



Town Council Meeting
June 6, 2019



A quorum being duly present, President James Crocker, Jr. called the June 6, 2019, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

An announcement was made by President Crocker 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: Britt Beedenbender, James Crocker, Jr., Jennifer Cullum, Debra Dagwan (7:03 P.M.), Jessica Rapp Grassetti, Paul Hebert, Matthew Levesque, Paul Neary, Paula Schnepf, Eric Steinhilber (7:43 P.M.), James Tinsley, Jr., Philip Wallace **ABSENT:** John Flores

PUBLIC COMMENT: None

Close public comment

Council permitted taking out of order Martin J. Flynn Scholarship Recipients and the Presentation by the Joint Base Cape Cod:

- **Martin J Flynn Scholarship Recipients**

Town Manager Mark Ells introduced the Scholarship Committee members Jan Cliggott, Deb Hill, John Marsden, and Joyce Persuitte and presented scholarships to the following students:

Rachael Aalto
Drew Gauthier
Tatiana Jacobs
Samantha Pereira
Colby Phillips
Brian Simoes
Julia Wiseman

Students receiving scholarships but could not attend:

Adam Beal
Kate Rose Cazeault
Bridget Conway
Jordan Corbett
Julia Fone

- **Presentation by Joint Base Cape Cod**

Brigadier General Chris Faux – JBCC Executive Director
LTC Matt Porter – ARNG Camp Edwards Base Operations Manager
Col Ginger Gaglio – ANG 102IW Commander
Mr. Stephen Mellin – USAF 6SWS Facility Manager
CAPT Scott Langum – USCG ASCC Commanding Officer
CAPT Michael Hudson – USCG BCC Commanding Officer

Brigadier General Chris Faux discussed the Joint Base Cape Cod and introduced the following members of the Joint Bases Cape Cod: Lieutenant Colonel Matt Porter, Colonel Ginger Gaglio, Mr. Stephen Mellin, Captain Scott Langum, and Captain Michael Hudson. Lieutenant Colonel Matt Porter spoke about Camp Edwards which was a Level 3 training site. He added the base was also home to Army National Guard training site, Land Management Fire Preservation and Fire Mitigation, Grass Land Creation, Vernal Ponds, Deer and Turkey Hunts. Colonel Ginger Gaglio talked about the 1300 Airmen who called the Joint Base Cape Cod home. She added the 102D Intelligence Wing was there as well. She noted the great working relationship with the Town of Barnstable and the other Towns who utilize employees by contract and expertise sharing within military and the communities. Mr. Stephen Mellin explained the Cape Cod Air Station and that it is the only east coast early missile warning site. He added they also did space surveillance and supported the 2 turbines. Captain Scott Langum spoke about the Air Station Cape Cod and being the only air station on Cape Cod. He added they patrolled the area from Canada to New Jersey. Captain Michael Hudson talked about Base Cape Cod which is home to 3600 United States Coast Guard who manages the property as well as other duties.

Councilor questions and comments:

The Council members thanked all the service men and women who support Joint Base Cape Cod. How many military personnel live on base? [There are 215 housing units on base, with about 1/3 of the local coast guard living on base] There seems to be a great need for training venues which allow for training for the next ten years. [There is a police academy proposal with the hope to keep it as a long term Police Academy] [Four towns have received grants to look at waste water with Barnstable being the 5th town] [There is a letter of interest which has been given to the Air National Guard] [The truth is the wastewater and affluent plants need an upgrade]

6. TOWN MANAGER COMMUNICATIONS (EXHIBIT A)

- Budget Fiscal Year 2020
- Barnstable Fire Academy
- Fish and Wildlife potential site for water supply wells
- New Source Alternatives Evaluation Report
- Letter of Intent in response to the Statement of Needs issued by the Joint Base Cape Cod
- Cape Cod Area Wide Water Quality Management Plan Update
- Municipal Vulnerable Preparedness certification
- Barnstable and Yarmouth municipal teams selected by LOCUS and Smart Growth America.
- Oceanside Performing Arts Center

Councilor questions and comments:

Please explain LOCUS? Elizabeth Jenkins Director of Planning and Development explained Barnstable has been accepted and it allows investors to set-up money for funding with “tax incentives” It is Smart Growth America helping to improving lives by improving communities. What is the timing to install water wells testing? [To be determined – discussion with Joint Base Cape Cod going forward with 4 other municipalities to possibly operate a utility]

7. ACT ON MINUTES:

Upon a motion duly made and seconded it was voted to approve the minutes of the May 26, 2019

