



Town of Barnstable
Town Council
James H. Crocker Jr. Hearing Room
367 Main Street, 2nd floor,
Hyannis, MA 02601
Office 508.862.4738 • Fax 508.862.4770
E-mail: council@town.barnstable.ma.us

TOWN COUNCIL MEETING AGENDA

February 16, 2023

7:00 PM

Councillors:

Matthew Levesque
President
Precinct 10

Jennifer Cullum
Vice President
Precinct 13

Gordon Starr
Precinct 1

Eric R. Steinhilber
Precinct 2

Betty Ludtke
Precinct 3

Nikolas Atsalis
Precinct 4

Paul Cusack
Precinct 5

Paul C. Neary
Precinct 6

Jessica Rapp Grasseti
Precinct 7

Jeffrey Mendes
Precinct 8

Tracy Shaughnessy
Precinct 9

Kristine Clark
Precinct 11

Paula Schnepf
Precinct 12

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

The February 16, 2023 Meeting of the Barnstable Town Council shall be conducted in person at 367 Main Street 2nd Floor James H. Crocker Jr. Hearing Room, Hyannis, MA. The public may attend in person or participate remotely in Public Comment or during a Public Hearing via the Zoom link listed below.

1. The meeting will be televised live via Comcast Channel 18 or may be accessed via the Channel 18 live stream on the Town of Barnstable's website:

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

2. Written Comments may be submitted to:

https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/Town_Council/Agenda-Comment.asp

3. Remote Participation: The public may participate in Public Comment or Public Hearings by utilizing the Zoom video link or telephone number and access meeting code:

Join Zoom Meeting <https://townofbarnstable-us.zoom.us/j/81223207579>

Meeting ID: 812 2320 7579 US Toll-free 888 475 4499

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

- Workshop on Private Roads - Mark S. Ells, Town Manager

7. ACT ON PUBLIC SESSION MINUTES

- Approve Public Session Minutes: February 02, 2023

8. COMMUNICATIONS - from elected officials, boards, committees, and staff, commission reports, correspondence and announcements

- Update on Cape Cod Commercial Fishermen's Alliance by Doreen Leggett, Communications Officer

9. ORDERS OF THE DAY

- A. Old Business
- B. New Business

10. ADJOURNMENT

NEXT REGULAR MEETING: March 02, 2023

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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 as 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 (Public Hearing) (Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-128
INTRO: 02/02/2023, 02/16/2023

2023-128 APPROPRIATION ORDER IN THE AMOUNT OF \$300,000 TO FUND DISPOSAL COSTS AT THE SOLID WASTE DIVISION OF THE DEPARTMENT OF PUBLIC WORKS

ORDERED: That the amount of **\$300,000** be appropriated and provided from the Solid Waste Enterprise Fund surplus for the purpose of funding disposal costs at the Solid Waste Division of the Department of Public Works.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>02/02/2023</u>	<u>Refer to Public Hearing 02/16/2023</u>

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-128
INTRO: 02/02/2023, 02/16/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director, Department of Public Works
DATE: February 02, 2023
SUBJECT: Appropriation Order in the amount of **\$300,000** to fund disposal costs at the Solid Waste Division of the Department of Public Works

BACKGROUND: The Solid Waste Division operates the Transfer Station & Recycling Center. The services provided at the Transfer Station are funded by fees charged to users and sticker holders. These fees are used to cover the costs associated with operating and disposing of items accepted from users and sticker holders. The appropriated budget is calculated using estimated material totals and expected disposal costs. Changes to these figures can impact the budget in various ways. In Fiscal Year 2023, the Transfer Station experienced increases to the amount of municipal solid waste, recyclables, hard to recycle items, and construction & demolition material disposed of at the facility. This unexpected increase has significantly increased the cost of disposal incurred by the Solid Waste Division.

ANALYSIS: Preparation of the Solid Waste Division budget for Fiscal Year 2023 did anticipate increases to material being disposed of. The Solid Waste Division charges fees for disposal of a multitude of items and offers stickers for a fee to residents. The fees charged are calculated to cover the costs of disposal for materials disposed of at the facility. Due to the increase in materials disposed of at the facility, we are experiencing an increase in the associated revenue, which is expected to cover the incurred disposal costs.

