



# Town of Barnstable Town Council

James H. Crocker Jr Hearing Room  
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E-mail: [council@town.barnstable.ma.us](mailto:council@town.barnstable.ma.us)

## MEETING AGENDA February 18, 2021 7:00 PM

### Councillors:

Matthew Levesque  
President  
Precinct 10

Paula Schnepf  
Vice President  
Precinct 12

Gordon Starr  
Precinct 1

Eric R. Steinhilber  
Precinct 2

Paul Hebert  
Precinct 3

Nikolas Atsalis  
Precinct 4

David W. Bogan  
Precinct 5

Paul C. Neary  
Precinct 6

Jessica Rapp  
Grassetti  
Precinct 7

Debra S. Dagwan  
Precinct 8

Tracy Shaughnessy  
Precinct 9

Kristine Clark  
Precinct 11

Jennifer L. Cullum  
Precinct 13

### Administrator:

Cynthia A. Lovell  
Cynthia.Lovell@  
town.barnstable.ma  
.us

### Administrative

#### Assistant:

Kelly Crahan  
Kelly.Crahan@  
town.barnstable.ma  
.us.us

The February 18, 2021 meeting of the Barnstable Town Council will be held remotely and shall be physically closed to the public to avoid group congregation.

### Remote Participation Instructions

1. Real-time public comment may be addressed to the Barnstable Town Council utilizing the Zoom video link or telephone number and access meeting code:

Join Zoom Meeting <https://zoom.us/j/98319805186> Meeting ID: 983 1980 5186  
1-888 475 4499 US Toll-free Meeting ID: 983 1980 5186

2. Written Comments may be submitted to:

[https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/Town\\_Council/Agenda-Comment.asp](https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/Town_Council/Agenda-Comment.asp)

3. The meeting will be televised live via Comcast Channel 18 access:

<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

## PUBLIC SESSION

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, and staff commission reports, correspondence and announcements

- Update from Kristy Senatori, Executive Director, Cape Cod Commission, Staff activities  
Priorities for the coming year in Barnstable and across the Cape

9. ORDERS OF THE DAY

- A. Old Business
- B. New Business

10. ADJOURNMENT

**NEXT REGULAR MEETING: March 4, 2021**

Councilors:

Matthew Levesque  
President  
Precinct 10

Paula Schnepf  
Vice President  
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town.barnstable.ma  
.us

Administrative

Assistant:

Kelly Crahan  
Kelly.Crahan@

**A. OLD BUSINESS**

2021-070	Appointments to a Board/Committee/Commission: <b>Barnstable Historical Commission:</b> Jack Kay, from an alternate member to a regular member to a term expiring 06/30/2021; <b>Comprehensive Financial Advisory Committee:</b> Adam Carter, as a regular member to a term expiring 06/30/2021; Charles McKenzie, as a regular member to a term expiring 06/30/2022; <b>Human Services Committee:</b> Carlos Barbosa, as a regular member to a term expiring 06/30/2023; <b>Licensing Authority:</b> John G. Flores, as a regular member to a term expiring 06/30/2022; <b>Zoning Board of Appeals:</b> Aaron Webb, as an associate member to a term expiring 06/30/2022 <b>(Second Reading) (May be acted upon) (Roll Call Majority)</b> .....	5
2021-071	Supplemental Appropriation Order in the amount of <b>\$29,800</b> for the Fiscal Year 2021 Airport Operating Budget for the purpose of funding Airport Website Redevelopment Services <b>(Second Reading) (Public Hearing) (Roll Call Majority of Full Council)</b> .....	6-8
2021-073	Authorization of a Tax Increment Financing Agreement among the Town of Barnstable, WORDSMITH INK, INC. and SB NOMINEE TRUST for the property located at 1254 Main Street, Osterville, MA, Assessors Map 119 and Parcel 056 <b>(Second Reading) (Public Hearing) (Roll Call Majority)</b> .....	9-16
2021-074	Supplemental Appropriation Order in the amount of <b>\$37,726</b> for the Barnstable Police Department Fiscal Year 2021 Operating Budget for the purpose of funding expenses related to hiring and equipment purchases for three new patrol officers <b>(Second Reading) (Public Hearing) (Roll Call Majority of Full Council)</b> .....	17-18

**B. NEW BUSINESS**

2021-075	Transfer Order in the amount of <b>\$108,000</b> from the Town Council's Operating Reserve Fund to the Fiscal Year 2021 Sandy Neck Enterprise Fund Operating Budget to purchase sand for replenishment to the Sandy Neck Beach Park frontal dune <b>(May be acted upon) (Roll Call Majority)</b> .....	19-20
2021-076	Supplemental Appropriation Order in the amount of <b>\$37,000</b> for the purpose of funding seasonal salaries and wages for the Fiscal Year 2021 Golf Enterprise Fund Operations <b>(Refer to Public Hearing 03/04/2021)</b> .....	21-23
2021-077	Supplemental Appropriation Order in the amount of <b>\$5,000</b> for the Fiscal Year 2021 Airport Operating Budget for the purpose of funding the administrative costs associated with the Airport Master Plan Update Planning Project <b>(Refer to Public Hearing 03/04/2021)</b> .....	24-25
2021-078	Supplemental Appropriation Order in the amount of <b>\$470,000</b> for the Fiscal Year 2021 Airport Enterprise Fund Operating Budget for the purpose of purchasing aviation jet fuel for resale <b>(Refer to Public Hearing 03/04/2021)</b> .....	26-28
2021-079	Acceptance of a Fiscal Year 2021 Grant in the amount of <b>\$154,140</b> from the Commonwealth of Massachusetts Executive Office of Elder Affairs to support staff salaries and programs of the Barnstable Council on Aging Division <b>(May be acted upon) (Roll Call Majority)</b> .....	29-30
2021-080	Acceptance of a Substance Abuse Prevention Collaborative Grant in the amount of <b>\$2,400</b> from the Barnstable County Department of Human Services for the 2021 Seventh Grade Youth Summit <b>(May be acted upon) (Roll Call Majority)</b> .....	31-32

<b>2021-081</b>	Appropriation Order in the amount of <b>\$70,000</b> for a Community Data and Visioning Project Consultant in support of a local comprehensive plan update <b>(Refer to Public Hearing 03/04/2021)</b> .....	33-34
<b>2021-082</b>	Appropriation Order in the amount of <b>\$92,945</b> for the treatment of the invasive species Hydrilla in Long Pond, Centerville and Mystic Lake and Middle Pond, Marstons Mills <b>(Refer to Public Hearing 03/04/2021)</b> .....	35-36

Approve Minutes: February 04, 2021

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**Please Note:** the lists of matters are those reasonably anticipated by the Council president which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed 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, it may be continued to a future meeting, and with proper notice.

**A. OLD BUSINESS (Second Reading) (May be acted upon) (Roll Call Majority)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-070**  
**INTRO: 02/04/2021, 02/18/2021**

**2021-070 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION**

**RESOLVED:** That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Barnstable Historical Commission:** Jack Kay, from an alternate member to a regular member to a term expiring 06/30/2021; **Comprehensive Financial Advisory Committee:** Adam Carter, as a regular member to a term expiring 06/30/2021; Charles McKenzie, as a regular member to a term expiring 06/30/2022; **Human Services Committee:** Carlos Barbosa, as a regular member to a term expiring 06/30/2023; Licensing Authority: John G. Flores, as a regular member to a term expiring 06/30/2022; **Zoning Board of Appeals:** Aaron Webb as an associate member to a term expiring 6/30/2022

**SPONSOR:** Appointments Committee

DATE	ACTION TAKEN
<u>02/04/2021</u>	<u>First Reading, Refer to Second Reading 02/18/2021</u>

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council Discussion
- \_\_\_ Vote

**A. OLD BUSINESS (Second Reading) (Public Hearing) (Roll Call Majority of Full Council)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-071  
INTRO: 02/04/21, 02/18/2021**

