



Town of Barnstable Town Council

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MEETING AGENDA TOWN HALL HEARING ROOM

April 25, 2019

7:00 PM

Councilors:

James H. Crocker Jr.
President
Precinct 5

John G. Flores
Vice President
Precinct 1

Eric R. Steinhilber
Precinct 2

Paul Hebert
Precinct 3

Britt Beedenbender
Precinct 4

Paul C. Neary
Precinct 6

Jessica Rapp Grassetti
Precinct 7

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Matthew Levesque
Precinct 10

Philip N. Wallace
Precinct 11

Paula Schnepf
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator:

Cynthia A. Lovell

Administrative

Assistant:

Kelly Crahan

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

NEXT REGULAR MEETING: May 2, 2019

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B. NEW BUSINESS

2019-190	Acceptance of Fiscal Year 2019 Pedestrian and Bicycle Safety Enforcement and Equipment Grant in the amount of \$7,160 from the Executive Office of Public Safety and Security, Office of Grants and Research, Highway Safety Division (May be acted upon)	29-30
2019-191	Appointments to a Board/ Committee/Commission: Infrastructure and Energy Committee: Christopher Peterson, 41 Thatcher Holway Road, Marstons Mills as a regular member to a term expiring 06/2020; Mid Cape Cultural Council: Margaret Weber, 364 Main Street, Centerville, as a regular member to a term expiring 06/2021; Planning Board: Stephen Robichaud, 63 Marble Road, Barnstable, to a term expiring 06/2020; Zoning Board of Appeals: Robert Twiss, 44 Curry Lane, Osterville, as an associate member to a term expiring 06/2021	31
2019-192	Authorize the Town Manager to execute a Memorandum of Understanding with WS Landing at Hyannis LLC to accept a housing contribution in the amount of (\$2,500,000) (First Reading)	32-33

Approve Minutes –April 04, 2019

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 (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM #2019-080

INTRO: 01/17/19, 02/07/19, 03/21/19, 04/25/19

2019-080 AUTHORIZATION FOR THE AIRPORT COMMISSION TO ENTER INTO A FORTY-NINE YEAR LEASE FOR THE PROPERTY IDENTIFIED AS MAP 311, PARCEL 092 AND ADDRESSED AS 790 IYANNOUGH ROAD/ROUTE 132, HYANNIS, MA

ORDERED: That the Town Council hereby authorizes the Barnstable Airport Commission on behalf of the Inhabitants of the Town of Barnstable to enter into a lease for a term of forty-nine (49) years with WS Landing at Hyannis LLC and/or WS Development Associates LLC or any of its affiliates for property identified as Map 311, Parcel 092 and addressed as 790 Iyannough Road/Route 132, Hyannis, MA

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>01/17/19</u>	<u>Refer to Second Reading 02/07/19</u>
<u>02/07/19</u>	<u>Continue to 03/21/19</u>
<u>03/21/19</u>	<u>Continue to 04/25/19</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2019-080

INTRO: 01/17/19, 02/07/19, 03/21/19, 04/25/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Katie R. Servis, Airport Manager
DATE: January 17, 2018
SUBJECT: Authorization for the Airport Commission to enter into a Forty-Nine year lease for the property identified as Map 311, Parcel 092 and addressed as 790 Iyannough Road/Route 132, Hyannis, Ma

BACKGROUND: On April 26, 2018 the Chief Procurement Officer (CPO) for the Town of Barnstable on behalf of the Barnstable Municipal Airport Commission (Airport), and Town Manager of the Town of Barnstable (Town), solicited responses through a Request for Proposals (RFP) process from interested parties for the ground lease for up to 49 years of a commercially developed property of approximately 25 acres located at 790 Iyannough Road/Route 132 in Hyannis, Massachusetts, known presently as the Capetown Plaza (and also known as the KMART plaza). This highly visible property is centrally located in Cape Cod's primary regional commercial district. The Hyannis Route 132 commercial corridor is an employment center and the main destination for Cape Cod residents and visitors seeking a wide range of goods and services. The property benefits from access to Route 132 (Iyannough Road), a major regional roadway and proximity to the Barnstable Municipal Airport. It is located across from the Cape Cod Mall, the region's only enclosed mall. It is minutes away from downtown Hyannis and historic Hyannis Main Street, home to the John F. Kennedy Hyannis Museum and HyArts Cultural District, a cultural hub for residents and visitors known for its restaurants, local artists and festivals.