FISCAL IMPACT: There are adequate cash reserves to cover this funds transfer. Current certified cash reserves are \$1,737,618.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, requests favorable action by the Town Council.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director, Department of Public Works; Tracy Regazio, Division Supervisor

A. OLD BUSINESS (Public Hearing) (Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-129
INTRO: 02/02/2023, 02/16/2023

2023-129 APPROPRIATION ORDER IN THE AMOUNT OF \$206,391 TO FUND INFORMATION TECHNOLOGY SECURITY IMPROVEMENTS

ORDERED: That the amount of **\$206,391** be appropriated and provided from the General Fund Reserves for the purpose of funding Information Technology Security Improvements.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>02/02/2023</u>	<u>Refer to Public Hearing 02/16/2023</u>
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-129

INTRO: 02/02/2023, 02/16/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Jim Benoit, Director, Information Technology
DATE: February 02, 2023
SUBJECT: Appropriation Order of **\$206,391** for Information Technology Security Improvements

BACKGROUND: There are a number of Information Technology Security Improvements that were planned for Fiscal Year 2024. However, with the threat from cyber-attacks ever increasing, and the serious repercussions that could result from a successful attack, the need to complete these upgrades has become more urgent. A recent attempted threat, while successfully prevented by our system, highlighted the need to make these improvements as soon as possible.

ANALYSIS: This supplemental budget request would fund the following security improvements to the Town's Informational Technology infrastructure:

1. Email server & Microsoft Office software upgrades – This improvement would upgrade the Town's existing email server, as well as upgrade the Microsoft Office suite of software to current versions. In addition, it would migrate the existing on-premise email server to a cloud based server, and change the licensing model of the Microsoft Office software from standalone licenses to a subscription model.

Migrating to a cloud based email system offers several advantages over an on-premise email server, including greater reliability with redundant servers located across multiple cloud data centers. In the event of a disaster, cyber-incident, or hardware failure affecting our internal systems, the Town's email would continue to function. Another major advantage is that all server updates are handled by the cloud provider. The system will always be updated with the latest security updates and patches with no intervention needed.

Also as part of this initiative, the Town's outdated Microsoft Office software would be updated to Microsoft 365 which is a subscription based offering from Microsoft. Under this model, the software is licensed on a per user basis with a recurring annual cost, rather than purchasing licenses outright as a one-time purchase. There are several advantages to the subscription model, including a predictable annual cost, and the assurance that the software will always be kept up-to-date with the latest security updates.

Funding this request would improve the reliability and functionality of both the Town's email system and its office productivity software. At the same time, it would reduce our current vulnerability to security threats by ensuring that our email system and Microsoft Office software is kept up-to-date going forward.

2. Enhanced anti-malware detection & response – This improvement would replace the Town's existing anti-malware software installed on end-user PCs with an enhanced malware detection and response program. Beyond just software, this item also includes 24/7 monitoring and response for any malware detected on end-user PCs.

With the rise in malware threats, it's critical that the Town take steps to further secure our network environment to the extent possible. Our current anti-malware platform has limitations and requires Town IT staff to take action when a threat is found. Given the round-the-clock nature of malware threats, it's vital that someone is monitoring and responding to potential threats at they occur in real time.

Supplemental Budget Request for IT Security Improvements						
Item	Recurring Annual Cost	Pro-Rated Cost	Offset	One-Time Cost	FY 2023 Net Cost	Net Recurring Annual Cost
		March - June 2023 (Exchange & Office not pro-rated)				
Email Server & MS Office Upgrades	\$ 164,000	\$ 164,000	\$ (9,909)	\$ 27,000	\$ 181,091	\$ 154,091
Enhanced Anti-maleware	\$ 54,000	\$ 18,000	\$ (16,400)	\$ -	\$ 1,600	\$ 37,600
Software Patch Management	\$ 30,000	\$ 10,000	\$ -		\$ 10,000	\$ 30,000
Additional Cloud Backup Capacity	\$ 15,000	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ 15,000
Disaster Recovery	\$ 26,000	\$ 8,700	\$ -	\$ -	\$ 8,700	\$ 26,000
TOTALS	\$ 289,000	\$ 205,700	\$(26,309)	\$ 27,000	\$ 206,391	\$ 262,691

This enhanced system, known generically as Endpoint Detection & Response, uses artificial intelligence and other techniques to monitor and detect suspicious activity. When a potential threat is detected, suspicious files are quarantined and then investigated by a human analyst, who will then determine if further action is necessary. This enhanced level of threat protection and 24/7 response capability would help ensure that the Town's network remains as secure as possible.

