



Town Council Meeting  
October 5, 2023



A quorum being duly present, President Matthew Levesque called the October 5, 2023, Town Council meeting to order at 7:04 PM.

An announcement was made by President Levesque 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 8 or High-Definition Channel 1072.

**PRESENT:** Nikolas Atsalis, Kristine Clark, Jennifer Cullum, Paul Cusack, Jessica Rapp Grassetti, Matthew Levesque, Betty Ludtke, Jeffrey Mendes, Paul Neary, Paula Schnepf, Tracy Shaughnessy, Eric Steinhilber. **ABSENT:** Gordon Starr

The Pledge of Allegiance was led by President Levesque followed by a moment of silence.

**PUBLIC COMMENT:**

Bob Schulte spoke about the certified petition regarding the open meeting of the town, expects the meeting to be held very soon. They will be accepting questions by email as well as by the attendees.

Hector Gunther spoke about the news regarding Avangrid and is heartened by two proposed resolutions on the agenda for tonight. He feels it gives the Town the opportunity to reopen negotiations, I am opposed to the landing on Dowses Beach. We have looked at the formula for the cash flow to the town per the agreement, is payable at the end of the agreement. If you look to reopen the agreement, they could afford to pay upfront.

Jeff Avery former resident, Cape Cod Learning Tours Company, asked the Council to consider allowing this group to use the halfway house on Sandy Neck. They would improve the building, open it on Saturdays, educating the public on how unique and amazing our ecology is, in hopes that the tourists will take care of the cape.

Susan Truitt is happy about the big public meeting, another important event the League of Women Voters Forum, don't do the big meeting on the 24<sup>th</sup> as the forum has already been scheduled. Cannot be on the forum if your race is contested and one candidate can't come. Enormously important to the public

**ZOOM:**

Roberta Mauch the 307 Main Street building would be better served as a cultural center or public library, something that serves the town. Making a huge mistake putting in a high-rise housing. She stated there are a lot of realtors involved in the Council, a very fine line of a conflict of interest, a better cross section of people involved in the town.

Greg Gerdy glad to see you want to rescind the Park City Wind host agreement, it does not have any money for funding.

In attendance:

Asia Graves will be here for work force housing at every meeting. We don't have workforce housing, and there is an immigration issue throughout the Cape, we need the project for walkable cities, let's get some housing built. She also stated her dismay of a written comment on social media by a Town Councilor.

Close Public Comment

**COUNCIL RESPONSE TO PUBLIC COMMENT:**

(Ludtke) Spoke to the conflict with local meeting and the League of Women Voters; great point with the agreements, that perhaps can be renegotiated; always opportunities to do waivers; has reached out to developer of 307 Main, suggested that they reach out to the community. This is a time to expand and look at things that could be done. (Schnepp) emphasized not to conflict with campaign forums, not sure if a Saturday is better. (Levesque) Lot of discussion about 307 Main Street, they have the right to go four stories and to have the parking; they are meeting with the Historic Main Street Waterfront District, this is not up to the Council currently, is the design historic or not? Will allow for different levels of affordability, this is not an aggressive move to overdevelop Hyannis, we need to move forward in Hyannis and not have blighted properties. (Cullum) is form-based code on our website, (Jenkins) Yes, under Planning and Development. (Mendes) we have a need for this, 50% of the people that work on the cape come from off the cape. We are paying people, but the workers are not spending their money on the cape. What we are doing now is not sustainable, we must do something. Is it perfect? No, but what we are doing now is just not sustainable.

Close response to public comment

**TOWN MANAGER'S COMMUNICATIONS: (Pre-Recorded)** (Levesque) The Town Manager's report has been prerecorded and the written form will be available to all on the Town Manager's page on the website. (Exhibit A)

Update on:

1. Budget Fiscal Year 2025 – update.
2. Local Comprehensive Planning Committee (LCPC) – update.
3. Massachusetts Department of Environmental Protection (MassDEP) approved revisions to Title 5 and Watershed permits on July 7, 2023.
4. There are no plans to modify land use or zoning in the villages of Osterville or Centerville.
5. The Barnstable Department of Public Works (DPW) met with Massachusetts Department of Environmental Protection (MassDEP) regarding effluent disposal related to the Comprehensive Wastewater Management Plan (CWMP).
6. The Barnstable DPW met with MassDEP to discuss the sources of Per-and polyfluoroalkyl substances (PFAS) contamination.
7. Open Space Committee is hosting their annual Fall Walking Weekend
8. There are three separate wind power projects ongoing in the Town of Barnstable. Each project is proceeding separately from the other.