**2021-071 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$29,800 FOR THE FISCAL YEAR 2021 AIRPORT OPERATING BUDGET FOR THE PURPOSE OF FUNDING AIRPORT WEBSITE REDEVELOPMENT SERVICES**

**ORDERED:** That the sum of **\$29,800** be appropriated for the purpose of funding website redevelopment services; and that to meet this appropriation that \$29,800 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 is further authorized to accept any grants or gifts in relation thereto.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>02/04/2021</u>	<u>First Reading, Refer to Public Hearing 02/18/2021</u>

- Read Item
- Rationale
- Council Discussion
- Vote

# BARNSTABLE TOWN COUNCIL

ITEM#2021-071

INTRO: 02/04/2021, 02/18/2021

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Katie R. Servis, Airport Manager  
**DATE:** February 04, 2021  
**SUBJECT:** Supplemental Appropriation Order in the amount of **\$29,800** for the Fiscal Year 2021 Airport Operating Budget for the purpose of funding Airport Website Redevelopment Services

**BACKGROUND:** A total of \$29,800 is requested for Website Redevelopment Services for the Airport to assist in meeting the goals of the 2018 Airport Business Plan and Marketing Plan. As part of the airport rebranding effort and Goal D of the Airport Business Plan (see below), updates to the Airport Website are necessary.

Airport Business Plan Goals:

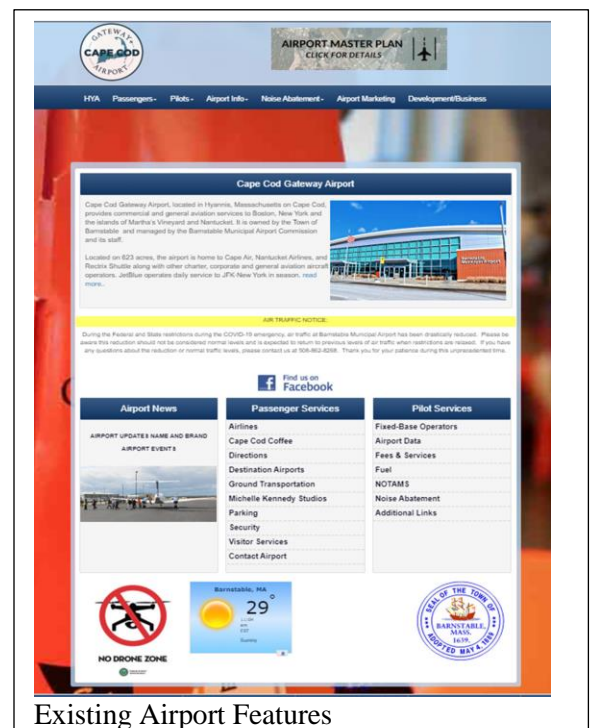
- Goal A: Maximize General Aviation Activity at HYA
- Goal B: Diversify Revenue Streams
- Goal C: Become a Regional Air Transportation Leader
- Goal D: Enhance Airport Image & Branding

The Quotient Group (TQG), the Airport's on-call Marketing Team, has been selected to implement that change and have presented a proposal to revamp and manage the airport's website. As part of the original Request for Proposal (RFP) for on-call marketing services, TQG was hired as the Airport's On-Call Airport Marketing, Advertising and Public Relations/Media Services team. Because the marketing team has extensive airport experience and because the team touches each element of our Business Plan – it is key to maintain continuity in all forms of marketing, including the airport website. Currently TQG maintains all social media outlets for the Airport. The website acts as an additional social media outlet and the message needs to be consistent and from staff and people that are already deeply involved with that message. Although the Airport has used Town of Barnstable staff to update and maintain the website to date, as we delve further into rebranding the Airport, it is critical that we work with marketing professionals that have extensive airport marketing experience. Additionally, modification of the website meets many goals, objectives and tasks of the 2018 Airport Business Plan and Marketing Plan.

The Airport needs a cleaner less cluttered site that is easy to navigate. The current site does not tell a good story of who we are and where we fly nor does it focus on important information that will be key marketing elements such as enticing users to fly from Hyannis versus Providence or Boston. See below. Additionally, TQG will: update and maintain the site on our behalf, be our dedicated team to continue honing our image, continue marketing the airport through various media outlets, and be our central repository for all things Gateway! Experience in airport marketing and website development has assisted a number of airports within TQG resume. See below.

TQG proposal to update the Airport website for \$29,800 based on research of other web producers. This is well below fees charged by other entities to conduct the same level of work. The scope includes:

- Developing a new Word Press theme
- New homepage layout
- New navigation options



- Integration of a trip cost calculator
  - As a marketing tool = i.e., *think of Hyannis first*
- Content modifications
- ADA accessibility
- Search Engine Optimization (SEO) to increase quantity/quality of traffic to your website through conscious search engine results
  - Quality of traffic = You can attract all the visitors in the world, but if they're coming to your site because Google tells them you're a small general aviation airport when really you're a commercial service facility that provides connections to the national airspace system, that is not quality traffic. Instead you want to attract visitors who are genuinely interested in products that you offer.
  - Quantity of traffic. Once you have the right people clicking through from those search engine results pages (SERPs), more traffic is better.
  - Organic results. Ads make up a significant portion of many SERPs. Organic traffic is any traffic that you don't have to pay for.

**FISCAL IMPACT:** This appropriation will be provided from the Airport Enterprise Fund's cash reserves. The reserve balance was certified on July 1, 2020 at \$3,885,899. This project is eligible for 100% CARES Act grant funding reimbursement which will replenish the reserves used to fund this request.

**STAFF ASSISTANCE:** Mark A. Milne, Director of Finance

The screenshot displays the 'sbn south bend INTERNATIONAL' website. At the top, there are navigation links: 'FLIGHTS & AIRLINES', 'DINING & TRANSPORTATION', 'IN THE TERMINAL', 'ABOUT SBN', and 'CONTACT'. The main content area features a 'TRIP COST CALCULATOR' with a table comparing costs for SBN, ORD, and MDW airports across various travel categories. To the right of the table is a map of the United States with flight paths connecting SBN to several major cities. Below the calculator is a 'More options >>' link and a 'Go Back' button. A link 'Need more info on travel costs?' is also present. At the bottom, there is a 'FEATURED DESTINATIONS' section with three cards: 'Where to go for your fall...', 'Phoenix/Mesa', and 'Tampa/St. Petersburg'. Each card includes a brief description and a 'Read More' link.

	SBN	ORD	MDW
Airfare	\$315.00	\$250.00	\$270.00
Parking	\$45.00	\$119.00	\$105.00
Mileage	\$0.00	\$126.35	\$112.93
Tolls	\$0.00	\$17.40	\$17.40
Travel Time	\$0.00	\$69.69	\$61.26
<b>TOTAL</b>	<b>\$360.00</b>	<b>\$582.44</b>	<b>\$566.58</b>

Map destinations: Las Vegas, Phoenix/Mesa, Dallas/Fort Worth, Atlanta, Tampa/St. Petersburg, Sarasota/Bradenton, Punta Gorda/Et. Myers, Orlando/Sanford, Charlotte, Detroit, New York/Newark, Chicago, Minneapolis.

Featured Destinations:

- Where to go for your fall...**  
People across the country are once again looking at...  
[Read More](#)
- Phoenix/Mesa**  
When you think of the Phoenix/Mesa (AZA) area or Arizona...  
[Read More](#)
- Tampa/St. Petersburg**  
Tampa/St. Petersburg (PIE) offers unexpected beauty and fun in a...  
[Read More](#)

**Potential Website Features**



**A. OLD BUSINESS (Second Reading) (Public Hearing) (Roll Call Majority)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-073  
INTRO: 02/04/2021, 02/18/2021**

**2021-073 AUTHORIZATION OF A TAX INCREMENT FINANCING AGREEMENT AMONG THE TOWN OF BARNSTABLE, WORDSMITH INK, INC. AND SB NOMINEE TRUST FOR THE PROPERTY LOCATED AT 1254 MAIN STREET, OSTERVILLE, MA, MAP 119, PARCEL 056**

**ORDERED:** That the Town Council hereby approves a Tax Increment Financing Agreement (the “TIF Agreement”) among the Town of Barnstable, WORDSMITH INK, INC. (Lessee) and Amie M. Smith and James P. Smith, as Trustees of SB NOMINEE TRUST (Applicant and Lessor), for the property within the Barnstable County Economic Target Area located at 1254 Main Street, Osterville, MA, Map 119, Parcel 056, substantially in the form as presented to the Town Council at this meeting, and further authorizes the Town Manager to execute and submit the TIF Agreement to the Massachusetts Economic Assistance Coordinating Council for approval pursuant to G.L. c. 40, § 59.

