



Town of Barnstable Town Council

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Original posted
4/13/2020@ 1:03pm.
Updated on
4/15/2020@1:00pm
to add
Item # 2020-144

MEETING AGENDA

**April 16, 2020
7:00 PM**

The April 16, 2020 meeting of the Barnstable Town Council shall be physically closed to the public to avoid group congregation.

Remote Participation Instructions

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be accessed the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>
2. Real-time public comment can be addressed to the Barnstable Town Council utilizing the Zoom link or telephone number and access code for remote access below.

Link: Join Zoom Meeting <https://zoom.us/j/94920167062> Meeting ID: 949 2016 7062
Phone # 888 475 4499 US Toll-free Meeting ID: 949 2016 7062

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 announcement**

- **Workshop on Barnstable Recycling Program
Mark S. Ells, Town Manager**

9. **ORDERS OF THE DAY**
 - A. **Old Business**
 - B. **New Business**

10. **ADJOURNMENT**

NEXT REGULAR MEETING: May 7, 2020

Councillors:

Paul Hebert
President
Precinct 3

Jessica Rapp Grasseti
Vice President
Precinct 7

Gordon Starr
Precinct 1

Eric R. Steinhilber
Precinct 2

Britt Beedenbender
Precinct 4

David W. Bogan
Precinct 5

Paul C. Neary
Precinct 6

Debra S. Dagwan
Precinct 8

Tracy Shaughnessy
Precinct 9

Matthew Levesque
Precinct 10

Kristine Clark
Precinct 11

Paula Schnepf
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell

Administrative
Assistant:
Kelly Crahan

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A. OLD BUSINESS

2020-138	Appointments to a Board/Committee/Commission: Community Preservation Committee: Farley Lewis, 21 Wachusette Avenue ,Hyannis port, as a regular member to a term expiring 6/22; Stephen Robichaud, 63 Marble Road, Barnstable, as a Planning Board Representative member to a term expiring 6/22; Disability Commission: Chris Bartley, 8 LL, West Main Street, Hyannis, as a regular member to a term expiring 6/21; Infrastructure and Energy Committee: John Solomon,781 Old Post Road, Cotuit, as a regular member to a term expiring 6/21; Trust Fund Advisory Committee: Lillian Woo, 80 Kearsage, West Hyannis port, as a Financial Representative member to a term expiring 6/22; Youth Commission: Mark Beal c/o Hyannis Youth and Community Center, 141 Bassett Lane, Hyannis, as a regular member to a term expiring 06/30/20; (Second Reading) (Roll Call Majority)3	3
2020-140	Supplemental Appropriation and Transfer Order in the amount of \$101,000 for the Fiscal Year 2020 Airport Enterprise Fund Capital Budget (Public Hearing)(Roll Call Majority)	4-5

B. NEW BUSINESS

2020-141	Appropriation and Transfer Order in the amount of \$425,000.00 Community Preservation Funds for the creation and acquisition of a conservation restriction on three wooded lots addressed at 150 and 180 Great Marsh Road and 55 Hayes Road, Centerville 6.2 Acres ± (Refer to Public Hearing 05/07/2020)	6-7
2020-142	Supplemental Appropriation in the amount of \$36,000 for the Barnstable Police Department Fiscal Year 2020 Operating Budget for the purpose of funding the costs associated with the hiring of Patrol Officers to fill current vacancies (Refer to Public Hearing 05/07/2020)	8-9
2020-143	Resolve approving the Appointment of Derek Lawson as Director of Marine and Environmental Affairs (May be acted upon) (Roll Call Majority)	10
2020-144	Resolve authorizing the acceptance of Personal Property for Covid-Related purposes.....	11

Approve Minutes; April 2, 2020

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 (Second Reading) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM # 2020-138

INTRO: 03/19/2020, 04/02/2020, 04/16/2020

2020-138 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION:

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Community Preservation Committee:** Farley Lewis, 21 Wachusette Avenue, Hyannisport, as a regular member to a term expiring 6/22; Stephen Robichaud, 63 Marble Road, Barnstable, as a Planning Board Representative member to a term expiring 6/22; **Disability Commission:** Chris Bartley, 8 Ll, West Main Street, Hyannis, as a regular member to a term expiring 6/21; **Infrastructure and Energy Committee:** John Solomon, 781 Old Post Road, Cotuit, as a regular member to a term expiring 6/21; **Trust Fund Advisory Committee:** Lillian Woo, 80 Kearsage, West Hyannis port, as a Financial Representative member to a term expiring 6/22; **Youth Commission:** Mark Beal c/o Hyannis Youth and Community Center, 141 Bassett Lane, Hyannis, as a regular member to a term expiring 06/30/20

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>3/19/2020</u>	<u>Town Council Agenda postponed until 04/02/2020</u>
<u>04/02/2020</u>	<u>First Reading/Referred to Second Reading 04/16/2020</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM #2020-140

INTRO: 03/19/2020, 04/02/2020, 04/16/2020

2020-140 SUPPLEMENTAL APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$101,000 FOR THE FISCAL YEAR 2020 AIRPORT CAPITAL BUDGET