VOTE: PASSES 11 YES 1 ABSTAIN (STEINHILBER)}

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

- Car Show 25th Annual Father’s Day Event
- Cape Cod Technical High School - Dangers with Vaping and Substance Abuse Class
- Sunday – Tour de Barnstable – 38 mile bike ride
- Beach Clean-up June 23rd

Council permitted taking out of order Agenda Item # 2019-194

2019-194 ACCEPTANCE OF FISCAL YEAR 2019 SURVEY AND PLANNING GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS IN THE AMOUNT OF \$10,000 TO COMPLETE THE NEW MASSACHUSETTS HISTORICAL COMMISSION INVENTORY FORMS FOR HISTORIC PROPERTIES INTRO: 05/02/2019, 06/06/19

Elizabeth Jenkins Planning and Development Director gave the rationale.

Councilor questions and comments:

What an absolutely worthwhile project.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby accept the Survey and Planning Grant award in the amount of \$10,000 from Commonwealth of Massachusetts for the purpose of hiring a consultant to complete new Massachusetts Historical Commission Inventory Forms for historic properties in Barnstable as identified in the 2010 Historic Preservation Plan, and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

VOTE: PASSES UANANIMOUS

2019-199 RESOLUTION APPROVING AMENDMENTS TO EVERSOURCE EXISTING RIGHT OF WAY EASEMENTS INTRO: 05/16/19, 06/06/19

Charles McLaughlin Assistant Town Attorney gave the rationale. He discussed easement allowance which permitted opportunities for future mitigation to protect water. Theresa Feuersanger Attorney for Eversource gave an overview of the PowerPoint presentation.

Upon a motion duly made and seconded it was

ORDERED: That the town approve amendments to Eversource existing right of way easements by increasing the width of easements on Parcels shown on Assessors Map 36-001 more specifically shown as Parcels 71 and 72 on the Plan of Land entitled "Parcels 71 & 72 Width Issue" attached hereto and by amending the easement language for Parcels 92, 94, and 113 as shown on two plans of land entitled "Parcels 92 And 94" and "Parcel 113"

VOTE: PASSES 11 YES 1 NO (TINSLEY)

2019-201 ORDER TO GRANT ELECTRIC EASEMENT FOR BARNSTABLE HIGH SCHOOL FIELDS INTRO 05/16/19, 06/06/19

David Kanyock Barnstable School Facilities Manager gave the rationale. He felt this would improve the existing service and allow Eversource to place new cable.

Upon a motion duly made and seconded it was

ORDERED: That the town accept limited joint custody and convey to Eversource a non-exclusive easement for the transmission of electricity and associated infrastructure in the approximate locations, dimensions and directions on, over and under that portion of the Barnstable High School campus, 744 West Main Street, Hyannis, shown on a plan of the Barnstable High School Field of Dreams Phase I Electrical Site Plan Sheet E1-0 issue date 02.12.19 ("premises") subject to continued use of the premises during and return to sole school custody after infrastructure installation and operation not inconsistent with the rights of Eversource pursuant to the easement; and that the Town Manager is authorized to execute, deliver and record documents on behalf of the Town for the purposes set forth herein

VOTE: PASSES UNANIMOUS

2019-161 APPROPRIATION ORDER IN THE AMOUNT OF \$8,041,243 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 AIRPORT ENTERPRISE FUND BUDGET INTRO: 05/02/19, 05/16/19, 06/06/19
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Kate Servis Barnstable Airport Manager gave the rationale. She discussed the needed increases to the Airport Enterprise Fund which were due to increases in the operating costs and personnel costs and benefits costs.

Open public hearing seeing no one close public hearing

Councilor questions and comments:

Fee increases? [We had public meetings and there was no significant pushback regarding the increases]

Upon a motion duly made and seconded it was

ORDERED: That the sum **\$8,041,243** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Airport Enterprise Fund budget, and to meet such appropriation that **\$8,041,243** be raised from current year revenues by the Airport Enterprise Fund, as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

Council permitted taking out of order Agenda Items # 2019-196, #2019-197, and #2019-198

**2019-196 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$62,900
PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM
REGARDING SAMOSET ROAD IN BARNSTABLE INTRO: 05/16/18, 06/06/19**

Dan Santos Public Works Director gave the rationale. He explained the betterment assessment could be paid as either a lump sum or over 20 years. He stressed the private road would stay private as 63 percent of the residents supported this action. Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$62,900** be appropriated for the purpose of making temporary repairs to Samoset Road in the Village of Marstons Mills, Barnstable, MA, and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$62,900 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, that betterments may be assessed in accordance with M.G.L. c. 80, and further that the Town Manager is authorized to accept any grants or gifts in relation thereto.