**SPONSOR:** Town Council Tax Incentive Subcommittee (voted June 25, 2019)

DATE	ACTION TAKEN
<u>02/04/2021</u>	<u>First Reading, Refer to Public Hearing 02/18/2021</u>

- \_\_\_\_\_
- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close Public Hearing
- \_\_\_\_\_ Council Discussion
- \_\_\_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2020-073

INTRO: 02/04/2021, 02/18/2021

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Elizabeth S. Jenkins, Planning & Development Director  
**DATE:** February 04, 2021  
**SUBJECT:** Authorization of a Tax Increment Financing Agreement among the Town of Barnstable, WORDSMITH INK, INC. and SB NOMINEE TRUST for the property located at 1254 Main Street, Osterville, MA, Map 119, and Parcel 056

**BACKGROUND:** This Tax Increment Financing (TIF) Agreement is between the Town of Barnstable, WORDSMITH INK, INC (Lessee), and Amie M. Smith and James P. Smith, Trustees of SB NOMINEE TRUST (Applicant and Lessor). The Agreement must also be approved by the Economic Assistance Coordinating Council (EACC). TIF agreements are authorized by Massachusetts General Law c. 40, §59 which allows the Town to enter into this Agreement with the property owner and the operating business to support new development that produces new jobs through investment in structures and/or equipment. The TIF Agreement exempts a percentage of the increase in valuation resulting from the new investment for the period described in the Agreement

The TIF Agreement is a contract between the municipality, the property owner and the job creating business whereby each party agrees to undertake certain actions for the benefit of the other in order to achieve the common goal of having the business locate or expand within the Town and receive the local benefits available to it as a Certified Project. The TIF Agreement sets forth the amount of the tax exemption and the duration of the benefits, and describes the responsibilities of the business towards the municipality that has made these benefits available.

Amie M. Smith and James P. Smith, Trustees of SB NOMINEE TRUST, opened Amie Bakery in 2014 in a leased space located at 3 Wianno Avenue, Osterville, and in 2017, in order to grow their business, purchased the property at 1254 Main Street, Osterville, the site of an abandoned garage. The applicants invested over \$780,000 to construct a new state-of-the-art baking facility and retail bakery. The taxable value of the property is estimated to increase from \$270,500 in Fiscal Year 2019 to \$1,210,000 in Fiscal Year 2021. The TIF would begin in Fiscal Year 2022.

The original bakery at 3 Wianno Avenue employed 4 people, who remain employed at the new facility. In addition to relocating those employees, the applicant has hired 2 additional full-time and 4 additional part-time, year-round employees. Four additional new full-time employees are anticipated to be added due to the increase in scope of the business, which includes offering larger and more frequent baking classes, working with culinary educational programs, and provide more job training/internships in the culinary arts.

The applicants worked with Town staff to develop this TIF Agreement through the Town Council Tax Incentive Committee. The Tax Incentive Committee members, at their meeting on June 25, 2019 voted to recommend this matter to the full Council for their action.

**FISCAL IMPACT:** By approving this TIF agreement the Town agrees to forgo the collection of a total of \$34,786 in net tax gain over a period of 10 years in return for the creation of jobs and the investment of \$782,300 in land and building acquisition, new construction, and equipping the site and building for the business. The Town would collect a total of approximately \$57,002 in net taxes on the property over the same 10-year period.

**STAFF ASSISTANCE:** Mark A. Milne, Finance Director; Karen L. Nober, Town Attorney; Charles S. McLaughlin, Senior Town Attorney; Elizabeth Jenkins, Planning & Development Director; Gloria McPherson, Planning & Economic Development Coordinator

TAX INCREMENT FINANCING AGREEMENT

BY AND BETWEEN

THE TOWN OF BARNSTABLE,

SB NOMINEE TRUST

AND

WORDSMITH INK, INC.

THIS TAX INCREMENT FINANCING AGREEMENT (“AGREEMENT”) is made this \_\_\_\_ day of \_\_\_\_\_ 2021, by and between the TOWN OF BARNSTABLE, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at Town Hall, 367 Main Street, Hyannis, MA 02601 (hereinafter referred to as the "TOWN"), WORDSMITH INK, INC., a Massachusetts corporation, having a principal place of business at 1254 Main Street, Osterville, MA 02655 (hereinafter referred to as the “LESSEE”), and Amie M. Smith and James P. Smith, Trustees of SB NOMINEE TRUST under Declaration of Trust dated July 17, 2017 with Certificate of Trust recorded in Barnstable County Registry of Deeds in Book 30659, Page 178 having a principal place of business at 55 Cedar Lane, Osterville, MA 02655 (hereinafter referred to as the “LESSOR”).

WITNESSETH

WHEREAS, the property is located at 1254 Main Street, Osterville, Massachusetts and shown as the land described in Barnstable Assessors’ records Map 119, Parcel 56, together with any buildings and improvements thereof (the “SITE”), which is part of the Town of Barnstable which is a member of the Barnstable County Economic Target Area (“ETA”) as certified by the Massachusetts Economic Assistance Coordinating Council (“EACC”);

WHEREAS, the LESSOR is the owner of the above property;

WHEREAS, the LESSEE is responsible for the payment of all taxes for the SITE during the EXEMPTION PERIOD;

WHEREAS, the CERTIFIED PROJECT, when completed and fully operational, will employ approximately eight (8) permanent full-time employees, with room for the LESSEE to add more jobs over time. It is also anticipated that the CERTIFIED PROJECT will represent an investment of at least seven hundred eighty-two thousand three hundred and 00/100 (\$782,300.00) dollars in the CERTIFIED PROJECT;

WHEREAS, the LESSOR is seeking a Tax Increment Financing Exemption from the TOWN (the "EXEMPTION") in order to benefit the LESSEE, in accordance with the Massachusetts Economic Development Incentive Program (the "EDIP") and Chapter 23A of the Massachusetts General Laws;

WHEREAS, the assessed valuation of the SITE for Fiscal Year 2019 was \$270,500;

WHEREAS, the TOWN strongly supports increased economic activity at the SITE to provide additional jobs for residents of the TOWN, the ETA and Massachusetts and to expand commercial, retail and industrial activity within the TOWN, and to develop a healthy economy and strong tax base;

WHEREAS, the CERTIFIED PROJECT will further the economic SITE goals and the criteria established for the ETA.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration each to the other paid, receipt of which is hereby acknowledged, the parties hereby agree as follows:

**A. TAX INCREMENT FINANCING EXEMPTION**

1. The TOWN, as authorized by vote of its Town Council passed on \_\_\_\_\_ hereby enters into this Tax Increment Financing Agreement (the "AGREEMENT") with the LESSOR and the LESSEE for the CERTIFIED PROJECT.
2. The EXEMPTION is hereby granted by the TOWN to the LESSOR in accordance with Chapter 23A, Section 3E; Chapter 40, Section 59; and Chapter 59, Section 5 of the Massachusetts General Laws.
3. The EXEMPTION shall be for the period of ten (10) years (the "EXEMPTION PERIOD"), commencing with Fiscal Year 2022 (which begins July 1, 2021) and ending with Fiscal Year 2031 (which ends June 30, 2031) and shall provide a percentage EXEMPTION from taxation, as described in the Local Incentive Valuation table below, on the increased value of the SITE calculated from the base year 2019 valuation. The EXEMPTION shall be calculated and remain unchallenged for each fiscal year as follows:

YEAR	FISCAL YEAR	TAX EXEMPTION
1	2022	100% of the increase in valuation
2	2023	80% of the increase in valuation
3	2024	60% of the increase in valuation
4	2025	60% of the increase in valuation
5	2026	40% of the increase in valuation
6	2027	20% of the increase in valuation
7	2028	10% of the increase in valuation
8	2029	10% of the increase in valuation
9	2030	10% of the increase in valuation
10	2031	10% of the increase in valuation

4. The EXEMPTION formula for the CERTIFIED PROJECT will be calculated as prescribed by the Massachusetts General Laws Chapter 40, Section 59 and in 760 CMR 22.00. The EXEMPTION formula shall apply to the incremental difference in the assessed valuation of the SITE between the base valuation in the base year, which shall be Fiscal Year 2019, and the increase in assessed valuation of the SITE for ten (10) years.
5. The base valuation of \$270,500 for Fiscal Year 2019 is the assessed value of the SITE prior to the fiscal year in which the property becomes eligible for the EXEMPTION.
6. The TOWN hereby agrees to reduce the LESSOR'S real estate taxes it pays for its occupancy of the SITE according to Section 3 above.