3. Software patch management – This improvement would implement a system to manage software updates (patches) across 500+ end user PCs. This would include both operating system updates, as well updates to third party software installed on PCs. Funding this request would help to address software vulnerabilities within the Town that have been identified by an outside security consultant. It would reduce the Town's risk by ensuring that insecure or outdated software is updated or mitigated to the extent possible.

4. Additional cloud backup capacity – This item would expand our existing cloud backup capacity, which would significantly reduce risk and increase our resiliency to a cyber-incident or other loss of data.

One of the most important functions of IT is to ensure that servers and data are securely backed up. This is critical to ensure the recoverability of data that could be lost due to a cyber-incident, hardware failure, inadvertent deletion, or other cause.

This request would improve the efficiency and resiliency of our current data backup program by expanding the use of cloud backups. Data backups would become less cumbersome with faster restore times. In the event of a disaster, there would be less disruption to core Town functions since data could be restored more quickly.

5. Disaster recovery / failover capacity for servers – Going hand in hand with data backups, a disaster recovery program is vital to ensure the continuity of critical Town functions in the event of a cyber-incident, hardware failure, or other disaster. A traditional disaster recovery program would involve maintaining secondary server hardware at an off-site location that could be powered up in the event of a disaster. With the increasing expense of maintaining physical server hardware, this approach can be costly to implement and maintain. With advancements in cloud computing, many vendors are now offering this redundant server infrastructure as a service, with on-demand backup servers available in the cloud.

This item would fund a cloud-based Disaster Recovery as a Service (DRaaS) program. This is a subscription based service with a fixed annual cost based on the server capacity that's needed. In the event of a disaster, this would enable us to activate backup copies of core Town servers which would run off-site in the cloud. Critical Town functions could then be run on these backup servers until service was restored to the Town's on-site servers.

FISCAL IMPACT: The first year cost for these improvements total \$206,391. Item 1 is billed on an annual subscription basis and this amount represents a full year subscription. Items 2 through 5 are billed on a monthly basis and have been prorated for fiscal year 2023 to include 4 months. In addition, one-time cost of \$27,000 is included in the requested amount to setup the new email server and MS Office upgrades. Subsequent year recurring costs are estimated at \$262,691 and this will need to be included in the Information Technology Department's budget in Fiscal Year 2024 and beyond. Savings of \$26,309 have been identified to offset these costs as we can eliminate existing funding for subscriptions on Barracuda and WebRoot security software

Funding for these items will be provided from the General fund reserves which were last certified at \$ 26,769,227 as of July 1, 2022.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, requests favorable action by the Town Council.

STAFF ASSISTANCE: Jim Benoit, Director, Information Technology; Mark A. Milne, Director, Finance

A. OLD BUSINESS (Public Hearing) (Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-130
INTRO: 02/02/23, 02/16/2023**

2023-130 APPROPRIATION ORDER FOR THE SCHOOL DEPARTMENT IN THE AMOUNT OF \$1,444,398 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOLS DISTRICT WIDE LIGHT REPLACEMENT PROJECT

ORDERED: That the amount of **\$1,444,398** be appropriated for the purpose of funding the replacement of light fixtures in the Barnstable Public Schools, including the payment of costs incidental or related thereto; and that to meet this appropriation, that \$1,444,398 be provided from the General Fund Reserves and any grant received by the School District for this project be applied to project costs, thereby reducing the amount authorized by this order by a like amount; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>02/02/2023</u>	<u>Refer to Public Hearing 02/16/2023</u>

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-130
INTRO: 02/02/23, 02/16/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Sara Ahern, Superintendent of Schools
DATE: February 02, 2023
SUBJECT: Appropriation Order in the amount of **\$1,444,398** for the School Department for the purpose of funding the Barnstable Public School District Wide Light Replacement Project

BACKGROUND: The Barnstable School department has undergone a lighting fixture assessment with the Cape Light Compact, performed by RISE Engineering. It has been determined that the following eight (8) sites would qualify and benefit from the replacement of existing florescent and incandescent fixtures to LED:

BARNSTABLE SCHOOL SYSTEM LIGHTING SAVINGS/ECONOMIC BREAKDOWN								
Schools	Annual Energy Savings [kWh]	Annual Economic Savings \$	Total Project Cost \$	Barnstable Net Cost	Estimated Payback Period	Appropriation Request	Procurement Type	Payment / Reimbursement
Centerville E.S.	64,887	\$ 11,680	\$ 135,296	\$ 67,984	\$ 6	\$ 67,984	CLC Contract	Town Share Only
Barnstable W. Barnstable E.S.	49,630	\$ 8,933	\$ 82,830	\$ 30,936	\$ 3	\$ 30,936	CLC Contract	Town Share Only
Barnstable Community Innovation School	45,026	\$ 8,105	\$ 73,739	\$ 25,060	\$ 3	\$ 25,060	CLC Contract	Town Share Only
Barnstable Middle School	184,087	\$ 33,136	\$ 286,623	\$ 102,536	\$ 3	\$ 102,536	CLC Contract	Town Share Only
United E.S.	158,737	\$ 28,573	\$ 314,127	\$ 87,569	\$ 3	\$ 314,127	RFP	CLC Reimbursement
Barnstable High School	494,634	\$ 89,034	\$ 661,850	\$ 167,216	\$ 2	\$ 661,850	RFP	CLC Reimbursement
Hyannis W. Elementary	79,570	\$ 14,323	\$ 141,486	\$ 57,829	\$ 4	\$ 57,829	CLC Contract	Town Share Only
W. Village E.S.	69,029	\$ 12,425	\$ 165,423	\$ 91,007	\$ 7	\$ 91,007	CLC Contract	Town Share Only
Project Contingency (5%)				\$ 93,069		\$ 93,069		
Total	1,145,600	\$ 206,208	\$ 1,861,374	\$ 723,206	\$ 4	\$ 1,444,398		

The funding request is outside of the annual Capital Improvement Plan to allow project implementation during the April 2023 and Summer 2023 break. Future availability of LED subsidies is uncertain, accelerating this projects priority.

ANALYSIS: It is estimated that the improvements will save 1,145,600 kWh annually over the existing fixtures. The Barnstable School Committee unanimously voted October 05, 2022 to support the project and seek a supplemental appropriation from the school savings account. The Cape Light Compact voted on January 11, 2023 to approve the project covering approximately two thirds of the projected cost.

FISCAL IMPACT: Total project cost is estimated at \$1,861,374. The net cost to Barnstable after both direct and indirect reimbursements is \$630,138 plus contingencies.

Project costs of two sites exceed the MGL c.25A, §14 threshold of \$300,000 and require the School District to bid the projects directly. Appropriation of the full project cost of the two sites is required and will be subject to reimbursement from a Cape Light Compact grant. Improvements at the remaining sites will be contracted with the Cape Light Compact, with only the net District share due. Energy savings are estimated at \$206,208 annually, with a 3.1 year estimated payback on the town investment.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, requests favorable action by the Town Council.

Estimated Project Costs (8 Sites):	\$ 1,861,374	
Cape Light Compact Subsidy	\$ (1,231,236)	66%
Barnstable Contribution	\$ 630,138	34%
Project Contingency (5%)	\$ 93,069	
<hr/>		
Total Barnstable	\$ 723,207	
Projected Annual Energy Savings (kWh)	1,145,600	
Energy Cost (kWh)	\$ 0.18	
Projected Annual Energy Savings (\$)	\$ 206,208	

STAFF ASSISTANCE: Gareth Markwell, Deputy Finance Director; David Anthony, Director of Property and Risk Management; Michael Lambros, Director of School Facilities

A. OLD BUSINESS (May be acted upon) (Roll Call 2/3 Vote Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-131
INTRO: 02/02/2023, 02/16/2023**

2023-131 ORDER AUTHORIZING THE TAKING OF ROAD EASEMENTS BY EMINENT DOMAIN FOR SEWER AND WATER PURPOSES OVER CERTAIN PRIVATE ROADS IN CENTERVILLE KNOWN AS EARLES COURT, NOBADEER ROAD, QUISSET ROAD, CHRISTINAS PATH, CAPT. ELLIS LANE, JENNIE’S PATH, NANCYS LANE, AND A PRIVATE WAY ADJACENT TO LOT 11 AS SHOWN ON A PLAN FILED IN PLAN BOOK 288, PAGE 18 AT THE BARNSTABLE COUNTY REGISTRY OF DEEDS