VOTE: PASSES 12 YES

**2019-197 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$748,000.00
PURSUANT TO TEMPORARY REPAIRS TO CERTAIN PRIVATE WAYS PROGRAM
REGARDING GLENEAGLE DRIVE, CENTERVILLE, MA INTRO: 05/16/19, 06/06/19**

Dan Santos Public Works Director gave the rationale. He said 54 percent of the residents said yes to the cost of the improvements and the Town would not incur any cost. Open to public hearing

Rita Karath said although the road needed repairs she would have opposed the measure as she did not feel it was the best solution. She questions why the residents should pay for the improvements when she felt other roads had contributed to the issue.

Joseph Hennessey supported the project and urged Council to support it as well.

Richard Dinn was opposed to this project. He cited private road Patriot Way as being fixed by Town with no cost to its residents. He urged Council to start the process over again.

close public hearing

Dan Santos Public Works Director responded to residents' questions regarding how the process worked and explained the Town had worked with the neighborhood's representative for about a year. He added the mailings came back with a 54 percent residential approval rate to complete the repairs. .

Councilor questions and comments:

Please explain the Patriot Way project? [It was an emergency repair for safety] Is there any safety net to help residents finance the payment of the repairs? [Mark Milne Finance Director said the cost was spread out over 4 payments per year which would be added to the tax bill] [He noted the Assessing Department does offer hardship exemption and suggested checking with them] How were the residents contacted? [Mailings and the neighborhood representative seeking out people] What about the bid process? [We bid these projects out to get the best quality for the cost with a stipulation that the bid cannot exceed price which the Department makes utilizing a conservative estimate]

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$748,000.00** be appropriated for the purpose of making temporary repairs to Gleneagle Drive in Centerville, a private road within the Town of Barnstable, and that to meet this appropriation, that **\$53,148.00** be transferred from the remaining funds in Town Council order **2017-003**, and that the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$694,852.00** 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, and assess betterments in accordance with M.G.L. c. 80, and further that the Town Manager is authorized to accept any grants or gifts in relation thereto.

VOTE: PASSES 9 YES 3 NO (BEEDENBENDER, NEARY, TINSLEY)

**2019-198 APPROPRIATION ORDER IN THE AMOUNT OF \$38,840.00
COMMUNITY PRESERVATION FUNDS FOR THE BARNSTABLE CENTERVILLE
HISTORICAL MUSEUM ROOF REPLACEMENT AND TIN SHOP LOCATED AT 513
MAIN STREET, CENTERVILLE, MA INTRO: 05/16/19, 06/06/19**

Lindsey Counsell Community Preservation Committee Chair gave the rationale. He mentioned there were approximately 18,000 historical artifacts. He cautioned the need for the repairs due to the possibly of the artifacts being destroyed.

Open to public hearing seeing no one close public hearing

Councilor questions and comments:

Roof repairs are critical to keeping the entire artifacts safe and available to the public. Please make sure there is a maintenance plan to safe guard the building. Is there matching funds? [Yes already spent on projects approximately \$100,000 dollars] The price for admission is very fair \$4.00 per person.

Upon a motion duly made and seconded it was

ORDERED: That pursuant to the provisions of the Community Preservation Act, G.L. c 44B, the sum of Thirty-eight thousand eight hundred forty and NO/100 (**\$38,840.00**) Dollars be appropriated and transferred from the amount set aside in the Community Preservation Act Fund for Historic Preservation and that the Town Manager is authorized to expend the amount appropriated for replacement of the roof for the purpose of preserving the historic asset consisting of the Centerville Historical Museum, 513 Main

Street, Centerville subject to oversight by the Community Preservation Committee, to be bound by restrictions, easements or other security for public benefit.

VOTE: PASSES UNANIMOUS

2019-162 APPROPRIATION ORDER IN THE AMOUNT OF \$69,599,861 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 BARNSTABLE PUBLIC SCHOOLS BUDGET INTRO 05/02/19, 05/16/19, 06/06/19

Meg Mayo-Brown Superintendent of the Barnstable School System gave the rationale. She discussed program enhancements with a focus on the whole child. She added the school system needs to be considered a safe healing environment. Gareth Markwell Assistant Finance Director spoke about the budget. He noted the increases and decreases to the overall budget. Meg Mayo-Brown explained the needed funding to help identify struggling students and technology replacement. There is now a need regarding significant planning for virtual schooling.

Open public hearing seeing no one close public hearing

Councilor questions and comments:

This is the right way to educate students by including the family as the whole child education concept. Educators may not be ready to take on all complexities of the students it puts a lot of pressure on the teachers.