**Councilor questions and comments:**

(Ludtke) For the Town Manager, on Item 5, want more information. what are we trying to achieve? (Ells) Treatment plant in Hyannis we have always tried to move to more stringent percentage, we are trying to make sure we are studying every opportunity, knowing that we live on top of our water supply. I think we are going to get national recognition for what we are trying to accomplish (Ludtke) will this impact our permit (Ells) it exceeds our permit, when we treat the water down to a level that it is cleaner than our drinking water (Ludtke) emerging

contaminants is that something we are discovering (Ells) public works is looking at all of it. The Environmental Protection Agency (EPA) has advisories of stuff we use every day. (Cusack) This could be used for many purposes; maybe you could tell us what those purposes might be (Ells) really do get into the discussion of potable and non-potable water use; that will be coming forward. (Cusack) Thank the Town Manager for the clarification that we are not changing the zoning in the villages in Centerville and Osterville; and spoke about the walkability event. (Clark) The Town does host and fund four hazardous collection days, unwanted medicines can be turned into the police department to keep the emerging contaminants from the water system (Schnepp) Do we have information on short term rental, regarding number 6, the fire academy and the Gateway Airport how much did we spend on the remediation and how much have we been reimbursed? What progress have we made with the Opioids funds? (Milne) we have met with a consultant to determine the best use of the funds; we have received two proposals, so far awaiting one more. (Schnepp) what is the time frame, (Milne) meetings during the winter coming forward late spring with suggestions to the Council (Schnepp) would like the process is accelerated, value community input, but want to make sure we get underway. (Atsalis) Encouraged the public to go to the source for accurate information, item number 8 summary of the three wind projects, can you give a verbal summary right now (Ells) Host community agreement is not a regulatory requirement it is for us to host a specific event; in this case the landing of cable; to identify what Barnstable would like to receive if the project would proceed. The Federal government awarded an area off Martha's Vineyard, we entered the process, with permitting at the federal and state level, positions us to ask for more than what the regulators would allow. With any substation that we have advanced technology, our host agreement goes above and beyond. Another major aspect of coordinating road construction projects with this proposal. One place, one time, restore the roadways, and streetscape again above and beyond. The first 16 million goes to water. (Atsalis) appreciate the clarification (Levesque) What is the town's stance with Commonwealth Wind, (Ells) we do not support the project going forward (Schnepp) Please explain what DEI stands for (Ells) Draft Environmental Impact (DEI) report; final EIR is Environmental Impact Report (Clark) Is the response to the DEI was the deadline extended, (Ells) Comment period is over.

#### **ACT ON PUBLIC SESSION MINUTES:**

Upon a motion duly made and seconded it was to accept the minutes of September 21, 2023, as presented.

**VOTE: PASSES 11 yes, 1 Abstention (Atsalis)**

#### **COMMUNICATIONS from elected officials, boards committees, and staff, commission reports, correspondence, and announcements**

(Clark) Fall Walking Weekend brochure is prominent on the website, many options to explore our open spaces and it is free (Schnepp) CFAC has completed it's 12-page report, available online and at your libraries; Local Comprehensive Committee looking for more people to be involved.

5-minute break: 8:15 PM - Mendes left the Dais

Jump to 2024-047

#### **2024-047 RESOLVE REVOKING THE AUTHORIZATION FOR THE TOWN MANAGER TO COMMENCE NEGOTIATIONS WITH COMMONWEALTH WIND FOR A NEW HOST**

**COMMUNITY AGREEMENT INTRO: 10/05/2023**

Karen Nober, Town Attorney gave the rationale.

#### **Councilor questions and comments**

(Rapp Grasseti) With this default and resolve to commence negotiations; (Nober) to revoke the

host community agreement (Rapp Grasseti) Commonwealth Wind had their sights on Dowses for public clarification; (Ludtke) What is a resolve to revoke (Nober) when the Council votes you vote an order or a resolve.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council does hereby revoke its authorization, as previously approved by the Town Council on November 3, 2022, in Town Council Item # 2023-054, for the Town Manager to commence negotiations with Commonwealth Wind LLC, a wholly owned subsidiary of Avangrid Renewables LLC, for a new Host Community Agreement (“HCA 3”), which authorization was based on Commonwealth Wind LLC securing a lease from the United States of America for submerged lands associated with the project, having in place a valid Power Purchase Agreement for the project, and demonstrating its project permitting.

**VOTE: PASSES UNANIMOUS**

<b>2024-048      RESOLVE POSTPONING THE GRANTING OF CERTAIN EASEMENTS TO PARK CITY WIND LLC INTRO: 10/05/2023.</b>
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Karen Nober, Town Attorney gave the rationale.