ORDERED: That the Town Council hereby authorizes the Town Manager to purchase, take by eminent domain under chapter 79 of the General Laws of Massachusetts, or otherwise acquire for sewer and water purposes a perpetual easement through, under, across, and on the following described roads for the installation, operation, maintenance, repair, relocation, and replacement of sewer and water lines and infrastructure for the same and for all purposes for which such easements are commonly used in the Town of Barnstable:

EARLES COURT, NOBADEER ROAD, QUISSET ROAD, CHRISTINAS PATH, all as shown on Land Court Plan No. 40592-C, Sheets 1 and 2; and

CAPT. ELLIS LANE, JENNIE’S PATH, NANCYS LANE, AND A PRIVATE WAY ADJACENT TO LOT 11, all as shown on a plan filed in the Barnstable County Registry of Deeds in Plan Book 288, Page 18.

Any trees, buildings, and other structures located within said roads are not included in this Order and the owners of the same may have a period of up to sixty (60) days after the recording of this Order of Taking to remove the same.

Betterments will be assessed for the associated sewer and water improvements made by the Town of Barnstable.

The names and addresses of the owners of said interests taken and their mortgagees as far as can be ascertained by the Town are as set forth on Exhibit A attached hereto, along with any awards, if any, for damages sustained by said owners.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>02/02/2023</u>	<u>First Reading, Referred to Second Reading 02/16/2023</u>

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

Exhibit A

Sewer/Water Easements to be taken by Eminent Domain

Parcel Number Street Address	Current Owner: Name & Mailing Address	Award
250033 <u>970 Falmouth Rd/ Rt 28</u>	Wade Behlman and Lisa Delia 970 Falmouth Rd Hyannis	None
250123 <u>954 Falmouth Rd /Rt28</u>	John Farrell 38 Captain Ellis Lane Centerville	None
250030 <u>20 Captain Ellis Lane</u>	James Marshall and Rosemary Marshall 20 Captain Ellis Lane Hyannis	None
250096 <u>135 Captain Ellis Lane</u>	Kathleen Murphy Finn Tr Captain Ellis Realty Trust 135 Captain Ellis Lane Centerville	None
250098 <u>117 Captain Ellis Lane</u>	Nicole Lynch Smith 117 Captain Ellis Lane Centerville	None
250099 <u>105 Captain Ellis Lane</u>	Bonnie Riess and Linda Colman Tr Riess Colman Revocable Trust 105 Captain Ellis Lane Centerville	None
250100 <u>91 Captain Ellis Lane</u>	Angela Cloutier 91 Captain Ellis Lane Centerville	None
250101 <u>79 Captain Ellis Lane</u>	Andrea Maynard 26 Tara Terrace Bourne MA 02532	None

Parcel Number Street Address	Current Owner: Name & Mailing Address	Award
250102 <u>69 Captain Ellis Lane</u>	Dawn Burt LLC 338 Pleasant Pines Centerville	None
250103 <u>55 Captain Ellis Lane</u>	Steven Gustafson and Paula Gustafson 55 Captain Ellis Lane Centerville	None
250104 <u>41 Captain Ellis Lane</u>	Stephen Jutras 41 Captain Ellis Lane Centerville	None
250105 <u>31 Captain Ellis Lane</u>	Janis Goodnow Tr Mary Garvey Trust 31 Captain Ellis Lane Centerville	None
250106 <u>38 Captain Ellis Lane</u>	Orbin Tejada Carlos Todriquez 38 Captain Ellis Lane Centerville	None
250107 <u>54 Captain Ellis Lane</u>	Trevor Peterson and Susan Peterson 54 Captain Ellis Lane Centerville	None
250114 <u>100 Captain Ellis Lane</u>	Robin Demattos 100 Captain Ellis Lane Centerville	None
250118 <u>118 Captain Ellis Lane</u>	Charles Temple and Susan Temple 118 Captain Ellis Lane Centerville	None
250119 <u>130 Captain Ellis Lane</u>	Lester Phinney Tr Paige Three Trust 130 Captain Ellis Lane Centerville	None
250120 <u>142 Captain Ellis Lane</u>	Qiao Jin Zhang and Shao Hua Liu 142 Captain Ellis Lane Centerville	None