Upon a motion duly made and seconded it was

ORDERED: That the sum **\$69,599,861** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Barnstable Public Schools budget, and that to meet this appropriation that **\$68,999,861** be raised from current year revenues, and that **\$600,000** be transferred from the General Fund reserves, as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

2019-163 APPROPRIATION ORDER IN THE AMOUNT OF \$15,342,667 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 BARNSTABLE POLICE DEPARTMENT BUDGET INTRO: 05/02/19, 05/16/19, 06/06/19

Matthew Sonnabend Police Chief gave the rationale. He thanked Anne Spillane Support Services and all the men and women of the Police Department.

Upon a motion duly made and seconded it was go past 11 o'clock p.m.

VOTE: PASSES 1 NO (TINSLEY)

Open public hearing seeing no one close public hearing

Councilor questions and comments:

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$15,342,667** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Barnstable Police Department budget; and to meet such appropriation that **\$15,007,667** be raised from current year revenues, that **\$285,000** be transferred from the General Fund reserves, and that **\$50,000** be transferred from the Embarkation Fee Special Revenue Fund as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

Council permitted taking out of order Agenda Item # 2019-206

2019-206 TRANSFER ORDER IN THE AMOUNT OF \$72,000.00 FOR THE FISCAL YEAR 2019 POLICE DEPARTMENT SALARY BUDGET INTRO: 06/06/19

Matthew Sonnabend Police Chief gave the rationale.

Councilor Rapp Grassetti left the dais at approximately 11:06 p.m.

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$50,000.00** be transferred from the Fiscal Year 2019 Planning & Development Department Personnel Budget to the Fiscal Year 2019 Police Department Personnel Budget and that **\$22,000.00** be transferred from the Fiscal Year 2019 Administrative Services Department Personnel Budget to the Fiscal Year 2019 Police Department Personnel Budget for the purpose of funding extra police patrols in the Main/South/North St. areas for the remainder of the fiscal year

VOTE: PASES UNANIMOUS

Councilor Rapp Grassetti returned to the dais at approximately 11:07 p.m.

2019-169 APPROPRIATION ORDER IN THE AMOUNT OF \$1,238,947 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 MARINE & ENVIRONMENTAL AFFAIRS DEPARTMENT GENERAL FUND BUDGET INTRO 05/02/19, 05/16/19, 06/06/19

Dan Horn Harbor Master gave the rationale. He discussed the increase to the budget due to personnel, safety of people in vehicles and animal control issues.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$1,238,947** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Marine & Environmental Affairs Department General Fund budget, and to meet such appropriation, that **\$864,947** be raised from current year revenue, that **\$348,000** be transferred from the Waterways Special Revenue Fund, and that **\$26,000** be transferred from the General Fund reserves as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

2019-170 APPROPRIATION ORDER IN THE AMOUNT OF \$832,780 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 MARINA ENTERPRISE FUND BUDGET INTRO: 05/02/19, 05/16/19, 06/06/19

Dan Horn Harbor Master gave the rationale. He spoke about the 5.14 percent increase to the budget.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$832,780** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Marina Enterprise Fund budget; and to meet such appropriation that **\$707,700** be raised from Enterprise Fund revenues, and that **\$55,631** be transferred

from the Capital Trust Fund, that **\$30,000** be transferred from the Bismore Park Special Revenue Fund, and that **\$39,449** be transferred from the Marina Enterprise Fund reserves as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

2019-171 APPROPRIATION ORDER IN THE AMOUNT OF \$1,147,959 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 SANDY NECK PARK ENTERPRISE FUND BUDGET INTRO: 05/02/19, 05/16/19, 06/06/19

Dan Horn Harbor Master gave the rationale. He spoke about the 7.5 percent increase to the budget.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$1,147,959** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Sandy Neck Park Enterprise Fund budget; and to meet such appropriation that **\$1,108,555** be raised from Enterprise Fund revenues, and that **\$39,404** be transferred from the Sandy Neck Enterprise Fund reserves, as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

2019-172 APPROPRIATION ORDER IN THE AMOUNT OF \$165,398 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 LICENSING DEPARTMENT BUDGET INTRO: 05/02/19, 05/16/19, 06/06/19

Richard Scali Licensing Director gave the rationale.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$165,398** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Licensing Department budget, and to meet such appropriation, that **\$165,398** be raised from current year revenue, as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

2019-174 APPROPRIATION ORDER IN THE AMOUNT OF \$10,189,353 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 DEPARTMENT OF PUBLIC WORKS GENERAL FUND BUDGET INTRO: 05/02/19, 05/16/19, 06/06/19