The property is located in the Town of Barnstable on land controlled by the Barnstable Municipal Airport, and has operated under a ground lease since 1968 (the "Existing Ground Lease"). The term of the Existing Ground Lease, including all extensions is set to expire in 2024. The Airport's intent with the RFP is to execute a ground lease for the redevelopment of the property for its highest and best use, consistent with the development plans and interests of the Airport and the Town of Barnstable.

According to Massachusetts General Law, M.G.L. Chapter 90 Section 51F, any airport commission wishing to let or lease property may do so if the lease term does not exceed 20-years. Any period in excess of twenty years requires that the Airport Commission seek the approval of the mayor, city/town council and/or the approval of a town meeting, as the case may be, based on the structure of town government.

Due to the nature of the property's potential use, any lease with a term less than a twenty year lease would be deemed inappropriate for the parcel and would not allow potential developers adequate return on investment and ability to amortize a tenant's investment. Additionally, a term less than 20-years for this parcel would prevent the airport from realizing the full benefits of the land and its potential development. Therefore, the Airport Commission is seeking approval for the ground lease for up to 49 years.

Why 49-Years?

Barnstable Municipal Airport has been identified by Congress as one of 3,321 public-use airports that are important to national air transportation and the National Aerospace System. As such, the Federal Aviation Administration (FAA) includes Barnstable Airport in its National Plan of Integrated Airport Systems (NPIAS) and issues federal funding via the Airport Improvement Program (AIP). Such funding is in the form of grants for the planning and development of the nation's public-use airports. With the grant comes assurances that various federal laws and rules shall be complied with in the performance of grant agreements for airport development and airport planning. These obligations require the recipients to maintain and operate their facilities safely and efficiently and in accordance with specified conditions.

Although the FAA does not read every lease an airport has with its tenants, the FAA does require that the lease abide by a set of rules. The term (or length) of the lease is one such rule that the FAA weighs in on. The FAA is agreeable to ground leases with term lengths of 10, 20, 30 and 40 years depending on the type of business. They want to ensure that the years are sufficient to retire a tenant's initial financing and provide a reasonable return for the tenant's development of major facilities. However, the FAA specifically stresses that leases that exceed 50 years may be considered a disposal of the property in that the term of the lease will likely exceed the useful life of the structures erected on the property. FAA offices will not consent to proposed lease terms that exceed 50 years.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of this lease.

STAFF ASSISTANCE: Katie R. Servis, Airport Manager

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-130

INTRO: 03/07/19, 04/04/19, 04/25/19

WATER POLLUTION CONTROL ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-130 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$600,000 FOR THE PURPOSE OF FUNDING THE EFFLUENT FLOW METER EVALUATION, DESIGN, AND CONSTRUCTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$600,000** be appropriated for the purpose of funding the Effluent Flow Meter Evaluation, Design, and Construction Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$600,000** be transferred from the Water Pollution Control Enterprise Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-131

INTRO: 03/07/19, 04/04/19, 04/25/19

WATER POLLUTION CONTROL ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-131 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$380,000 FOR THE PURPOSE OF FUNDING THE SEWER SYSTEM EVALUATION SURVEYS PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$380,000** be appropriated for the purpose of funding the Sewer System Evaluation Surveys Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$380,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/04/19</u>	<u>Continued to a Public Hearing on 04/25/19</u>

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-132

INTRO: 03/07/19, 04/04/19, 04/25/19

WATER POLLUTION CONTROL ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-132 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,160,000 FOR THE PURPOSE OF FUNDING THE RENDEZVOUS LANE PUMP STATION REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$1,160,000** be appropriated for the purpose of funding the Rendezvous Lane Pump Station Replacement Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,160,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-133

INTRO: 03/07/19, 04/04/19, 04/25/19

WATER POLLUTION CONTROL ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-133 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,125,000 FOR THE PURPOSE OF FUNDING THE BEARSE’S WAY VACUUM SEWER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$1,125,000** be appropriated for the purpose of funding the Bearse’s Way Vacuum Sewer Replacement Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,125,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-134

INTRO: 03/07/19, 04/04/19, 04/25/19

WATER POLLUTION CONTROL ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-134 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$4,019,000 FOR THE PURPOSE OF FUNDING THE SOUTH STREET SEWER REHABILITATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$4,019,000** be appropriated for the purpose of funding the South Street Sewer Rehabilitation Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$4,019,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-135