**B. CONDITIONS**

The EXEMPTION granted to the LESSOR by the TOWN hereby is in consideration of the LESSOR'S and LESSEE'S commitments stated hereafter as follows:

1. To invest at least seven hundred eighty-two thousand three hundred and 00/100 (\$782,300.00) dollars in land/building acquisition, new construction and equipping the SITE for the CERTIFIED PROJECT as described in the CERTIFIED PROJECT APPLICATION which is scheduled to be placed in use by the end of Fiscal Year 2020;
2. To cooperate with the TOWN, the local Office of the Massachusetts Department of Labor and Workforce Development and other agencies, as appropriate, in seeking to fill job vacancies as they develop, and operate a job outreach program whereby Barnstable and other ETA residents are made aware of job opportunities at the CERTIFIED PROJECT, including advertising in the local newspapers encouraging such residents to apply for employment any time advertisements are otherwise placed for employment at the SITE and hiring properly qualified Barnstable and ETA residents on a priority basis consistent with any applicable laws;
3. To submit the official EDIP annual reports on job creation, job retention and new investments at the SITE to the TOWN, and the EACC by September 30th of each year during the EXEMPTION PERIOD, or as otherwise required by the EDIP. The annual report shall be the reports required to be filed pursuant to the EDIP;
4. To pay all taxes owed the TOWN relating to the SITE in a timely fashion; and
5. To permit the TOWN, through its Town Manager, or the Town Manager's designee, to manage, administer, monitor and enforce this AGREEMENT.

#### C. ADDITIONAL PROVISIONS

6. The LESSOR and the LESSEE agree that the TOWN has the right to petition to the EACC to decertify the project and revoke this AGREEMENT if the TOWN, acting through its Town Manager, determines that the LESSOR and LESSEE have failed in any material way to meet any of the obligations as set forth in this AGREEMENT. Upon decertification by the EACC, the TOWN shall discontinue the EXEMPTION benefits described above, commencing with the fiscal year immediately following the year for which the LESSOR or LESSEE have so failed to meet its obligations. Prior to filing any such petition for de-certification, however, the TOWN shall give the LESSOR and the LESSEE written notice of the alleged defaults and an opportunity to be heard at a public hearing on the matter. After hearing, if the Town finds that the Lessor and/or Lessee is in violation of this Agreement, the Town shall have the right to file a decertification petition.
7. The LESSOR shall give the TOWN thirty (30) days written notice prior to any proposed substantial change in the use of, or transfer of title to the SITE. Said notice shall be given to the TOWN at the address listed above. The TOWN shall not, except as required by law, disclose any information provided by the LESSOR regarding the proposed change in the use of, or proposed disposition of the SITE by the LESSOR and the LESSEE.
8. Pursuant to 760 CMR 22.05 (8) (d), this AGREEMENT shall be binding upon all parties to it, and be binding upon the LESSOR and the LESSEE and their successors and assigns, and shall inure to the benefit of the LESSOR and the LESSEE and their affiliates, successors and assigns so long as the CERTIFIED PROJECT has not been de-certified by the EACC. If the LESSOR or the LESSEE decides to sell or lease the SITE, respectively, the LESSOR shall give the TOWN at least thirty (30) days written notice of said sale or lease. Said notice shall be given to the Town Manager at the above address.

9. The CERTIFIED PROJECT becomes eligible for the EXEMPTION according to the terms described above, on the July 1st following the date on which the EACC approves the TIF Plan pursuant to which this AGREEMENT is executed, as provided in 760 CMR 22.05 (4)(d). Failure of the EACC to approve the TIF Plan, shall render this AGREEMENT null and void.
10. If any provision of this AGREEMENT shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible and the balance of this AGREEMENT shall be deemed to be amended to the minimum extent necessary to provide to the TOWN and the LESSOR and to the LESSEE, substantially the benefits set forth in this AGREEMENT.
11. All notices permitted or required under the provisions of the AGREEMENT shall be in writing, and shall be sent by registered or certified mail, postage prepaid, or shall be delivered by private express carrier to the addresses listed above or at such other address as may be specified by a party in writing and served upon the other in accordance with this section.
12. If and to the extent that any party is prevented from performing its obligations hereunder by an event of force majeure, such party shall be excused from performing hereunder and shall not be liable in damages or otherwise, and the parties instead shall negotiate in good faith with respect to appropriate modifications to the terms hereof. If the parties fail to agree to such modifications within 30 days from Lessor and/or Lessee notifying the town of an event of Force Majeure, all terms of this agreement shall then remain in full force and effect and the Town shall be entitled, in its absolute discretion, to proceed under the terms of this agreement as originally written, or as previously modified by written agreement, without respect to any claim of force majeure. For purposes of the AGREEMENT, the term force majeure shall mean any supervening cause beyond the reasonable control of the affected party, including without limitation requirement of statute or regulation; explosion, actions of the elements, war, terrorism, riots, mob violence, inability to regulatory authority, or public authority having jurisdiction; acts of God, fire, earthquake, floods, procure or a general shortage of labor, equipment, facilities, materials or supplies in the open market, failure of transportation, strikes, lockouts, actions of labor unions, condemnation, laws or orders of governmental or military authorities, denial of, refusal to grant or appeals of any permit, approval or action of any public or quasi-public authority, official, agency or subdivision and any litigation relating thereto, or any other cause similar to the foregoing, not within the control of such party obligated to perform such obligation.
13. After receiving written notice from any person, firm or other entity, that such party holds a mortgage which includes as part or all of the mortgaged premises, any part of the SITE, the TOWN shall, so long as such mortgage is outstanding, be required to give to such holder the same notice as is required to be given to LESSOR under the terms of this AGREEMENT, but such notice may be given by the TOWN to LESSOR and such holder concurrently. It is further agreed that such holder shall have the same opportunity to cure any default as is available to LESSOR and that such holder shall have forty five (45) days more to cure any such default than would be available to LESSOR or the LESSEE under the provisions of this AGREEMENT. In addition, so long as any such holder, within seventy five (75) days of receiving any such notice from the TOWN, shall commence proceedings for foreclosure of any such mortgage and shall, in the meantime, keep and perform or cause to be kept and performed all the obligations of LESSOR and the LESSEE, or shall undertake to cure any default under or failure of LESSEE to satisfy any condition of this AGREEMENT, to the extent that any such actions can be performed or undertaken by a party proceeding under foreclosure under applicable law, no default or failure of any condition shall exist under this AGREEMENT.
14. The LESSOR agrees that should a final un-appealed decision be rendered on application for a real estate tax abatement filed by LESSOR for the SITE while this AGREEMENT is in force,

any reduction granted by said final decision shall reduce the exempted taxable value total by the same amount for the next available tax year and for any subsequent tax year for which an abatement is granted.