Dan Santos Public Works Director gave the rationale. He spoke about the increase of 5.13 percent to the budget.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$10,189,353** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Department of Public Works General Fund budget, and to meet such appropriation, that **\$10,118,783** be raised from current year revenue, **\$45,570** be transferred from the Embarkation Fee Special Revenue Fund and **\$25,000** be transferred from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

2019-175 APPROPRIATION ORDER IN THE AMOUNT OF \$3,419,883 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 DEPARTMENT OF PUBLIC WORKS SOLID WASTE ENTERPRISE FUND BUDGET INTRO: 05/02/19, 05/16/19, 06/06/19

Dan Santos Public Works Director gave the rationale.
Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$3,419,883** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Department of Public Works Solid Waste Enterprise Fund budget, and to meet such appropriation that **\$3,129,500** be raised from the Enterprise Fund revenues, and that **\$290,383** be transferred from the Solid Waste Enterprise Fund reserves, as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

2019-176 APPROPRIATION ORDER IN THE AMOUNT OF \$4,816,380 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 DEPARTMENT OF PUBLIC WORKS WATER POLLUTION CONTROL ENTERPRISE FUND BUDGET INTRO: 05/02/19, 05/16/19, 06/06/19

Dan Santos Public Works Director gave the rationale.
Open public hearing and seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$4,816,380** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Department of Public Works Water Pollution Control Enterprise Fund budget, and to meet such appropriation that **\$4,816,380** be raised from the Enterprise Fund revenues, as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

2019-177 APPROPRIATION ORDER IN THE AMOUNT OF \$6,955,015 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2020 DEPARTMENT OF PUBLIC WORKS WATER SUPPLY ENTERPRISE FUND BUDGET INTRO: 05/02/19, 05/16/19, 06/06/19

Dan Santos Public Works Director gave the rationale. He discussed the Water Supply Enterprise Fund and the need to increase the budget by 9.46 percent.

Councilor Tinsley left the dais at approximately 11:53 p.m.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$6,955,015** be appropriated for the purpose of funding the Town's Fiscal Year 2020 Department of Public Works Water Supply Enterprise Fund budget, and to meet such appropriation that **\$6,565,015** be raised from the Enterprise Fund revenues, and that **\$390,000** be transferred from the Water Enterprise Fund reserves, as presented to the Town Council by the Town Manager

VOTE: PASSES UNANIMOUS

Council permitted taking out of order Agenda Items # 2019-204, #2019-205 and #2019-207

2019-204 TRANSFER ORDER IN THE AMOUNT OF \$75,000.00 FOR THE DISPOSAL OF RECYCLED MATERIALS AT THE SOLID WASTE TRANSFER STATION INTRO: 06/06/19

Dan Santos Public Works Director gave the rationale.
Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$75,000.00** be transferred from the Fiscal Year 2019 Solid Waste Enterprise Fund Personnel Budget to the Fiscal Year 2019 Solid Waste Enterprise Fund Operating Expense Budget for the purpose of funding the disposal costs of recycled material

VOTE: PASSES UNANIMOUS

2019-205 TRANSFER ORDER IN THE AMOUNT OF \$239,700.00 FOR THE PUBLIC WORKS DEPARTMENT OPERATING EXPENSES AND OPERATING CAPITAL BUDGETS INTRO: 06/06/19

Dan Santos Public Works Director gave the rationale.
Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$103,020.00** be transferred from the Fiscal Year 2019 Public Works Department Personnel Budget to the Fiscal Year 2019 Public Works Department Operating Expense Budget and that the sum of **\$136,680.00** be transferred from the Fiscal Year 2019 Public Works Department Personnel Budget to the Fiscal Year 2019 Public Works Department Capital Outlay Budget for the purpose of funding several year end purchases

VOTE: PASSES UNANIMOUS

2019-207 TRANSFER ORDER IN THE AMOUNT OF \$28,800.00 FOR THE FISCAL YEAR 2019 INSPECTIONAL SERVICES OPERATING EXPENSE BUDGET INTRO: 06/06/19

Brian Florence Building Director gave the rationale.

Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$28,800.00** be transferred from the Fiscal Year 2019 Inspectional Services Department Personnel Budget to the Fiscal Year 2019 Inspectional Services Operating Expense Budget for the purpose of funding the cost of upgrading the town's ViewPermit Permitting Software

VOTE: PASSES UNANIMOUS

Council permitted taking out of order Agenda Items # 2019-186 and # 2019-187

2019-186 APPROPRIATION ORDER FOR COMMUNITY PRESERVATION FUND ADMINISTRATION EXPENSES AND FISCAL YEAR 2020 PROGRAM SET-ASIDES INTRO: 05/02/19, 05/16/19, 06/06/19

Mark Milne Finance Director gave the rationale. He talked about the revenue for the Community Preservation Committee fund.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That, pursuant to the provisions of G. L. c. 44B § 6, for the Fiscal Year beginning July 1, 2019, the following sums of the annual revenues of the Community Preservation Fund be set aside for further appropriation and expenditure for the following purposes: **\$404,676** for open space and recreation; **\$404,676** for historic resources; **\$404,676** for community housing; **\$801,534** for a budget reserve, and that the sum of **\$200,000** be appropriated from the annual revenues of the Community Preservation Fund for the administrative expenses the Community Preservation Committee, to be expended under the direction of the Town Manager, or the Community Preservation Committee with the prior approval of the Town Manager

VOTE: PASSES UNANIMOUS

2019-187 APPROPRIATION ORDER \$1,921,467 FOR THE PURPOSE OF PAYING THE FISCAL YEAR 2020 COMMUNITY PRESERVATION FUND DEBT SERVICE REQUIREMENTS INTRO: 05/02/19, 05/16/19, 06/06/19

Mark Milne Finance Director gave the rationale.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby appropriate **\$1,921,467** for the purpose of paying the Fiscal Year 2020 Community Preservation Fund debt service requirements, and to meet such appropriation, that **\$1,831,198** be provided from current year revenues of the Community Preservation Fund and that **\$90,269** be provided from the reserve for the historic preservation program within the Community Preservation Fund

VOTE: PASSES UNANIMOUS

Council permitted taking out of order Agenda Item # 2019-203

2019-203 TRANSFER ORDER OF \$7,500 FOR THE FISCAL YEAR 2019 MARINE & ENVIRONMENTAL SERVICES DEPARTMENT OPERATING EXPENSE BUDGET INTRO: 06/06/19

Mark Milne Finance Director gave the rationale.

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$7,500.00** be transferred from the Fiscal Year 2019 Administrative Services Department Personnel Budget to the Fiscal Year 2019 Marine & Environmental Affairs Department Operating Expense Budget for the purpose of funding additional buoys and receivers for the monitoring of shark activity in town waterways

VOTE: PASSES UNANIMOUS

Upon a motion duly made by Councilor Steinhilber and seconded to move to continue Town Council Orders 2019-202, 2019-208 and 2019-210 through 2019-213, as written, to individual public hearings to be held on each order number on June 20, 2019 and to continue Town Council Order 2019-209 to a second reading on June 20, 2019.

VOTE: PASSES UNANIMOUS

2019-202 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$10,000.00 FOR THE FISCAL YEAR 2019 HYANNIS YOUTH & COMMUNITY CENTER ENTERPRISE FUND PERSONNEL BUDGET INTRO: 06/06/19

Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$10,000.00** be appropriated and transferred from the available funds within the Hyannis Youth and Community Center Enterprise Fund Reserves for the purpose of funding Fiscal Year 2019 personnel costs within the enterprise fund operation

VOTE: MOVE TO INDIVIDUAL PUBLIC HEARINGS TO BE HELD ON JUNE 20, 2019 PASSES UNANIMOUS

2019-208 AMEND CHAPTER 241 OF THE ADMINISTRATIVE CODE AND CHAPTER 401 OF THE ADMINISTRATIVE PROCEDURES TO EFFECTUATE AND CODIFY THE CONSOLIDATION OF THE TOWN TREASURER AND TOWN COLLECTOR POSITIONS INTRO: 06/06/19

Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby amends Chapter 241 of the Administrative Code and Chapter 401 of the Administrative Procedures as follows:

Section 1.

In Chapter 241, Administrative Code, Article II, Elective Organization, §241-2, Offices and Standards:

By striking the words "a Town Collector" in §241-2A.

By striking the first sentence in §241-2E(1), Filling Vacancies and substituting in place thereof the following:

"(1). Town Clerk: If a vacancy occurs in the office of Town Clerk either by failure to elect or otherwise, the Town Council shall, within 30 days following the date such vacancy is declared to exist, act to fill the vacancy."

Section 2.

In Chapter 241, Article II, Elective Organization, §241-6, The Barnstable Town Collector, by striking §241-6, in its entirety.

Section 3.