Parcel Number Street Address	Current Owner: Name & Mailing Address	Award
250108 <u>68 Captain Ellis Lane</u>	Linda Drake Tr Barry-Drake Nominee Trust 177 Bishops Terrace Hyannis MA	None
250113 <u>88 Captain Ellis Lane</u>	Diego Baveloni By foreclosure deed of Citizen Bank 43 Winsome Rd Yarmouth MA 02669	None
250115 <u>24 Jennies Path</u>	Thang Nguyen 24 Jennies Path Centerville	None
250116 <u>23 Jennies Path</u>	Dennis Ashe and Susan Ashe 23 Jennies Path Centerville	None
250117 <u>21 Jennies Path</u>	Venildo Moniz 21 Jennies Path Centerville	None
250109 <u>16 Nancy's Lane</u>	Robert J Zaleski Tr Joseph F Zaleski Irrevocable Real Estate Trust 40 Barry Rd Abington MA 02351	None
250110 <u>26 Nancy's Lane</u>	Lisa Pacheco 26 Nancy's Lane Hyannis	None
250111 <u>25 Nancy's Lane</u>	Arildo Dos Santos 117 Dolphin Lane Hyannis MA 02601	None

Parcel Number Street Address	Current Owner: Name & Mailing Address	Award
250112 <u>15 Nancy's Lane</u>	Ruy Coelho 15 Nancy's Lane Centerville	None
250072 <u>398 Bishops Terrace</u>	Monalisa Smith 398 Bishops Terrace Hyannis	None
50073 <u>386 Bishops Terrace</u>	Nancy Smith 386 Bishops Terrace Hyannis	None
250097 <u>7 Christina's Path</u>	Nancy Beauchamp 7 Christina's Path, Hyannis MA	None
250134 <u>18 Nobadeer Rd</u>	Victor Correia and Donna Correia 18 Nobadeer Rd Centerville	None
250143 <u>112 Nobadeer Rd</u>	Susan M. Kelley and Robert Storie (now Susan Storie) 112 Nobadeer Rd, Centerville	None
250141 <u>18 Christina's Path</u>	Arbinda Sah 18 Christina's Path Centerville	None

Street Name	Current Owner: Name & Mailing Address	Award
<u>Christina's Path</u> <u>Nobadeer Road</u> <u>Quisset Road</u> <u>Earle's Court</u>	Jeffrey A. Sollows, Trustee of SLS Realty Trust, under declaration of trust dated March 16, 1983 registered as Document No. 309,328. 851 Cedar Street West Barnstable, MA For title reference see Certificates of Title No. 91595 and 93490.	None

BARNSTABLE TOWN COUNCIL

ITEM# 2023-131
INTRO: 02/02/2023, 02/16/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, Director, Department of Public Works
DATE: February 02, 2023
SUBJECT: Order authorizing the taking of road easements by eminent domain for sewer and water purposes over certain private roads in Centerville known as Earles Court, Nobadeer Road, Quisset Road, Christinas Path, Capt. Ellis Lane, Jennie's Path, Nancys Lane, and a private way adjacent to Lot 11 as shown on a plan filed in Plan Book 288, Page 18 at the Barnstable County Registry of Deeds

BACKGROUND: The Town is proceeding with plans to install sewers and related infrastructure in Centerville. These proposed takings of easements in existing private ways are the first in a series of takings that are contemplated in order to deploy sewer lines in accordance with the Town's approved Comprehensive Wastewater Management Plan. The taking will also allow the Town to cost-effectively install water mains where needed while the roadways are opened and before curb to curb repaving. The timely completion of these takings will also qualify this work for State Revolving Fund (SRF) monies in accordance with state funding. Utilizing the eminent domain procedure to acquire these easements will assure clear title to the property which is necessary to qualify for SRF funding.

Because the value of the improvements exceeds the value of the easement within the travelled roadways, there is no provision for the award of monetary damages.

FISCAL IMPACT: None

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, requests favorable action by the Town Council.

STAFF ASSISTANCE: Charles S. McLaughlin, Senior Town Attorney; Griffin Beaudoin, Town Engineer; Daniel W. Santos, Director, Department of Public Works; Shane Brenner, Town Surveyor

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-134
INTRO: 02/16/2023**

2023-134 AUTHORIZATION TO EXPEND A FISCAL YEAR 2023 CULTURAL DISTRICT GRANT IN THE AMOUNT OF \$15,000 FROM THE MASSACHUSETTS CULTURAL COUNCIL'S CULTURAL DISTRICT INVESTMENT GRANT PROGRAM FOR THE BARNSTABLE VILLAGE CULTURAL DISTRICT

