



Town Council Meeting
November 18, 2021



A quorum being duly present, President Matthew Levesque called the November 18, 2021, Town Council meeting to order at 7:07 PM.

An announcement was made by Vice President Schnepf regarding the meeting being televised live and questioning if anyone was actively taping the session to please make their presence known. This session is recorded and broadcast on Channel 18.

PRESENT: (On Zoom) Nikolas Atsalis, David Bogan, Kristine Clark, Jennifer Cullum, Jessica Rapp Grassetti, Paul Hebert, Matthew Levesque, Jeffrey Mendes, Paul Neary, Paula Schnepf, Tracy Shaughnessy, Gordon Starr, Eric Steinhilber

The Pledge of Allegiance was led by Councilor Paul Neary.

PUBLIC COMMENT:

Angela Rutzick spoke about the single-family dwelling zoning on the Twin Brooks parcel. She added there was no multi-family zoning for the parcel. She noted the property was considered market rate housing not affordable housing.

John Crow read aloud a letter from the Osterville Village Association dated November 10th, 2021 which was sent to the Town Manager. Each village should have a representative on the Local Comprehensive Plan (LCP) Board.

Bob Schulte representing the Centerville Civic Association spoke about their letter dated November 15th, 2021. Update the Local Comprehensive Plan with representation from each of the civic associations, give a seat at the table for all civic associations. It is very important that this process is fair and transparent.

Meaghan Mort supported the Twin Brooks project. She felt that most people who would benefit from the project would not be able to attend any of the meetings. She was thankful of the zoom meetings.

Councilor questions and comments:

(Cullum) COVID silver lining brings more diversity, equality and inclusivity to meetings and discussions.

(Hebert) Inclusivity and equality of housing for all. Let's take the profit out of the equation.

(Ells) We hear from residents who cannot access us through our mechanisms we now utilize. We will call upon the community to engage directly with our planning process regarding the LCP.

(Schnepf) LCP discussions must have a commitment for an inclusive process. There needs to be trust building and not more fracturing to be successful.

(Ells) Noon on November 24th Barnstable High School's Red Rolling Rally will be held along

Main Street in Hyannis. There will be a parade of floats and this year/s theme is “Celebrating the Youth of Our Barnstable Community”.

TOWN MANAGER COMMUNICATIONS (update Exhibit A)

- Update to the LCP – Elizabeth Jenkins, Director of Planning and Development spoke about the October 21st establishment of the LCP Committee. She mentioned comments distributed to Council will be taken under advisement.
- 2022 Housing Choice Community Grant Program & MA Downtown Initiative Awards Announcement
- Budget Fiscal Year 2023
- \$41 million dollars received from the American Rescue Plan Acts funds
- Sewer construction for the Strawberry Hill Road Sewer Expansion project
- Jesse Schechtman has been appointed Director of Golf
- One Love November 10th - Barnstable Youth Commission
- 8th Annual Community Substance Abuse Prevention Forum hosted by the Youth Commission and Recreation Division.
- Youth and Family Outreach Coordinator with Recreation Division is Moriah Becal.

Councilor questions and comments:

(Bogan) Hyannis Golf Course has tough roads for carts. (Ells) Hyannis Golf Course was purchased for the water. The Town maintained the golf course. Old Barnstable Golf course was created by us which is very different.

- Rob Steen, Assistant Director of Public Works, update to the Barnstable Comprehensive Wastewater Management Plan (CWMP). He gave an overview with a PowerPoint presentation. He discussed the Strawberry Hill Sewer Expansion project, which would be completed by 2023 and the Route 28 East Sewer Expansion Project, which would be bid out this winter. He mentioned the Vineyard Wind II project onshore route which had the first reading on the agenda.

Councilor questions and comments:

(Atsalis) Progress on Mother’s Park pump station? (Steen) working on that project. (Schnepp) Marstons Mills School is that part of the wastewater treatment plant? (Steen) It is Part I of the Route 28 project and it will be replaced with a pump station.

- Workshop:

Mark Milne, Director of Finance discussed the CWMP fiscal policy. He spoke about the next five years and discussed how to fund it. The projects mentioned he explained would exceed \$300 million dollars. He mentioned Fiscal Year 28 loans and Fiscal Year 32 annual short falls.

(Bogan) There will be pain all around. (Milne) Will need decision regarding Debt Service by Fiscal year 2023 if debt exclusion is the answer we need to go forward for appropriations.