In Chapter 241, Article IV, Municipal Organization, §241-46, Offices and standards, by striking the first sentence of §241-46C (1), Coordination of department activities, and substituting in place thereof the following sentence:

"(1). The Town Manager, department directors, division managers, and the Town Clerk coordinate administrative and operational activities by meeting at least biweekly to discuss departmental activities, seeking coordination of activities to mitigate duplication of services where possible."

Section 4.

In Chapter 241, Article IV, Municipal Organization, Town Manager, §241-47.1D(1)(Department Heads:

By striking §241-47.1D(1)(m) “A Town Collector”

By adding “/Collector” to §241-47.1D(1) (d), so §241-47.1D(1)(d), now reads “A Town Treasurer/Collector”.

Section 5.

In Chapter 241, Article IV. Municipal Organization, §241-47.5, Administrative Services Department:

By striking paragraph §241-47.5C(2) in its entirety and substituting in place thereof the following:

“(2). Town Accountant and Town Treasurer/Collector appointment. The Town Manager appoints a Town Accountant, who shall also serve as the Finance Director. The Town Manager also appoints a Town Treasurer/Collector. The Town Accountant operates pursuant to MGL c. 41, § 55, for the purpose of maintaining financial records, supervising and controlling all expenditures of Town funds, supervising a consolidated financial administrative function in accordance with MGL c. 71, § 37M, and all related work as required by law. The Town Treasurer/Collector is responsible for receipt of, and disbursement of, all monies of the Town. The Town Treasurer/Collector has all of the other powers and duties which are given to Town Treasurers and Collectors by MGL c. 41, §§ 35 through 43A.”

In the first sentence of §241-47.5C(3)(a), by striking the phrase “insurance policies” and substituting in place thereof the phrase “financial records”.

By striking §241-47.5C(4), Authorities and responsibilities of Town Treasurer, and substituting in place thereof the following:

“4. Authorities and responsibilities of Town Treasurer/Collector.

a. The Town Treasurer/Collector receives and takes charge of all money and securities belonging to the Town. In accordance with the orders of the Town or its authorized officers, the Treasurer/Collector pays out and accounts for all disbursements on behalf of the Town. The Treasurer/Collector is responsible for annually rendering a true account of all receipts and disbursements.

b. The Town Treasurer/Collector establishes and maintains an efficient cash management system, which includes monthly, quarterly projections of cash flow and disbursements. The Treasurer/Collector maintains professional investment policies and practices, and, with the approval of the Town Manager, is authorized to borrow monies for those projects authorized for

funding by the Town Council. She/he is responsible for maintenance and operation of the Town's payroll system as well as the benefits management system, both coordinated with the Human Resources Department. The Town Treasurer/Collector pursues, with the assistance of the Town Attorney, all tax title processing.

- c. The Town Treasurer/Collector is responsible for the collection of all accounts due and payable to the Town. Town officials and Town agencies, from time to time, shall commit to the Town Treasurer/Collector for collection all accounts due and payable to the Town, listed against the parties obligated to assume and pay the same. The Town Treasurer/Collector shall pay over to the Fire and Water Districts all collections received for district taxes, liens and betterments with any sums received in interest. The Town Treasurer/Collector has all the powers and duties provided that office by the laws of the commonwealth, the Barnstable Town Charter, ordinance or other Town Council vote."

By striking the first sentence of §241-47.5C(5)(c) and substituting in place thereof the following:

"(c) Treasury/Collector function. The functions of the Treasury/Collector include investment policies, cash management, debt management and the collection of all real estate taxes and personal property taxes; including those of the Fire Districts, motor vehicle and boat excise taxes and Business Improvement District taxes."

By striking §241-47.5C(5)(g), Town Collector, in its entirety.

By adding in §241-47.5C(6)(a) directly after "Town Treasurer" each time it appears in said subparagraph "/Collector" so as amended it will read throughout said subparagraph "Town Treasurer/Collector."

By adding a new subparagraph §241-47.5C(6)(d) as follows:

"(d) Other Organizations. The Division interacts with the Fire Districts and Business Improvement District as it relates to the billing and collection of all taxes for these organizations."

Section 6.

Under Chapter 241, Article V, Administrative Policies and Procedures of Town Council, §241-51, Financial:

By striking under §241-51D(1)(d) the word "ten" and substituting in place thereof the word "five".

By adding the phrase "Town Treasurer/" before the word "Collector" in paragraph §241-51D(4)(e).

Section 7.

In Chapter 401, Administrative Procedures, Article VIII, §401-89E, Hiring Relatives, strike the first sentence and substitute in its place the following:

“E. Hiring of relatives. The appointing authority, including the Town Manager and Town Clerk shall not hire a person related to him/her for any position.”