ORDERED: That the sum of **\$101,000** be appropriated for the purpose of funding the following:

\$71,000 for MassDOT Aeronautics Leading by Example Greenhouse Gas Reduction Initiatives Propane Tractor with Attachments

\$30,000 for MassDOT Aeronautics Leading by Example Greenhouse Gas Reduction Initiatives Commercial Grade Battery Operated Zero Turn Mower with a Solar Canopy

and that to meet this appropriation, that \$101,000 be transferred from the Airport Enterprise Fund reserves; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
<u>03/19/2020</u>	<u>Town Council Meeting postponed until 04/02/2020</u>
<u>04/02/2020</u>	<u>Referred to a Public Hearing on 04/16/2020</u>

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

BARNSTABLE TOWN COUNCIL

ITEM #2020-140

INTRO: 03/19/2020, 04/02/2020, 04/16/2020

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Katie R. Servis, Airport Manager
DATE: March 19, 2020
SUBJECT: Supplemental Appropriation and Transfer Order in the amount of **\$101,000** for the Fiscal Year 2020 Airport Enterprise Fund Capital Budget

BACKGROUND: MassDOT Aeronautics Leading by Example Greenhouse Gas Reduction Initiatives
The Massachusetts Department of Transportation – Aeronautics Division (MassDOT) has reached out to airports indicating that they have available funding for various projects that help them meet MassDOT Aeronautics Leading by Example Greenhouse Gas Reduction Initiatives in Fiscal Year 2020 and they are looking to fund eligible projects before the end of the fiscal year (June 30, 2020). Airport officials met with MassDOT in January 2020 and the following 2 projects were identified as being eligible for a 100% reimbursement from MassDOT.

Project	Estimated Cost	MassDOT Share	Airport Share	Funding Source
Propane Tractor with Attachments*	\$71,000	\$71,000	\$0	Airport Reserves.

The certified reserve as of July 1, 2019 is \$2,761,211.00.

Commercial Grade Battery Operated Zero Turn Mower with a Solar Canopy *	\$30,000	\$30,000	\$0	Airport Reserves.
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The certified reserve as of July 1, 2019 is \$2,761,211.00

Totals \$101,000 \$101,000 \$0

* Project is part of the MassDOT Aeronautics Leading by Example Greenhouse Gas Reduction Initiative

Through the MassDOT Program, the Airport was able to reduce the request to replace one of the Airport's Zero Turn Mowers that was planned for under the FY2021 Operating Capital Budget, saving the Airport \$30,000 in the process

FISCAL IMPACT: The MassDOT will reimburse the Airport a total of \$101,000 for these projects. The reimbursements will replenish the Airport's reserves used to fund this appropriation. The airport's certified reserve as of July 1, 2019 is \$2,761,211.00. The Airport will retain equipment using the state bid list/competitive bid process.

STAFF ASSISTANCE: Katie R. Servis, Airport Manager; Mark A. Milne, CPA, Director of Finance

B. NEW BUSINESS (Refer to Public Hearing 05/07/2020)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-141
INTRO: 04/16/2020**

**2020-141 APPROPRIATION AND TRANFER ORDER IN THE AMOUNT OF \$425,000.00
COMMUNITY PRESERVATION FUNDS FOR CREATION AND ACQUISITION
OF CONSERVATION RESTRICTION ON THREE WOODED LOTS
ADDRESSED 150 AND 180 GREAT MARSH ROAD AND 55 HAYES ROAD,
CENTERVILLE 6.2 ACRES ±**

ORDERED: That pursuant to the provisions of the community Preservation Act, G.L. c. 44B, the sum of Four Hundred Twenty-Five Thousand and NO/100 (\$425,000.00) Dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund for creation and acquisition of a conversation restriction for open space and passive recreation on three wooded lots addressed 150 and 180 Great Marsh Road and 55 Hayes Road, Centerville totaling approximately 6.2 acres; that the conversation restriction is hereby approved in the form approved by the Land Acquisition and Preservation Committee and Town Manager subject to further approval by the Secretary of the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs; that the Town Manager is authorized to expend the amount appropriated on behalf of the Town for the restriction acquisition and that the President and Town Manager are authorized to execute, receive, deliver and record any written instruments for the stated purposes.

SPONSOR: Mark S. Ells, Town Manager upon recommendation of the Community Preservation Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-141
INTRO: 04/16/2020

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lindsey Counsell, Chair Community Preservation Committee
DATE: April 16, 2020
SUBJECT: Appropriation and Transfer Order in the amount of \$425,000.00 Community Preservation Funds for the creation and acquisition of a conservation restriction on three wooded lots addressed at 150 and 180 Great Marsh Road and 55 Hayes Road, Centerville 6.2 Acres ±

BACKGROUND: At the September 16, 2019 Community Preservation Committee meeting, the seven members present voted unanimously for recommendation to the Town Council through the Town Manager, Orenda Wildlife Land Trust's request for \$425,000 in Community Preservation Open Space/Recreation funds for the acquisition of three wooded lots addressed 150 and 180 Great Marsh Road and 55 Hayes Road, Centerville totaling approximately 6.2 acres. The Conservation Restriction, which will be granted to the Town of Barnstable, received unanimous approval from the Land Acquisition and Preservation Committee at the February 10, 2020 meeting.