(Bogan) There needs to be serious consideration of public wants regarding debt exclusion.

(Hebert) Did the reduction from \$17,000 to \$10,000 cost to home owner affect the loan? (Milne)

The reduction does not significantly affect the program overall. (Schnepp) If we go with a debt exclusion by Fiscal Year 2023 does it need to happen before July? (Bogan) move forward – the sooner the better. (Ells) Thank you – identify how we will proceed sooner rather than later. This is critical for us to reach outcomes offered in quality-of-life reasons CWMP. (Shaughnessy)

Should we prep, consider both or a combination of ideas? (Ells) Council needs to direct Town Manager to move forward with project staff.

ACT ON MINUTES:

Upon a motion duly made and seconded it was to accept the minutes of November 4, 2021 as presented.

VOTE: PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

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

(Shaughnessy) December 4th Hyannis Stroll and the November 18, 2021 Hyannis Garden Club's Holiday Showcase.

(Atsalis) Centerville Stroll December 4th from 3 pm – 6 pm.

(Bogan) Osterville Stroll December 10th

(Clark) Congratulations Sarah Beal our great Channel Manager is getting married!

(Hebert) Thank you Department of Public Works and the Town for the veteran's celebration and Hidden Wounds Memorial Bridge dedication ceremony.

(Schnepf) December 19th there is a Councilor Select Board Association Per – and polyfluoroalkyl substances (PFAS) Panel discussion

Short Break to 9:30 PM – 9:36 PM

2022-040 AUTHORIZATION TO EXPEND A FEDERAL FISCAL YEAR 2021 PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP GRANT FROM THE U.S. DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS IN THE AMOUNT OF \$20,000 INTRO: 11/18/2021

Police Chief Matthew Sonnabend gave the rationale.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Federal Fiscal Year 2021 Patrick Leahy Bulletproof Vest Partnership Grant in the amount of **\$20,000** from the U.S. Department of Justice Office of Justice Programs for the purpose of funding costs associated with purchasing bulletproof vests for officers that have expiring bulletproof vests.

VOTE: PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

2022-041 AUTHORIZATION TO EXPEND A FISCAL YEAR 2022 ARREST/JAIL DIVERSION GRANT IN THE AMOUNT OF \$67,712 FROM THE MASSACHUSETTS DEPARTMENT OF MENTAL HEALTH INTRO: 11/18/2021

Police Chief Matthew Sonnabend gave the rationale. He explained the grant was for a licensed mental health counselor to accompany officers for in-field treatment.

Councilor questions and comments:

(Cullum) Absolutely needed. (Hebert) Kind way to help our mentally ill.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2022 Massachusetts Department of Mental Health Arrest/Jail Diversion Grant in the amount of **\$67,712** from the Massachusetts Department of Mental Health for the purpose of funding the costs of contracting for the services of a full-time licensed clinician

as part of the Barnstable Police Department's implementation of its Co-Response Jail Diversion Program.

VOTE: PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetto, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

2022-042 ALLOCATION OF TAX LEVY FISCAL YEAR 2022 – TAX FACTOR INTRO: 11/18/2021

Mark Milne, Director of Finance gave the rationale. He discussed tax policy and property tax levy shifting options: Split tax rate or residential exemption.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby votes to classify the Town of Barnstable under M.G.L. c. 40, § 56, the Classification Act, at a Residential Factor of 1 (one) for the Fiscal Year 2022.

VOTE: Refer to Public Hearing 12/02/2021 - PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetto, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

2022-043 ALLOCATION OF TAX LEVY FY22 – RESIDENTIAL EXEMPTION INTRO: 11/18/2021

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby votes to adopt a Residential Exemption of twenty percent (20%) for fiscal year 2022.

VOTE: Refer to Public Hearing 12/02/2021 - PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetto, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

2022-044 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,750,000 FOR THE PURPOSE OF FUNDING DESIGN AND PERMITTING OF THE VINEYARD WIND 2 ROUTE SEWER EXPANSION PROJECT INTRO: 11/18/2021

Councilor Bogan recused himself from this agenda item.