15. Notwithstanding the foregoing, any late payments of property taxes due under this AGREEMENT shall be subject to the same interest and penalty charges that would otherwise be levied in case of a failure to timely pay property taxes.

WITNESSETH, the execution and delivery of this AGREEMENT by the TOWN OF BARNSTABLE, Amie M. Smith and James P. Smith, Trustees of SB NOMINEE TRUST and WORDSMITH INK, INC., as an instrument under seal as of the date first above written.

THE TOWN OF BARNSTABLE

LESSOR: SB NOMINEE TRUST

By: \_\_\_\_\_  
Mark S. Ells, Town Manager

By: \_\_\_\_\_  
Amie M. Smith, Trustee

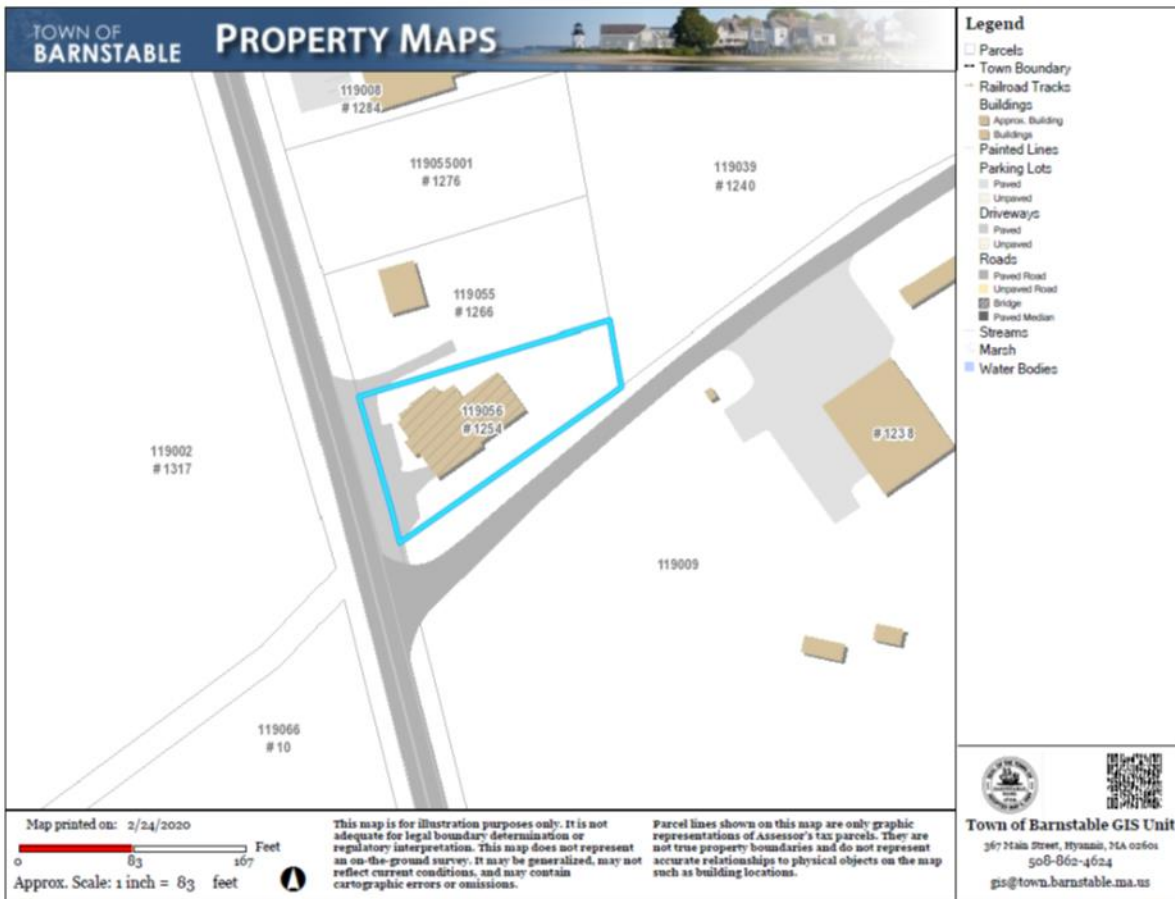
By: \_\_\_\_\_  
James P. Smith, Trustee

LESSEE: WORDSMITH INK, INC.

By: \_\_\_\_\_  
Amie M. Smith, President

Exhibits:

Exhibit A – Map of SITE





**A. OLD BUSINESS (Second Reading) (Public Hearing) (Roll Call Majority of Full Council)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-074**

**INTRO: 02/04/2021, 02/18/2021**

**2021-074 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$37,726 FOR THE BARNSTABLE POLICE DEPARTMENT FISCAL YEAR 2021 OPERATING BUDGET FOR THE PURPOSE OF FUNDING THE EXPENSES RELATED TO HIRING AND EQUIPMENT PURCHASES FOR THREE NEW PATROL OFFICERS**

**ORDERED:** That the sum of **\$37,726** be added to the Fiscal Year 2021 Police Department General Fund Operating Expense Budget for the purpose of funding the expenses related to hiring and equipment purchases for three new officers; and that to fund this appropriation that \$37,726 be transferred from the General Fund Reserves.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>02/04/2021</u>	<u>First Reading, Refer to Public Hearing 02/18/2021</u>

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2021-074  
INTRO: 02/04/2021

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Matthew K. Sonnabend, Chief of Police  
**DATE:** February 04, 2021  
**SUBJECT:** Supplemental Appropriation Order in the amount of **\$37,726** for the Barnstable Police Department Fiscal Year 2021 Operating Budget for the purpose of funding the hiring of three current patrol officer vacancies

**BACKGROUND:** The department has 3 patrol officer vacancies they can fill at this time and is currently in the hiring process. We will be enrolling 2 of these new police officer recruits in the next available police training academy starting on March 1, 2021 at the Plymouth Academy. The department will also be hiring 1 transfer officer from another civil service police department. At the time of the preparation and finalization of the Fiscal Year 2021 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 of hiring and securing 2 academy seats and finalize the transfer officer arrangements relative to the costs and the outfitting of these officers requires a supplemental appropriation.

**ANALYSIS:** This supplemental appropriation request totals \$37,726 and is comprised of several parts: 1) pre-employment requirements including medical exams and psychological assessments; 2) academy tuition; 3) ammunition 4) equipment including radio and firearm; and 5) uniform. The items listed below will need to be funded in Fiscal Year 2021 in order to complete the hiring components required by the Plymouth Academy (Medical & Psychological) and enough ordering time for the remaining equipment and uniforms.

<u>Expense Item</u>	<u>Unit</u>	<u>Total -3 Recruits</u>
Medical Exams (x 3)	\$946	\$2,838
Psychological Assessment (x 3)	\$500	\$1,500
Recruit Ammunition (2)	\$1,460	\$2,920
Transfer Ammunition (1)	\$1,237	\$1,237
Academy Tuition \$ Books (2)	\$3,015	\$6,030
Recruit Equipment (2)	\$5,331	\$10,662
Transfer Equipment (1)	\$4,646	\$4,646
Recruit Uniform/Academy & Initial Service (2)	\$2,891	\$5,782
Transfer Uniform (1)	\$2,111	<u>\$2,111</u>
Total Supplemental Budget Request		<u>\$37,726</u>

**FISCAL IMPACT:** Funding for this request will be provided from the General Fund Reserves. The General Fund Reserve balance was last certified on July 1, 2020 at \$18,524,376. The appropriation will not be added to the department's Fiscal Year 2022 base Operating Budget.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends approval of this Supplemental Appropriation and Transfer request.

