016 State 911 Department Training and Emergency Medical Dispatch Grant award in the amount of \$193,876.95 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2016-058
INTRO: 12/03/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Paul MacDonald, Chief of Police
DATE: November 6, 2015
SUBJECT: Acceptance of a FY2016 State 911 Department Training and Emergency Medical Dispatch (EMD) Grant award in the amount of \$193,876.95 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security

BACKGROUND

The Department has been awarded a grant in the amount of \$193,876.95 relative to our role as a primary Public Safety Answering Point (PSAP) to fund the training and certification of enhanced 911 telecommunicators, including Emergency Medical Dispatch (EMD).

This current grant will fund the EMD training and certification of all telecommunicators serving as dispatchers at the Barnstable Police Department. Additionally, this grant will fund 16 hours each of continuing education courses as required by law in such areas as CPR and specialized dispatch training on other topics such as active shooter, domestic violence and suicide for the 85 telecommunicators who were previously trained in EMD. This grant will also fund the costs associated with basic 40-hour telecommunicator course for 23 officers. Only telecommunicators trained and certified in EMD can work in the dispatch area.

ANALYSIS: Acceptance of this grant will enable the department to fulfill their training obligations as a primary PSAP as required by laws that become effective on July 1, 2012.

GRANT DETAIL: \$193,876.95 will be directed to pay for class fees and overtime associated with the training. Most of the training will be conducted on-site at the Barnstable Police Department facility.

FISCAL IMPACT: This is a reimbursement grant for all training costs, materials and overtime. There is no match required. All costs associated with this grant contract must be completed by June 30, 2016.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends acceptance of this grant.

STAFF ASSISTANCE: Chief Paul B. MacDonald; Anne Spillane

B. NEW BUSINESS (First reading)

BARNSTABLE TOWN COUNCIL

**ITEM # 2016-059
INTRO: 12/03/15**

**2016-059 AMENDING THE ADMINISTRATIVE CODE, CHAPTER 241, ARTICLE III
MULTIPLE MEMBER APPOINTIVE ORGANIZATIONS, CHAPTER §241-39A
YOUTH COMMISSION**

ORDERED: That the General Ordinances of the Code of the Town of Barnstable, Chapter §241-39A, Youth Commission, be amended as follows:

Section A: That § 241-39A be amended as follows:

By striking out the number eleven (11) in the first sentence and by substituting in its place the number fifteen (15).

By striking out the number nine (9) in the first sentence and by substituting in its place the number thirteen (13).

By adding after the second sentence the following new sentence: “Notwithstanding anything to the contrary in § 241-8J, as long as a member is enrolled as a full-time student at a school located within the Town, s/he does not have to be a resident of the Town.”

So that § 241-39A as revised shall read as follows:

A. Composition; Term of Office. There shall be a Youth Commission consisting of fifteen members, thirteen of whom will be between the ages of 13 and 19. These thirteen members shall serve for a one-year term and may be reappointed as long as they continue to qualify, and they will be the only voting members. Notwithstanding anything to the contrary in § 241-8J, as long as a member is enrolled as a full-time student at a school located within the Town, s/he does not have to be a resident of the Town. Two members shall be adults and will serve for three-year terms, overlapping, as determined by the Appointments Committee. The two adult members will be nonvoting members and serve in an advisory capacity. All members appointed shall provide for a balanced and diverse representation of the community's interests and concerns. One member of the Youth Commission shall serve as a liaison to the Town Council, reporting either in person or in writing, as they are able.”

SPONSOR: Councilor Jennifer Cullum

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Move/Vote

BARNSTABLE TOWN COUNCIL

SUMMARY

ITEM #: 2016-059
INTRO: 12/03/2015

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Brendan W. Clark, Chair, Youth Commission
DATE: December 3, 2015
SUBJECT: Amending the Administrative Code, Chapter 241, Article III Multiple Member Appointive Organizations, Chapter §241-39A, Youth Commission

BACKGROUND: The Barnstable Youth Commission is a multi-member appointed Commission under the purview of the Barnstable Town Council. The Commission is responsible for reviewing youth-related concerns and taking action upon such concerns as necessary. The Commission is also responsible for the conveyance of youth related concerns to the Town Council. Further, the Commission works with intragovernmental and intergovernmental entities as well as local civic associations and businesses to best address youth concerns in the Town of Barnstable.

RATIONALE: The Barnstable Youth Commission's present membership is limited to eleven individuals: nine voting members between the ages of thirteen and seventeen and two adult advisors. The aforesaid parameters of membership were approved under § 241-39 of the Barnstable Town Code. Since the previous amendment to § 241-39 by **Order No. 2014-069**, the Youth Commission has engaged in aggressive recruitment to form a stronger and more diversified board representative of the youth populace with regards to age, grade, and race. The result of this recruitment has been a Commission which is now composed of eight official Youth Commissioners and three prospective Youth Commissioners who have filed papers with the intent of applying. As a result, the Commission sees the immediate need to increase the membership, as defined in the Barnstable Town Code, in order to allow the aforesaid the ability to serve as Commissioners. The Commission believes that this increase would allow for the continued participation of interested youth in the Town of Barnstable. Further, the waiving of the residency requirement is reflective of the Commission's interest in including all youth applicants who attend a school, thereby conveying their vested interest in the welfare of the Town.

FISCAL IMPACT: None

TOWN MANAGER RECOMMENDATION: Thomas K. Lynch, Town Manager

STAFF SUPPORT: Ruth Weil, Town Attorney
Lynne Poyant, Director of Community Services