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a grant in the amount of **\$15,000** from the Massachusetts Cultural Council's Cultural District Investment Grant Program for the purpose of providing financial assistance to encourage the development and success of the Barnstable Village Cultural District and to foster local cultural preservation in accordance with the provisions of state law pertaining to state-designated Cultural Districts.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Council Discussion
- ___ Motion
- ___ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-134
INTRO: 02/16/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Elizabeth S. Jenkins, Director of Planning & Development
DATE: February 16, 2023
SUBJECT: Authorization to expend a Fiscal Year 2023 Cultural District Grant in the amount of **\$15,000** from The Massachusetts Cultural Council's Cultural District Investment Grant Program for the Barnstable Village Cultural District

BACKGROUND: The Town of Barnstable, through its Planning & Development Department, has been awarded a **\$15,000** grant in support of the Barnstable Village Cultural District from the Massachusetts Cultural Council (MCC) Cultural District Investment Grant. The MCC requires communities with more than one cultural district to propose projects that will take place in each district.

Grant funds will support programming and marketing efforts in the Barnstable Village Cultural District as well as support placemaking projects with a particular focus on signage to identify several historical buildings. Grant funds to support these efforts will lead to increased revenue for the creative community and cultural organizations, provide additional attractions to generate excitement and interest along historic Route 6A, and encourage connectivity throughout the village.

These funds are in line with the goals of the state's Cultural District Initiative, and with the District-specific objectives identified in the year-end annual report to the MCC. Funding is allocated in support of Cultural District activities and goals and at the direction of the entity's management team. The MCC encourages projects or programs that institute a practice of access, equity, or inclusion and are in alignment with the Barnstable Village Cultural District's audience and mission.

These activities support the following cultural district goals:

SENSE OF PLACE: Support programming efforts creating active and engaging moments in Barnstable Village Cultural District leveraging the district's heritage and seaside locations to express its unique character and continue improving upon the self-guided historical walking trail with creation, production and placement of signage in front of several historical cultural assets along Main Street, Barnstable Village.

CREATIVE ECONOMY: Facilitate opportunities for the public to interact with members of the creative economy; support programs that engage the public and profit artists during several special events throughout the year.

CULTURAL DESTINATION: Market the district to increase year round visitation; strengthen visual identity with consistent, repetitive branding in marketing efforts. Offer more self-guided outdoor opportunities

FISCAL IMPACT: No funding match is required for this grant award. No general funds will be expended on this program.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, requests favorable action by the Town Council.

STAFF ASSISTANCE: Melissa Chartrand, Arts & Culture Coordinator, Planning & Development; Alice Marcus Krieg, Grants Coordinator, Planning & Development; Roberta Miller, Executive Director, Cape Cod Art Center

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-135
INTRO: 02/16/2023**

2023-135 AUTHORIZATION TO EXPEND A FISCAL YEAR 2023 CULTURAL DISTRICT GRANT IN THE AMOUNT OF \$15,000 FROM THE MASSACHUSETTS CULTURAL COUNCIL'S CULTURAL DISTRICT INVESTMENT GRANT PROGRAM FOR THE HYANNIS HYARTS CULTURAL DISTRICT

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2023 grant in the amount of **\$15,000** from the Massachusetts Cultural Council's Cultural District Investment Grant program for the purpose of providing financial assistance to encourage the development and success of the Hyannis HyArts Cultural District and to foster local cultural preservation in accordance with the provisions of state law pertaining to state-designated Cultural Districts.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Council Discussion
- ___ Motion
- ___ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-135
INTRO: 02/16/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Elizabeth S. Jenkins, Director of Planning & Development
DATE: February 16, 2023
SUBJECT: Authorization to expend a Fiscal Year 2023 Cultural District Grant in the amount of **\$15,000** from the Massachusetts Cultural Council's Cultural District Investment Grant Program for the Hyannis HyArts Cultural District

BACKGROUND: The Town of Barnstable, through its Planning & Development Department, has been awarded a **\$15,000** grant in support of the Hyannis HyArts Cultural District from the Massachusetts Cultural Council (MCC) Cultural District Investment Grant.

Grant funds will support programming and marketing efforts in the Hyannis HyArts Cultural District as well as support placemaking projects with a particular focus on the Hyannis HyArts Campus, from the corner of South and Pearl Street to Hyannis Main Street. Grant funds to support these efforts will lead to increased revenue for the creative community, provide additional attractions to generate excitement and interest in our vibrant downtown, and enhance connectivity throughout the Hyannis HyArts Cultural District.