ANALYSIS: This funding request represents a portion of the total purchase price of \$500,000 with \$75,000 in funds to be provided by Orenda, neighbors, and local grants. Orenda would retain ownership of the property, with a Conservation Restriction to the Town of Barnstable. Each of the three developable lots is located very near to Lake Wequaquet and restriction from development will protect the water quality of Lake Wequaquet as there is no sewer in the area. The property is a mature mixed hardwood forest that serves as a refuge to dozens of songbirds and wildlife and will be preserved as open space. The conservation restriction includes the option of installing three to five parking spaces at the head of the former driveway; rights in driveway will be extinguished. Walking trails will be open to the public for passive recreation only.

FISCAL IMPACT: This appropriation will be provided from the amount set aside for the Open Space and Recreation Program area of the Community Preservation Fund which has a current balance of \$1,888,943. There is no impact on the Town's General Fund.

TOWN MANAGER RECOMMENDATION: Mark S. Ells recommends this appropriation

VOLUNTEER STAFF ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee

B. NEW BUSINESS (Refer to Public Hearing 05/07/2020)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-142
INTRO: 04/16/2020**

2020-142 SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$36,000 FOR THE BARNSTABLE POLICE DEPARTMENT FISCAL YEAR 2020 OPERATING BUDGET FOR THE PURPOSE OF FUNDING THE COSTS ASSOCIATED WITH THE HIRING OF PATROL OFFICERS TO FILL CURRENT VACANCIES

ORDERED: That the sum of **\$36,000** be added to the Fiscal Year 2020 Police Department General Fund Operating Expense Budget for the purpose of funding a portion of the expenses related to hiring and equipment purchases for nine officers.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM #2020-142
INTRO:04/16/2020

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: April 16, 2020
SUBJECT: Supplemental Appropriation in the amount of **\$36,000** for the Barnstable Police Department Fiscal Year 2020 Operating Budget for the purpose of funding the costs associated with the hiring of Patrol Officers to fill current vacancies

BACKGROUND: The department has 9 patrol officer vacancies they can fill at this time and is currently in the hiring process. We will be enrolling these 9 new police officer recruits in the next available police training academy starting on August 3, 2020 and conducted by the Massachusetts Police Training Council. At the time of the preparation and finalization of the Fiscal Year 2020 budget, the Police Department did not have confirmation on the number of retirements to take place nor the availability of police academy seats that would be available. The costs to hire and secure these 9 academy seats relative to recruiting costs and the outfitting of these recruits requires a supplemental appropriation to the Police Department's Fiscal Year 2020 Operating Budget in the amount of \$36,000 as outlined below for costs not allocated in the original approved budget:

<u>Expense Item</u>	<u>Unit</u>	<u>Total - 9 Recruits</u>
Medical Exams (x 9)	\$875	\$7,875
Psychological Assessment (x 9)	\$475	\$4,275
Physical Agilities Test (x 9)	\$150	\$1,350
Firearm (x 9)	\$1,100	\$9,900
Taser (x 9)	\$1,400	<u>\$12,600</u>

TOTAL SUPPLEMENTAL BUDGET REQUEST

\$36,000

ANALYSIS: This supplemental appropriation request totals \$36,000 and is comprised of two parts:

- 1) Pre-employment requirements including medical exams and psychological assessments; and
- 2) gear.

The items listed above will need to be funded in Fiscal Year 2020 in order to complete the hiring components required by the MPTC Academy (Medical, Psychological and PAT) and enough ordering time for the firearm and taser.

FISCAL IMPACT: Funds will be provided from the General Fund Reserves. The balance was recently certified by the Division of Local Services at \$14,688,744. The appropriation will not be added to the department's Fiscal Year 2021 base Operating Budget.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of this supplemental appropriation request.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police; Anne, Spillane, Finance & Support Services Director, Barnstable Police Department

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-143
INTRO: 04/16/2020**

**2020-143 RESOLVE APPROVING THE APPOINTMENT OF DEREK LAWSON AS
DIRECTOR OF MARINE AND ENVIRONMENTAL AFFAIRS**

RESOLVED: That the Town Council, in accordance with Section 4-2 of the Barnstable Home Rule Charter and Chapter 241-47.1(D)(2) of the Administrative Code, Code of the Town of Barnstable, hereby approves the Town Manager’s appointment of Derek Lawson as Director of Marine and Environmental Affairs effective April 17, 2020.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-144
INTRO: 04/16/2020**

2020-144 RESOLVE AUTHORIZING THE ACCEPTANCE OF PERSONAL PROPERTY FOR COVID-RELATED PURPOSES

RESOLVED: That, in accordance with G.L. c. 44, § 53A1/2, the Town Council does hereby approve and ratify the acceptance of gifts of personal property, including but not limited to masks and face coverings, from donors for COVID-related purposes for use by the Town and its employees as directed by the Town Manager or his designee, and authorizes and ratifies the further distribution of such gifts of personal property by the Town Manager for use by first responders, private organizations and citizens as he deems appropriate.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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