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$2,750,000** be appropriated for the purpose of funding the Vineyard Wind 2 Route Sewer Expansion Project, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$2,750,000 under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: Refer to Public Hearing 12/16/2021 - PASSES 12 YES

Roll Call: Atsalis, Clark, Cullum, Rapp Grassetto, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

2022-045 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$3,500,000 FOR THE PURPOSE OF FUNDING DESIGN AND PERMITTING OF THE ROUTE 28 WEST SEWER EXPANSION PROJECT INTRO: 11/18/2021

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$3,500,000** be appropriated for the purpose of funding the Route 28 West Sewer Expansion Project, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$3,500,000 under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: Refer to Public Hearing 12/16/2021 - PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetto, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

2022-046 TRANSFER ORDER REQUEST OF \$600,000 FOR THE PURPOSE OF FUNDING OUTSIDE CONTRACTOR COSTS ASSOCIATED WITH STORM DEBRIS REMOVAL RESULTING FROM THE OCTOBER 27, 2021 NOR'EASTER INTRO: 11/18/2021

Mark Milne, Director of Finance gave the rationale. He spoke about the extensive tree damage from the October 27, 2021 storm.

Councilor questions and comments:

(Rapp Grassetto) inquired about the clean up and how was it progressing? (Steen) Explained all of the 144 miles of main roads have been cleared and working through the remaining 143 miles (out of 290 miles) of secondary streets.

(Rapp Grassetto) Any reimbursements? (Milne) sent cost reports to Massachusetts Emergency Management Agency (MEMA). Will look into Federal Emergency Management Agency (FEMA) reimbursements as well.

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$250,000** be transferred from the Town Council Reserve Fund, and that the sum of **\$350,000** be transferred from the Department of Public Works Fiscal Year 2022 Capital Outlay budget, for a total of **\$600,000** to the Department of Public Works Operating Expense budget to pay for outside contractor costs for storm debris removal associated with the October 27, 2021 Nor'easter.

VOTE: PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetto, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

Jump to 2022-048

2022-048 AMENDING TOWN COUNCIL ORDER 2021-024, AS APPROVED ON NOVEMBER 19, 2020, WHICH AUTHORIZED THE APPROPRIATION AND TRANSFER OF COMMUNITY PRESERVATION FUNDS FOR THE ACQUISITION OF 830 WAKEBY ROAD, MARSTONS MILLS, AND THE PLACEMENT OF A CONSERVATION RESTRICTION ON THE PROPERTY TO BE HELD BY BARNSTABLE LAND TRUST, TO REFLECT THE RECEIPT OF A DRINKING WATER SUPPLY PROTECTION GRANT AND TO ADD A SECOND GRANTEE AS CO-HOLDER OF THE CONSERVATION RESTRICTION INTRO: 11/18/2021

Lindsey Counsel, Chair of Community Preservation Committee gave the rationale. Kate Connolly, Assistant Town Attorney explained this was an amendment to a previous vote on Town Council Order 2021 - 024. She noted the amendments were receipt of a Drinking Water

Supply Protection Grant and to add a second Grantee Centerville, Osterville and Marstons Mills (COMM) Fire District as a co-holder of the Conservation Restriction.

Upon a motion duly made and seconded it was

RESOLVED: That Town Council Order 2021-024, as approved on November 19, 2020, which authorized the appropriation and transfer of Five Hundred Thousand Dollars (\$500,000) from the amount set aside for open space and recreation in Community Preservation Open Space/Recreation funds for the acquisition of 15.3 acres at 830 Wakeby Road, Marstons Mills, shown on Barnstable Assessors Map 013, Parcel 003, (and as more particularly described as Lot 2 on Plan Book 691 Page 82, which plan of record was not available at the time of said November 19, 2020 vote), pursuant to the provisions of the Community Preservation Act, G.L.c. 44B, and the Conservation Restriction statute, G.L. c. 184, Sections 31-33, representing a portion of the total amount of Five Hundred Twenty-Five Thousand, Six Hundred Eighty Dollars (\$525,680) for the acquisition of the property, is hereby amended as follows:

That the Town Council does hereby authorize the Town Manager to contract for and expend a Drinking Water Supply Protection Grant in the amount of Two Hundred Fifty-One Thousand, Five Hundred Seventy-Two Dollars and Fifty Cents (\$251,572.50) from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs as matching funds to the amount of \$250,000 that the Town of Barnstable will pay, with such funds used to reimburse the Community Preservation Open Space/Recreation Fund, plus \$1,572.50 provided on a reimbursement basis to cover closing costs and associated recording fees; and further that the Conservation Restriction to be placed on the property will be held by the CENTERVILLE-OSTERVILLE-MARSTONS MILLS FIRE DISTRICT as the designated primary grantee and by the Barnstable Land Trust as the designated secondary grantee, which is contributing \$25,680 in both funding and in kind contributions, for DRINKING WATER SUPPLY PROTECTION AND CONSERVATION PURPOSES. Said Restriction is subject to approval by the Secretary of Energy and Environmental Affairs and the Department of Environmental Protection. Further it is resolved that the Town Manager is authorized to execute, receive, deliver and record any written instruments for the stated purposes.