INTRO: 03/07/19, 04/04/19, 04/25/19

WATER SUPPLY ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-135 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,050,000 FOR THE PURPOSE OF FUNDING THE PIPE REPLACEMENT AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$1,050,000** be appropriated for the purpose of funding the Pipe Replacement and Upgrade Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,050,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

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

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-136

INTRO: 03/07/19, 04/04/19, 04/25/19

WATER SUPPLY ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-136 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$200,000 FOR THE PURPOSE OF FUNDING THE WELLS, PUMP STATIONS, TREATMENT PLANT REPAIR & UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$200,000** be appropriated for the purpose of funding the Wells, Pump Stations, Treatment Plant Repair & Upgrade Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$200,000** be transferred from the Water Supply Enterprise Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/04/19</u>	<u>Continued to a Public Hearing on 04/25/19</u>

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

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-137

INTRO: 03/07/19, 04/04/19, 04/25/19

WATER SUPPLY ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-137 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$75,000 FOR THE PURPOSE OF FUNDING THE PURCHASE OF A VALVE MAINTENANCE TRAILER SYSTEM AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$75,000** be appropriated for the purpose of funding the purchase of a Valve Maintenance Trailer System as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$75,000** be transferred from the Water Supply Enterprise Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-138

INTRO: 03/07/19, 04/04/19, 04/25/19

WATER SUPPLY ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-138 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$220,000 FOR THE PURPOSE OF FUNDING THE WELLS TREATMENT OPTIONS EVALUATION AS OUTLINED IN THE FISCAL YEAR 2020 FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$220,000** be appropriated for the purpose of funding the Wells Treatment Options Evaluation as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$220,000** be transferred from the Water Supply Enterprise Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/04/19</u>	<u>Continued to a Public Hearing on 04/25/19</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-139

INTRO: 03/07/19, 04/04/19, 04/25/19

SOLID WASTE ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-139 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$60,000 FOR THE PURPOSE OF FUNDING THE REPAIR AND UPGRADE OF FIVE COMPACTOR UNITS AS OUTLINED IN THE FISCAL YEAR 2020 FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$60,000** be appropriated for the purpose of funding the Repair and Upgrade of Five Compactor Units as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$60,000** be transferred from the Solid Waste Enterprise Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD NEW BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-140

INTRO: 03/07/19, 04/04/19, 04/25/19

SOLID WASTE ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-140 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$80,000 FOR THE PURPOSE OF FUNDING THE REPLACEMENT OF AN ALL-TERRAIN LITTER VACUUM AND KUBOTA ROUGH TERRAIN VEHICLE AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$80,000** be appropriated for the purpose of funding the Replacement of an All-Terrain Litter Vacuum and Kubota Rough Terrain Vehicle as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$80,000** be transferred from the Solid Waste Enterprise Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/04/19</u>	<u>Continued to a Public Hearing on 04/25/19</u>

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

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-141

INTRO: 03/07/19, 04/04/19, 04/25/19

SOLID WASTE ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2019-141 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000 FOR THE PURPOSE OF FUNDING THE ROLL OFF TRAILER REPLACEMENT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$100,000** be appropriated for the purpose of funding the Roll Off Trailer Replacement as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$100,000** be transferred from the Solid Waste Enterprise Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

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

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-142

INTRO: 03/07/19, 04/04/19, 04/25/19

COMPREHENSIVE WATER MANAGEMENT AND PRIVATE WAY FUND CAPITAL IMPROVEMENT PROGRAM

2019-142 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$612,000 FOR THE PURPOSE OF FUNDING THE MARSTONS MILLS SCHOOL PUMP STATION AND ASSOCIATED RT 28 COLLECTION SYSTEM PRELIMINARY DESIGN AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$612,000** be appropriated for the purpose of funding the Marstons Mills School Pump Station and Associated RT 28 Collection System Preliminary Design as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$612,000** be transferred from the Comprehensive Water Management and Private Way Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-143

INTRO: 03/07/19, 04/04/19, 04/25/19

COMPREHENSIVE WATER MANAGEMENT AND PRIVATE WAY FUND CAPITAL IMPROVEMENT PROGRAM

2019-143 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$938,000 FOR THE PURPOSE OF FUNDING THE LONG POND AREA SEWER EXPANSION FINAL DESIGN AND PERMITTING AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$938,000** be appropriated for the purpose of funding the Long Pond Area Sewer Expansion Final Design and Permitting as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$938,000** be transferred from the Comprehensive Water Management and Private Way Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/04/19</u>	<u>Continued to a Public Hearing on 04/25/19</u>