The MCC requires communities with more than one cultural district to propose projects that will take place in each district. Barnstable has two cultural districts, Barnstable Village Cultural District and the Hyannis HyArts Cultural District.

These funds are in line with the goals of the state's Cultural District Initiative, and with the District-specific objectives identified in the year-end annual report to the MCC. This funding is allocated in support of Cultural District activities and goals and at the direction of the entity's management team. The MCC encourages projects or programs that institute a practice of access, equity, or inclusion and are in alignment with the Hyannis HyArts Cultural District's audience and mission.

These activities support the following cultural district goals:

SENSE OF PLACE: Support programming efforts creating active and engaging moments in the heart of the Hyannis HyArts Cultural District.

CREATIVE ECONOMY: Facilitate opportunities for the public to interact with members of the creative economy; support programs that engage the public and profit artists.

CULTURAL DESTINATION: Market the district to increase year round visitation; strengthen visual identity with consistent, repetitive branding in marketing efforts.

HYANNIS HYARTS ARTS CAMPUS: Operate and expand opportunities for creatives; partner with others to offer special programs and events in Guyer Barn community art space and establish this as a must stop destination each year.

FISCAL IMPACT: No funding match is required for this grant award. No general funds will be expended on this program.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, requests favorable action by the Town Council.

STAFF ASSISTANCE: Melissa Chartrand, Arts & Culture Coordinator, Planning & Development; Alice Marcus Krieg, Grants Coordinator, Planning & Development

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-136
INTRO: 02/16/2023**

2023-136 AUTHORIZATION TO EXPEND A FISCAL YEAR 2023 CULTURAL DISTRICT GRANT IN THE AMOUNT OF \$5,600 FROM THE MASSACHUSETTS CULTURAL COUNCIL’S CULTURAL SECTOR RECOVERY GRANTS FOR ORGANIZATIONS PROGRAM

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a grant in the amount of **\$5,600** from the Massachusetts Cultural Council’s Cultural Sector Recovery Grants for Organizations program for the purpose of providing financial assistance to cultural organizations negatively impacted by the Covid-19 pandemic, as secured by a state supplemental appropriation for the Hyannis HyArts Cultural District.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Rationale
- _____ Council Discussion
- _____ Motion
- _____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-136
INTRO: 02/16/2023

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Elizabeth S. Jenkins, Director, Planning & Development
DATE: February 16, 2023
SUBJECT: Authorization to expend a Fiscal Year 2023 Cultural District Grant in the amount of **\$5,600** from the Massachusetts Cultural Council's Cultural Sector Recovery Grants for Organizations Program

SUMMARY: The Town of Barnstable, through its Planning & Development Department, has been awarded a **\$5,600** grant in support of the Hyannis HyArts Cultural District from the Massachusetts Cultural Council (MCC) Cultural Sector Recovery Grants for Organizations Program.

Grant funds will support lost rental income due to pandemic hardship in the Hyannis HyArts Cultural District and will support placemaking projects with a particular focus on the Hyannis HyArts Campus, from the corner of South and Pearl Street to Hyannis Main Street. Grant funds to support these efforts will lead to increased revenue for the creative community, provide additional attractions to generate excitement and interest in our vibrant downtown, and enhance connectivity throughout the Hyannis HyArts Cultural District.

These unrestricted funds are in line with the goals of the state's Cultural organizations, collectives and businesses negatively impacted by the Covid-19 pandemic. These funds were appropriated through Chapter 102 of the Acts of 2021, *An act relative to immediate Covid-19 recovery needs*. Cultural Sector Recovery Grants for Organizations provides unrestricted support to Massachusetts cultural organizations, collectives and businesses negatively impacted by the Covid-19 pandemic. Culture is a major contributor to economic growth and opportunity in Massachusetts and cultural organizations have suffered staggering losses due to the pandemic and related closures. An investment in the recovery of cultural organizations is an investment in the economic recovery of the Commonwealth.

FISCAL IMPACT: No funding match is required for this grant award. No general funds will be expended on this program.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, requests favorable action by the Town Council.

STAFF ASSISTANCE: Alice Marcus Krieg, Grants Coordinator, Planning & Development; Melissa Chartrand, Arts & Culture Coordinator, Planning & Development