**STAFF ASSISTANCE:** Matthew K. Sonnabend, Chief of Police; Anne Spillane, Director of Finance and Support Services

**B. NEW BUSINESS (May be acted upon) (Majority Vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-075  
INTRO: 02/18/2021**

**2021-075 TRANSFER ORDER IN THE AMOUNT OF \$108,000 FROM THE TOWN COUNCIL'S OPERATING RESERVE FUND TO THE FISCAL YEAR 2021 SANDY NECK ENTERPRISE FUND OPERATING BUDGET TO PURCHASE SAND FOR REPLENISHMENT TO THE SANDY NECK BEACH PARK FRONTAL DUNE**

**ORDERED:** That the sum of **\$108,000** be transferred from the Town Council's Operating Reserve Fund to the Fiscal Year 2021 Sandy Neck Enterprise Fund Operating Budget to be used to purchase sand for replenishment to the Sandy Neck Beach Park frontal dune.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

**ITEM#2021-075**  
**INTRO: 02/18/2021**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Derek Lawson, Director of Marine & Environmental Affairs  
**DATE:** February 18, 2021  
**SUBJECT:** Transfer Order in the amount of **\$108,000** from the Town Council's Operating Reserve Fund to the Fiscal Year 2021 Sandy Neck Enterprise Fund Operating Budget to purchase sand for replenishment to the Sandy Neck Beach Park frontal dune

**BACKGROUND:** Due to the recent weather events the frontal dune has sustained significant erosion that has jeopardized the integrity of the Sandy Neck parking lots and septic field due to the loss of the protective dune. The Town responded by placing 25,600 cubic yards of sacrificial sand over five sand placement projects (2013, 2014, 2015, 2016 & 2018). In December 2020, and February 2021, the town experienced two strong nor'easters combined with an astronomically high tide and are again concerned about the integrity of dune that is protecting the parking lot and septic field.

**ANALYSIS:** Due to budget reductions, funds for the replenishment of sand were eliminated from the Fiscal Year 2021 Operating Budget as it was unknown at the time if these funds were going to be needed. Recent severe weather events require the placement of 3,000 cubic yards of sand to insure that the parking lots and septic field are not compromised before a more permanent solution is in place. Without additional sand placement, we could have significant storm damage to our parking lots and septic system that would be extremely costly to repair.

**FISCAL IMPACT:** Funding for this emergency repair will be provided by a transfer from the Town Council's Operating Reserve Fund which has a current balance of \$198,665. The transfer from the Town Council's Reserve Fund will allow the town to immediately address this situation. The Fiscal Year 2022 Operating Budget for the Sandy Neck Enterprise Fund will include a reimbursement to the General Fund for this expense.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends approval of the Transfer Order.

**STAFF ASSISTANCE** Nina Coleman, Sandy Neck Beach Park Manager; Derek Lawson, Marine & Environmental Affairs Director; Mark A. Milne, Finance Director; Griffin Beaudoin, Town Engineer; Daniel Santos, Director, Department of Public Works

**B. NEW BUSINESS (Refer to a Public Hearing on 03/04/2021)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-076  
INTRO: 02/18/2021**

**2021-076 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$37,000 FOR THE PURPOSE OF FUNDING SEASONAL SALARIES AND WAGES FOR THE FISCAL YEAR 2021 GOLF ENTERPRISE FUND OPERATIONS**

**ORDERED:** That the sum of **\$37,000** be appropriated for the purpose of funding labor costs for seasonal salaries and wages associated with increased facility activity and compliance with state COVID-19 regulations, and that to meet this appropriation, that **\$37,000** be provided from the Golf Enterprise Fund Reserves.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2021-076  
INTRO: 02/18/2021

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Madeline Noonan, Director of Community Services  
**DATE:** February 18, 2021  
**SUBJECT:** Supplemental Appropriation Order in the amount of **\$37,000** for the purpose of funding seasonal salaries and wages for the Fiscal Year 2021 Golf Enterprise Fund Operations

**BACKGROUND:** During the first six months of Fiscal Year 2021 the Golf Division experienced a significant increase in activity. Golf has provided our community with a safe, healthy outlet during the ongoing public health emergency. While golf is providing a natural, socially distanced outdoor activity, it comes with a cost. Adhering to strict COVID-19 compliance regulations is very labor intensive. In order to remain open for business and comply with state guidelines it was necessary to hire additional temporary operations staff at both golf facilities. More staff are working longer shifts. What was once done in a couple of hours in the morning and afternoon is now an all day, open to close process. The following tasks are associated with providing public and staff safety:

- Daily, ongoing facilities cleaning and disinfecting for workplace and public safety
- Golf cart cleaning and disinfecting after every use
- Driving range balls and buckets cleaned and disinfected every day
- Full time Golf Starters outdoors managing the first tee and pace of play
- Security and monitoring of adherence to rules and regulations by visitors

The additional work required has resulted in the usage of 76% of seasonal wages at Olde Barnstable Fairgrounds, and 81% at Hyannis Golf Course as of December 31, 2020. The remaining budget balances are insufficient to get through the remainder of the fiscal year. The requested appropriation will ensure adequate staffing levels to service increased facility activity and COVID-19 compliance when both facilities are open for the season from mid-March through June 30, 2021.

**ANALYSIS:** Golf has become one of the few acceptable social activities available for residents and guests to safely engage in during the ongoing public health emergency. The Golf Division experienced a 19% increase in rounds of golf played in the first half of Fiscal Year 2021. The Operations staff serviced 50,693 players, an increase of 9,526 rounds over last year, and 7,316 over Fiscal Year 2019 for the same period.

The Operations staff cleaned and disinfected 28,000 golf cart rentals in the first half of Fiscal Year 2021, representing an average of 150 per day, every day. Golf cart rentals were up 27%. COVID-19 compliance requirements mandated single riders for golf carts. On average, by 11:00am each day, all carts were on the courses and staff had to disinfect them multiple times each day to satisfy customer demand.

Driving range usage increased 73% over last year and is currently 77% over Fiscal Year 2021 revenue forecast. Golfers hit 17,000 buckets of balls, representing approximately 1.25 million golf balls. All range balls are picked, cleaned and disinfected, along with the buckets on a daily basis.

The front line Operations staff must constantly clean the golf shops, restrooms, and all high contact areas throughout the day. The Golf Starters are required to check-in groups, stage them to reduce gatherings, monitor the first tee and pace of play. The starters also act as security and remind players about their responsibilities and the requirements they must adhere to while at our facilities.

At present, the Golf Division is experiencing a \$526,422 positive variance in revenues to budget year-to-date. This represents a 35% increase in revenues over last year for the same period. All indications point to a continuation of current business trends for the foreseeable future. Annual Pass sales for the 2021 season have just begun. The 5 year average of total Pass Holders is 1,155, generating approximately \$1.1 million per year. Annual Pass Holder retention rate averages 95%. Advance time bookings have been brisk as have hotel/motel golf package sales. Our contacts from large group tournaments and outings have expressed their interest in returning once large gatherings are again permitted.

**FISCAL IMPACT:** A revenue surplus for the Golf Operations is expected for Fiscal Year 2021. This will replenish the Golf Enterprise Fund Reserves requested to cover this supplemental budget appropriation. The Golf Enterprise Fund reserve balance is currently \$433,134. A Decision Package request has been submitted for the Fiscal Year 2022 Operating Budget to address additional seasonal salary and wage needs going forward.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends approval of this Supplemental Appropriation Order.

**STAFF ASSISTANCE:** Bruce McIntyre, Director of Golf Operations

**B. NEW BUSINESS (Refer to Public Hearing 03/04/2021)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-077  
INTRO: 02/18/2021**

**2021-077 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$5,000 FOR THE FISCAL YEAR 2021 AIRPORT OPERATING BUDGET FOR THE PURPOSE OF FUNDING THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE AIRPORT MASTER PLAN UPDATE PLANNING PROJECT**

**ORDERED:** That the sum of **\$5,000** be appropriated for the purpose of funding the administrative costs for the Airport Master Plan Update Planning Project and that to meet this appropriation, that \$5,000 be provided from the Airport Enterprise Fund Reserves.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Vote



# BARNSTABLE TOWN COUNCIL

ITEM# 2021-077  
INTRO: 02/18/2021

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Katie R. Servis, Airport Manager  
**DATE:** February 18, 2021  
**SUBJECT:** Supplemental Appropriation Order in the amount of **\$5,000** for the Fiscal Year 2021 Airport Operating Budget for the purpose of funding the administrative costs associated with the Airport Master Plan Update Planning Project

**BACKGROUND:** Cape Cod Gateway Airport is requesting an increase in the Fiscal Year 2021 Operating Expense Budget to cover the cost of the administration fees for the Airport Master Plan Update Planning Project. Fees for legal ads, notices, press releases, and other administrative type costs were not included in the original appropriations.