Section 8.

In Chapter 401, Administrative Procedures, Article XII, §401-202A, CONTROL EMPLOYEES, strike “Town Collector”.

**VOTE: MOVE TO INDIVIDUAL PUBLIC HEARINGS TO BE HELD ON JUNE 20, 2019
PASSES UNANIMOUS**

**2019-210 ORDER TO RESCIND SECTION 184-12 UNDER ARTICLE II –
COLLECTION OF SEWER USE CHARGES INTRO: 06/06/19**

Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby rescinds Section 184-12 under the town's General Ordinances related to the proportionate share of sewer betterment costs assessments charges

**VOTE: MOVE TO INDIVIDUAL PUBLIC HEARINGS TO BE HELD ON JUNE 20, 2019
PASSES UNANIMOUS**

**2019-211 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,100,000
FOR THE BARNSTABLE HIGH SCHOOL SPORTS FIELDS UPGRADES INTRO:
06/06/19**

Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$1,100,000** be appropriated and added to the amount appropriated under Town Council Order **2018-064** for the purpose of funding the construction and installation of a full size multi-use synthetic turf field, rest rooms, concession stand, picnic area, dugouts with storage, lighting, and improved parking and sidewalks, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,100,000** in addition to the amount authorized under Town Council Order **2018-064**, 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; 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; that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes; and, further, that the Town Manager is authorized to accept any grants or gifts in relation thereto, and further ordered that **\$1,000,000** of borrowing authorized under Town Council Order **2019-095** on April 4th, 2019 for the Synthetic Turf Replacement Project, is hereby rescinded and that **\$100,000** of borrowing authorized under Town Council Order **2019-097** for the Barnstable High School Environmental Lab Project is hereby rescinded.

**VOTE: MOVE TO INDIVIDUAL PUBLIC HEARINGS TO BE HELD ON JUNE 20, 2019
PASSES UNANIMOUS**

**2019-212 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000
FOR THE CONSTRUCTION OF WATER INFRASTRUCTURE INTRO: 06/06/19**

Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$1,000,000.00** be appropriated for the purpose of funding the construction of water infrastructure along portions of Phinney's Lane, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,000,000.00**, 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; 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; that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes; and, further, that the Town Manager is authorized to accept any grants or gifts in relation thereto.

**VOTE: MOVE TO INDIVIDUAL PUBLIC HEARINGS TO BE HELD ON JUNE 20, 2019
PASSES UNANIMOUS**

**2019-213 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$8,500,000
FOR THE CONSTRUCTION OF SEWER INFRASTRUCTURE INTRO: 06/06/19**

Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$8,500,000.00** be appropriated for the purpose of funding the construction of sewer infrastructure along portions of Phinney's Lane, Wequaquet Lane, Strawberry Hill Road and Craigville Beach Road, 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 **\$8,500,000.00**, 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; 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; that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes; that betterments may be assessed in accordance with M.G.L. c. 80, or sewer assessments may be assessed in accordance with M.G.L. c. 83, and that the interest rate applied to any such betterment or sewer assessment shall equal the rate the Town incurs on the funds borrowed to finance the project, and, further, that the Town Manager is authorized to accept any grants or gifts in relation thereto.

**VOTE: MOVE TO INDIVIDUAL PUBLIC HEARINGS TO BE HELD ON JUNE 20, 2019
PASSES UNANIMOUS**

**2019-209 ORDER TO CREATE A STABILIZATION FUND FOR COMPREHENSIVE
WATER AND WASTEWATER MANAGEMENT INTRO: 06/06/2019**

Open to public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the Town Council vote to accept Paragraph 4 of Chapter 40, Section 5B of the General Laws and dedicate, without further appropriation, into a special purpose Water and Wastewater Stabilization Fund, created herein for the purpose of planning, designing, construction and other means for the comprehensive management of drinking water and wastewater, one hundred percent of the local option rooms excise tax that the Town receives on the transfer of occupancy from short-term rental properties, pursuant to its acceptance of General Laws Chapter 64G, Section 3A, as amended by Chapter 337 of the Acts of 2018; provided that said dedication shall take effect beginning in Fiscal Year 2020 which begins on July 1, 2019; and provided further that the Town may not revoke its acceptance of this Act for at least three fiscal years; or to take any other action relative thereto.

VOTE: CONTINUED TO SECOND READING ON JUNE 20, 2019 PASSES UNANIMOUS

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED TO ADJOURN:

Adjourned at 12:16 PM

Respectfully submitted,

Janet E. Murphy
Assistant Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: June 20, 2019

EXHIBITS:

A Town Manager's Update