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-144

INTRO: 03/07/19, 04/04/19, 04/25/19

COMPREHENSIVE WATER MANAGEMENT AND PRIVATE WAY FUND CAPITAL IMPROVEMENT PROGRAM

2019-144 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$612,000 FOR THE PURPOSE OF FUNDING THE MARSTONS MILLS RIVER TREATMENT SYSTEM DESIGN AND PERMITTING AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$612,000** be appropriated for the purpose of funding the Marstons Mills River Treatment System Design and Permitting as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$612,000** be transferred from the Comprehensive Water Management and Private Way Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-145

INTRO: 03/07/19, 04/04/19, 04/25/19

COMPREHENSIVE WATER MANAGEMENT AND PRIVATE WAY FUND CAPITAL IMPROVEMENT PROGRAM

2019-145 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$735,000 FOR THE PURPOSE OF FUNDING THE PHINNEY’S LANE SEWER EXPANSION FINAL DESIGN AND PERMITTING AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$735,000** be appropriated for the purpose of funding the Phinney’s Lane Sewer Expansion Final Design and Permitting as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$735,000** be transferred from the Comprehensive Water Management and Private Way Fund reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/04/19</u>	<u>Continued to a Public Hearing on 04/25/19</u>

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-146

INTRO: 03/07/19, 04/04/19, 04/25/19

GENERAL FUND CAPITAL IMPROVEMENT PLAN

2019-146 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$797,000 FOR THE PURPOSE OF FUNDING THE OSTERVILLE FIELD CONSTRUCTION AND SITE IMPROVEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$797,000** be appropriated for the purpose of funding the Osterville Field Construction and Site Improvement Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$797,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

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

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-147

INTRO: 03/07/19, 04/04/19, 04/25/19

GENERAL FUND CAPITAL IMPROVEMENT PLAN

2019-147 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$300,000 FOR THE PURPOSE OF FUNDING THE DESIGN AND PERMITTING OF COMMERCE RD. IMPROVEMENTS IN BARNSTABLE VILLAGE AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$300,000** be appropriated for the purpose of funding the Design and Permitting of Commerce Rd. Improvements in Barnstable Village as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$300,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

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

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-148

INTRO: 03/07/19, 04/04/19, 04/25/19

GENERAL FUND CAPITAL IMPROVEMENT PLAN

2019-148 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$996,000 FOR THE PURPOSE OF FUNDING THE IMPROVEMENTS TO THE SCHOOL ADMINISTRATION BUILDING PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$996,000** be appropriated for the purpose of funding the Improvements to the School Administration Building Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$996,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

04/04/19

Continued to a Public Hearing on 04/25/19

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-149

INTRO: 03/07/19, 04/04/19, 04/25/19

GENERAL FUND CAPITAL IMPROVEMENT PLAN

2019-149 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$125,000 FOR THE PURPOSE OF FUNDING THE DESIGN AND PERMITTING OF A NEW MUNICIPAL PIER PROJECT AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$125,000** be appropriated for the purpose of funding the Design and Permitting of a New Municipal Pier Project as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$125,000** be transferred from the Capital Trust Fund Reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/04/19</u>	<u>Continued to a Public Hearing on 04/25/19</u>

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Vote

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM #2019-150

INTRO: 03/07/19, 04/04/19, 04/25/19

GENERAL FUND CAPITAL IMPROVEMENT PLAN

2019-150 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$75,000 FOR THE PURPOSE OF FUNDING THE DESIGN AND PERMITTING TO EXTEND THE COTUIT TOWN DOCK AS OUTLINED IN THE FISCAL YEAR 2020 – FISCAL YEAR 2024 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$75,000** be appropriated for the purpose of funding the Design and Permitting to Extend the Cotuit Town Dock as outlined in the Fiscal Year 2020 – Fiscal Year 2024 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$75,000** be transferred from the Capital Trust Fund Reserves, and that the Town Manager 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/04/19</u>	<u>Continued to a Public Hearing on 04/25/19</u>

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

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM#2019-190
INTRO: 04/25/19**

2019-190 ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$7,160 FROM THE EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY, OFFICE OF GRANTS AND RESEARCH, HIGHWAY SAFETY DIVISION