In 2017 and 2018 the airport requested appropriations for the airport master plan totaling \$1,000,000. The true cost of the project and the grant received from the Federal Aviation Administration (FAA) outlines the total cost of the project at \$1,004,461.80. The \$5,000 administration fee was never added to the appropriation.

### Previous Appropriations:

- \$700,000.00 2017-091 Approved 4/6/17
- \$300,000.00 2018-069 Approved 4/5/18

Any funds remaining at the end of the fiscal year will be returned to the Airport Enterprise Fund's reserve.

**FISCAL IMPACT:** The project is funded 95% by the FAA and the state. The Airport's share is \$50,223.09. Of the \$5,000 appropriation, 95% will be reimbursed by the FAA and the state and the airport's share is \$250. The federal and state reimbursements received will replenish the airport's reserve fund used for this appropriation. The airport's reserve fund was certified at \$3,885,899 as of July 1, 2020.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends approval of this Supplemental Appropriation Order.

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

**B. NEW BUSINESS (Refer to Public Hearing 03/04/2021)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-078  
INTRO: 02/18/2021**

**2021-078 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$470,000 FOR THE FISCAL YEAR 2021 AIRPORT ENTERPRISE FUND OPERATING BUDGET FOR THE PURPOSE OF PURCHASING AVIATION JET FUEL FOR RESALE**

**ORDERED:** That the sum of **\$470,000** be appropriated for the purpose of funding the purchase of aviation jet fuel for resale, and to meet this appropriation, that \$470,000 be provided from the Airport Enterprise Fund reserves.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2021-078  
INTRO: 02/18/2021

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Katie R. Servis, Airport Manager  
**DATE:** February 18, 2021  
**SUBJECT:** Supplemental Appropriation Order in the amount of **\$470,000** for the Fiscal Year 2021 Airport Enterprise Fund Operating Budget for the purpose of purchasing aviation jet fuel for resale

**SUMMARY:** Cape Cod Gateway Airport is requesting an increase in the Fiscal Year 2021 Operating Expense Budget to cover the cost of jet fuel purchases through the end of the Fiscal Year. This request is the result of an increase in the projected fuel sales.

The Airport tracks year-over-year and month-over-month the average fuel loads purchased and sold. This tracking allows the operation to identify the number of fuel loads typically needed year-over-year and month-over-month and is used for forecasting purposes. With the onset of COVID-19, there has been an increase in aviation jet fuel sales with more corporate aircraft utilizing the facility and purchasing fuel in Fiscal Year 2021 than in Fiscal Year 2020. In fact, starting at the end of the first quarter and into the second quarter of Fiscal Year 2021, the Airport had already sold 17% more fuel than in Fiscal Year 2020.

The Fiscal Year 2021 budget anticipated the sale of 900,000 gallons of fuel. As of January 2021, the airport has sold over 800,000 gallons and has not even come into the busy season. The table below compares the month-to-month sales for Fiscal Year 2020 and Fiscal Year 2021.

GALLONS SOLD FY2020 Vs. FY2021			
MONTH	FY2020	FY2021	FY21 vs FY20
JULY	193,787	178,835	-14,952
AUGUST	189,718	179,013	-10,705
SEPTEMBER	96,384	135,432	39,048
OCTOBER	69,791	131,529	61,738
NOVEMBER	52,280	73,225	20,945
DECEMBER	42,615	56,190	13,575
JANUARY	21,438	49,916	28,478
FEBRUARY	23,749		-23,749
MARCH	30,138		-30,138
APRIL	18,790		-18,790

MAY	61,794		-61,794
JUNE	138,455		-138,455
TOTALS	938,939	804,140	-134,799

From February through June, the airport has historically have purchased 25-27 fuel loads. The historic average purchase of fuel is outlined below.

ANALYSIS OF HISTORICAL GALLONS SOLD/MONTH			
MONTH	Average Load Purchased/Month	Average Gallons/Load	Total Gallons/Month
FEBRUARY	3	9,900	29,700
MARCH	3	9,900	29,700
APRIL	3	9,900	29,700
MAY	5	9,900	49,500
JUNE	12	9,900	118,800
TOTALS	26	-	257,400

However, due to the increases the airport has witnessed in Fiscal Year 2021 and if the trend continues, it is anticipated that at least 38 loads of fuel will be needed from now until June. The cost of this fuel is determined as follows:

- The average cost per load is currently \$25,000
- 38 loads x \$25,000 = \$950,000.
- Fuel budget remaining as of February 9 is \$522,000
- \$950,000 - \$522,000 = \$428,000 needed for the remainder of the fiscal year
- Two additional loads to be conservative and as a buffer = \$50,000
- **Appropriation Request = \$478,000.**

Any funds remaining at the end of the fiscal year will be returned to the Airport Enterprise Fund reserves.

**FISCAL IMPACT:** The sale of jet fuel will replenish the airport’s reserves used to fund this appropriation for fuel. The airport’s reserve fund was certified on of July 1, 2020 at \$3,885,899.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends approval of this Supplemental Appropriation Order.

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

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-079  
INTRO: 02/18/2021**

**2021-079 ACCEPTANCE OF A FISCAL YEAR 2021 GRANT IN THE AMOUNT OF \$154,140 FROM THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ELDER AFFAIRS TO SUPPORT STAFF SALARIES AND PROGRAMS OF THE BARNSTABLE COUNCIL ON AGING DIVISION**

**RESOLVED:** That the Town Council does hereby accept a Fiscal Year 2021 Grant in the amount of **\$154,140** from the Commonwealth of Massachusetts Executive Office of Elder Affairs for the purpose of paying support staff salaries and program expenses of the Barnstable Council on Aging Division.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

**ITEM# 2021-079**  
**INTRO: 02/18/2021**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Madeline Noonan, Director of Community Services  
**DATE:** February 18, 2021  
**SUBJECT:** Acceptance of a Fiscal Year 2021 Grant in the amount of **\$154,140** from the Commonwealth of Massachusetts Executive Office of Elder Affairs to support staff salaries and programs of the Barnstable Council on Aging Division

**RATIONALE:** The Executive Office of Elder Affairs awards municipalities in Massachusetts an annual formula grant based on the census of residents aged 60 and above in each town. Based on 2010 census data, there were 12,845 residents over the age of 60 in the Town of Barnstable. The Fiscal Year 2021 award is \$12 per older adult which will result in a total award of \$154,140.

Formula grant funding assists the Barnstable Council on Aging Division in maintaining adequate personnel to ensure sustained delivery of our programs and services. This year's grant will fully fund our Activity Coordinator, Marketing & Events Coordinator and also partially fund our Volunteer Coordinator, part-time Division Assistant and Custodian position. Formula grant funds will also be used to offset other operating expenses including newsletter mailings, program supplies and repairs and maintenance of our BACC facility.

We are extremely grateful to the Executive Office of Elder Affairs and the Commonwealth of Massachusetts for their continued support of the needs of older adults in our community.

**FISCAL IMPACT:** There is no immediate financial impact to the Town's operating budget as a result of accepting this grant. This is an annual grant received by the Town. If the grant were to be reduced or eliminated in the future, the services funded by the grant need to be added to the Council on Aging operating budget or the services would have to be eliminated.