VOTE: PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grasseti, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

<p>2022-049 AUTHORIZATION TO EXPEND A COVID-19 RESPONSE FUNDING GRANT FOR MUNICIPAL SHELLFISH PROGRAMS AND INDUSTRY SUPPORT PROGRAM FOR FISCAL YEAR 2021-2022 FROM THE WOODS HOLE SEA GRANT AND MIT SEA GRANT IN THE AMOUNT OF \$10,000 INTRO: 11/18/2021</p>
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Derek Lawson, Director of Marine and Environmental Affairs gave the rationale.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a COVID-19 Response Funding Grant for Municipal Shellfish Programs and Industry Support Program for Fiscal Year 2021-2022 in the amount of **\$10,000** from the MIT Sea Grant and Woods Hole Sea Grant, in partnership with Cape Cod Cooperative Extension, as part of National Sea Grant funding programs, for the purpose of enhancing the Town's oyster propagation efforts for recreational shellfishing.

VOTE: PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grasseti, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

2022-050 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$8,490 FOR THE HEAVY DUTY TRUCK SCALE REPLACEMENT PROJECT AT THE SOLID WASTE DIVISION OF THE DEPARTMENT OF PUBLIC WORKS INTRO: 11/18/2021

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$8,490** be appropriated and added to the \$100,000 appropriated under Town Council Order 2020-125 for a revised appropriation amount of \$108,490 for the purpose of funding the Heavy Duty Truck Scale Replacement Project at the Solid Waste Division; and that \$8,490 be transferred from the Solid Waste Enterprise Fund reserves to fund this appropriation.

VOTE: Refer to Public Hearing 12/16/2021 - PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grasseti, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

2022-051 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 11/18/2021

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Infrastructure and Energy Committee:** Kathryn Hautanen, as a regular member to a term expiring 06/2024

VOTE: Refer to Public Hearing 12/16/2021 - PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grasseti, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

Jump to 2022-047

2022-047 SUSPENSION OF TOWN COUNCIL RULE 1 TO MOVE UP BY ONE MEETING DATE EACH OF THE RESPECTIVE TOWN COUNCIL MEETINGS AT WHICH PRESIDENT AND VICE PRESIDENT OF THE TOWN COUNCIL ARE NOMINATED AND ELECTED INTRO: 11/18/2021

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby suspend Rule 1 of the Town Council Rules to allow the organizational meeting of the Town Council at which nominations shall be made for President and Vice President of the Council to take place at this meeting and to allow the election of President and Vice President of the Council to take place at the Council's next regular meeting scheduled for December 2, 2021.

VOTE: PASSES Roll Call: 8 YES (Atsalis, Cullum, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Steinhilber) 5 NO (Bogan, Clark, Rapp Grasseti, Hebert, Starr)

Nominations:

Janet Murphy, Assistant Town Clerk read aloud, this evening we will accept nominations from the floor first for the office of the President of the Council, followed by the office of Vice president for the year 2022.

Rules for the evening are thus: In order for a name to be placed in nomination, I will need a motion to nominate and a second.

This evening we are merely creating a slate if nominees. Are there any questions?

Seeing none I now open the floor nominations for the office for President

1. David Bogan

2. Matt Levesque

Are there any more nominations for President? Hearing none – I declare the nominations for the President to be closed.

I now open the floor for nominations for the office of Vice President

1. Paula Schnepf

2. Jen Cullum

Are there anymore nominations for Vice-President/ Hearing none – I declare all nominations are closed. The elections will proceed at the Council's next meeting on December 2, 2021.

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED TO ADJOURN:

VOTE: PASSES 13 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Mendes, Levesque, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.

Adjourned at 10:35 PM

Respectfully submitted,

Assistant Town Clerk/Town of Barnstable

NEXT MEETING: December 2, 2021

Exhibits:

A Town Manager update