RESOLVED: That the Barnstable Town Council does hereby accept the Fiscal Year 2019 Pedestrian and Bicycle Safety Enforcement and Equipment Grant in the amount of **\$7,160** from the Executive Office of Public Safety and Security, Office of Grants and Research, Highway Safety Division and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM#2019-190
INTRO: 04/25/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Anne E. Spillane, Finance & Support Services Director (BPD)
DATE: April 25, 2019
SUBJECT: Acceptance of Fiscal Year 2019 Pedestrian and Bicycle Safety Enforcement and Equipment Grant in the amount of **\$7,160** from the Executive Office of Public Safety and Security, Office of Grants and Research, Highway Safety Division

BACKGROUND: The Barnstable Police Department applied in a competitive application for, and was awarded, the Fiscal Year 2019 Pedestrian and Bicycle Safety Enforcement and Equipment Grant, in the amount of **\$7,160**. The mission of this grant is to develop or enhance effective pedestrian and bicycle enforcement to reduce fatalities and injuries in these areas. The work of the grant will include targeted enforcements on Main Street in Hyannis and streets around Cape Cod Mall, for the purpose of increasing compliance with traffic laws by pedestrians, bicycles, and motorists. The grant also includes an educational component directed towards safe and proper street crossing in the areas of the Sturgis Charter School and Barnstable High School. Forty (40) bicycle helmets will also be purchased with a portion of this grant money to be distributed by School Resource Officers working in the Barnstable Public Schools to children who cannot afford to purchase a helmet. Overall, the greatest benefit of this grant will be in raising awareness of these safety concerns with motorists and with pedestrians, which hopefully will have a lasting effect in reducing unsafe behaviors.

ANALYSIS: The acceptance of this grant will allow the Barnstable Police Department to take action on the programs as previously described.

FISCAL IMPACT: There is no match on this grant.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends acceptance of this grant.

STAFF ASSISTANCE: Anne E. Spillane, Barnstable Police Department

B. NEW BUSINESS (First Reading)

BARNSTABLE TOWN COUNCIL

**ITEM # 2019-191
INTRO: 04/25/19**

2019-191 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION:

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Infrastructure and Energy Committee:** Christopher Peterson, 41 Thatcher Holway Road, Marstons Mills as a regular member to a term expiring 06/2020; **Mid Cape Cultural Council:** Margaret Weber, 364 Main Street, Centerville, as a regular member to a term expiring 06/2021; **Planning Board:** Stephen Robichaud, 63 Marble Road, Barnstable, to a term expiring 06/2020; **Zoning Board of Appeals:** Robert Twiss, 44 Curry Lane, Osterville, as an associate member to a term expiring 06/2021

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (First Reading)

BARNSTABLE TOWN COUNCIL

**ITEM# 2019-192
INTRO: 04/25/19**

2019-192 AUTHORIZE THE TOWN MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH WS LANDING AT HYANNIS LLC TO ACCEPT A HOUSING CONTRIBUTION IN THE AMOUNT OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000)

RESOLVED, that the Town Council hereby authorizes the Town Manager to execute a Memorandum of Understanding with WS Landing at Hyannis LLC to accept a housing contribution in the amount of **\$2,500,000.00** under the terms and conditions specified in the Memorandum of Understanding.

SPONSOR: James H. Crocker Jr, President; John G. Flores, Vice President, Barnstable Town Council

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2019-192
INTRO: 04/25/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Katie Servis, Airport Manager
DATE: April 25, 2019
SUBJECT: Authorize the Town Manager to execute a Memorandum of Understanding with WS Landing at Hyannis LLC to accept a housing contribution in the amount of **(\$2,500,000)**

BACKGROUND: As part of its Response for Proposal (RFP) for the lease for the property located at Map 311, parcel 092 and addressed as 790 Iyannough Road, Hyannis, WS Landing at Hyannis LLC recognized the importance of creating quality affordable and workforce housing consistent with the Town's Housing Production Plan.

ANALYSIS: To address the benefit to be derived from providing the much needed year round affordable and workforce housing, WS offered to make a contribution in the amount of Two Million Five-Hundred Thousand Dollars **(\$2,500,000.00)** over a ten (10) year period. The payments would be made to the Town's Affordable Housing/Growth and Development Trust Fund. Under the terms of the Memorandum of Understanding, the payments would begin on the commencement date of the ground lease and extend over a ten year period.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager

STAFF ASSISTANCE: Andrew Clyburn, Asistant Town Manager, Katie Servis, Airport Manager