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

**STAFF ASSISTANCE:** Donna-Marie Burns, Director, Council on Aging

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-080  
INTRO: 02/18/2021**

**2021-080 ACCEPTANCE OF A SUBSTANCE ABUSE PREVENTION COLLABORATIVE GRANT IN THE AMOUNT OF \$2,400 FROM THE BARNSTABLE COUNTY DEPARTMENT OF HUMAN SERVICES FOR THE 2021 SEVENTH GRADE YOUTH SUMMIT**

**RESOLVED:** That the Barnstable Town Council does hereby accept a grant in the amount of \$2,400 from the Barnstable County Department of Human Services for the purpose of hiring a keynote speaker for the Seventh Grade Youth Summit.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2021-080  
INTRO: 02/18/2021

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Madeline Noonan, Director of Community Services  
**DATE:** February 18, 2021  
**SUBJECT:** Acceptance of a Substance Abuse Prevention Collaborative Grant in the amount of \$2,400 from the Barnstable County Department of Human Services for the 2021 Seventh Grade Youth Summit

**BACKGROUND:** The Barnstable County Department of Human Services has awarded the Barnstable Recreation Division and Youth Commission a \$2,400 grant to fully-fund the cost of the keynote speaker for the 2021 Seventh Grade Youth Summit, hosted by the Barnstable Youth Commission.

As in past years, the summit will address issues and impacts of peer pressure and substance use among adolescents. Due to the ongoing pandemic, this year's event on March 3<sup>rd</sup> will be conducted virtually through zoom. Featured speaker and former Super Bowl champion, Cliff Crosby, will present a keynote address entitled "Your Actions Create Your Tomorrow" that shares his inspirational story of how difficult choices, faith, and hard work helped him avoid the pitfalls of growing up amidst extremely trying family circumstances.

The Recreation Division and Youth Commission are extremely grateful to Barnstable County Department of Human Services for their generous support that makes it possible to continue to bring this important event to our community.

**FISCAL IMPACT:** There is no financial impact to the Town's operating budget as a result of accepting this grant.

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

**STAFF ASSISTANCE:** Patti Machado, Director of Recreation; Deputy Chief Jean Challies, Barnstable Police Department



**B. NEW BUSINESS (Refer to Public Hearing 03/04/2021)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-081  
INTRO: 02/18/2021**

**2021-081 APPROPRIATION ORDER IN THE AMOUNT OF \$70,000 FOR A  
COMMUNITY DATA AND VISIONING PROJECT CONSULTANT IN  
SUPPORT OF A LOCAL COMPREHENSIVE PLAN UPDATE**

**ORDERED:** That the sum of **\$70,000** be appropriated for the purpose of funding a consultant to facilitate collection, analysis and presentation of community data and facilitate a community visioning effort in support of an update to the Town’s Local Comprehensive Plan; and that to fund this appropriation, that **\$70,000** be provided from the General Fund Reserves.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2021-081  
INTRO: 02/18/2021

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Elizabeth Jenkins, Director of Planning & Development  
**DATE:** February 18, 2021  
**SUBJECT:** Appropriation Order in the amount of **\$70,000** for a Community Data and Visioning Project Consultant in support of a local comprehensive plan update

**BACKGROUND:** A local comprehensive plan update is a way to interpret the community's vision and the values we seek to protect. It is a way to anticipate, coordinate and balance policy decisions related to growth and development, infrastructure, the economy, and resource protection. The Town last updated its local comprehensive plan in 2010, with much of the research and community outreach occurring several years earlier. In the years since that update, the Town's capital infrastructure plans, identification of housing needs, and other factors have shifted dramatically. Building a comprehensive and objective base of community data and broadly engaging our community to develop a collective vision for our future is the first phase of development of an updated local comprehensive plan.

**ANALYSIS:** This request is for consultant services to develop and implement a plan to engage, involve and collaborate directly with the public to develop a shared vision for our community's future. Supported by Town staff and in cooperation with a designated Local Comprehensive Plan Committee, the consultant will compile, analyze, and showcase relevant demographic, economic and community land use data that will be used to "set the table" for conversations between the Town, residents, and other stakeholder groups. The consultant will then provide support for convening the community through a series of outreach methods to assess perspectives on core values and perceived challenges and opportunities. The aim is to use innovative, creative and diverse public participation strategies to overcome the limitations of physically convening during the public health emergency and ensure participation in the process is well-rounded and inclusive. This community assessment and visioning process will provide the foundation for other future planning processes, and an additional phase of the local comprehensive planning process to include development of a strategic action plan and performance standards.

**FISCAL IMPACT:** This is a one-time expenditure which will not be added to the Planning and Development Department's annual operating budget. Funding for these services will be provided from the General Fund reserves which were last certified with a balance of \$18,524,377.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends approval of this Appropriation Order.

**STAFF ASSISTANCE:** Gloria McPherson, Planning & Economic Development Coordinator; Mark A. Milne, Director of Finance

**B. NEW BUSINESS (Refer to Public Hearing 03/04/2021)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-082  
INTRO: 02/18/2021**

**2021-082 APPROPRIATION ORDER IN THE AMOUNT OF \$92,945 FOR THE TREATMENT OF THE INVASIVE SPECIES HYDRILLA IN LONG POND, CENTERVILLE AND MYSTIC LAKE AND MIDDLE POND, MARSTONS MILLS**

**ORDERED:** That the sum of **\$92,945** be appropriated for the purpose of treating Hydrilla in Long Pond, Centerville and Mystic Lake and Middle Pond, Marstons Mills; and that to fund this Appropriation, that \$92,945 be provided from the General Fund Reserves.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council discussion
- Vote

# BARNSTABLE TOWN COUNCIL

## SUMMARY

**ITEM# 2021-082**  
**INTRO: 02/18/2021**

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Elizabeth Jenkins, Director of Planning & Development  
**DATE:** February 18, 2021  
**SUBJECT:** Appropriation Order in the amount of **\$92,945** for the treatment of the invasive species Hydrilla in Long Pond, Centerville and Mystic Lake and Middle Pond, Marstons Mills

**BACKGROUND:** The Town annually manages the growth of the invasive, non-native plant Hydrilla in Long Pond, Centerville and Mystic Lake and Middle Pond, Marstons Mills with an EPA-approved chemical treatment Sonar (fluridone). Treatment is recommended to take place early to mid-May to address early plant growth, reduce the amount of herbicide needed, and protect fish species.

**ANALYSIS:** There have been significant advancements in the understanding of how Sonar (fluridone) can be dosed and applied to achieve maximum efficacy with minimal impact over the last several years. Some of these advancements have been supported by the data collected and the experience gained working on the Barnstable ponds. As such there is a vast amount of evidence to support that hydrilla in particular is ultra-sensitive and susceptible to fluridone's mode of action in the very earliest stages of active vegetative growth. So this means that effective control can be achieved with lower doses of the herbicide (less chemical applied) and with a shorter exposure time. As a result, in recent years many other hydrilla treatment programs have evolved to almost a "pre-emergent" treatment approach where a lethal concentration (<4ppb) is established before any observed active hydrilla growth. Treating early not only improves efficacy, but significantly reduces the potential non-target impact to native species. Lower concentrations provide an even wider margin of safety to the herbicide tolerance levels of native species. Also the earlier start to the program allows in some cases for active treatment to be completed before vigorous growth of later emerging native plants. Starting and completing the program earlier in the growing season reduces the potential risk of target plant die-off and the subsequent release of nutrients negatively impacting water quality and the production of microscopic algae such as harmful cyanobacteria species. All three waterbodies have an increased chance of a cyanobacteria bloom as temperatures increase. Treatment must be postponed until cyanobacteria meets safety standards. In 2020 the cyanobacteria bloom impacted our treatment dates, and increased the number of treatments required.

**FISCAL IMPACT:** The Fiscal Year 2021 Operating Budget included \$120,500 of funding for invasive weed control. These funds have been exhausted treating invasive plant growth over the summer. This appropriation will allow the town to implement a more effective treatment cycle in the Spring of 2021 as described above. Funding is expected to be repeated in the Fiscal Year 2022 Operating Budget which will be used in the spring of 2022 for invasive plant eradication. This request will be provided from the General Fund Reserves which were last certified as of July 1, 2020 at \$18,524,376.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends approval of this Appropriation Order.

**STAFF ASSISTANCE:** Darcy Karle, Conservation Administrator; Mark A Milne, Director of Finance