**Councilor questions and comments**

(Ludtke) If they ceased their power purchase agreement, why not just cancel the agreement (Nober) nothing in the agreement at this time, we do not know what Connecticut is going to do; we have a valid reason to put this on hold. (Ludtke) Postponing the granting, can't we rescind (Nober) again they are not in breach of the agreement, we are not conveying easements (Ludtke) Article 97 is not part of the other agreements? (Nober) for us to grant and easement that is part of Article 97, legislative authorization was obtain, we have the authority, but the state is not compelling us to do that (Ludtke) Can the state compel (Nober) it is possible but unlikely (Rapp Grasseti) Any kind of rescinding would that be in executive session (Nober) yes (Schnepp) do we have any idea when a decision will be made (Nober) Nothing yet (Levesque) thanked everyone for their input and the help of staff.

Upon a motion duly made and seconded it was

**WHEREAS**, pursuant to the Host Community Agreement dated May 6, 2022, between the Town and Park City Wind LLC (“HCA 2”) on June 2, 2022, the Town Council, in Town Council Item # 2022-192, approved the granting of an easement to Park City Wind LLC (“PCW”) in certain parcels of land, namely a portion of Craigville Beach known as Assessors’ Parcel 206-013 and a portion of 20 Main Street known as Assessors’ Parcel 228-138, and, in Town Council Item # 2022-193, approved the granting of an easement for utility purposes only to PCW extending from Craigville Beach to Shootflying Hill Road (together, the “Easements”), and authorized the Town Manager to execute and record any all instruments and documents in connection with the grant of the Easements;

**WHEREAS**, the Town’s support for HCA 2 was based, in part, on PCW securing a lease from the United States of America for submerged lands associated with the project, having in place a valid Power Purchase Agreement (“PPA”), and demonstrating its project permitting;

**WHEREAS**, the Town Manager has not yet taken any actions to effectuate the grant of the Easements by the Town;

**WHEREAS**, HCA 2 pertains to the construction of a wind generating facility in federal waters south of Martha’s Vineyard, referred to therein as Vineyard Connector 2, as more fully described

and referred to as Phase 1 of New England Wind in filings with the Commonwealth's Department of Public Utilities in DPU 20-56 and 20-57, and with the Energy Facilities Siting Board in EFSB 20-01; and

**WHEREAS**, PCW has now informed the Town that it has withdrawn from its PPA with State of Connecticut utilities; and

**WHEREAS**, no final decision has been issued by the EFSB in relation to the Vineyard Connector 2 project, including any decision regarding the final landfall and route(s) proposed by PCW.

**THEREFORE, BE IT RESOLVED:** That the Town Council hereby approves postponing the granting of the Easements and directs the Town Manager not to take any actions to grant the Easements prior to the issuance of the EFSB final decision regarding the Vineyard Connector 2 project and the date on which the appeal period for such decision expires.

**VOTE: PASSES UNANIMOUS**

<b>2024-020 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 09/21/2023, 10/05/2023</b>
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**Councilor questions and comments:**

(Ludtke) Concern is with the appointment to the Hyannis Main Street Waterfront Historic District Appeals Committee, not comfortable with someone that is on another committee. The committee should be independent (Atsalis) we have several committee members who serve on additional boards, he operates two businesses in Hyannis, we could end up removing people from other boards. (Ludtke) This is a unique appeals committee; we could bifurcate or not.

Upon a motion made and seconded it was to bifurcate this item removing Aaron Webb

**Vote: To Bifurcate-3 YES (Ludtke, Rapp Grasseti, Clark) 8 NO (Atsalis, Cullum, Cusack, Levesque, Neary, Schnepf, Shaughnessy, Steinhilber  
FAILS**

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: Comprehensive Financial Advisory Committee: James Sproul, as a regular member, to a term expiring 06/30/2026; Housing Committee: Asia Graves, as a regular member, to a term expiring 06/30/2026; Hyannis Main Street Waterfront Historic District Appeals Committee: Aaron Webb, as a regular member, to a term expiring 06/30/2024; Open Space Committee: Lev Malakhoff, as a regular member, to a term expiring 06/30/2024

**VOTE: PASSES 10 YES, 1 NO (Ludtke)**

<b>2024-038 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$52,993 FOR THE BARNSTABLE SCHOOL DEPARTMENT FISCAL YEAR 2024 OPERATING BUDGET FOR THE PURPOSE OF FUNDING A FULL-TIME ADMINISTRATIVE ASSISTANT POSITION FOR SPECIAL EDUCATION FINANCES AND MEDICAID INTRO: 09/21/2023, 10/05/2023</b>
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Sara Ahern, Superintendent of Barnstable Public Schools gave the rationale.  
Open public hearing seeing no one close public hearing.

**Councilor questions and comments:**

(Ludtke) take money from somewhere (Ahern) It would be balanced on Medicaid revenue, anticipated that this would be covered in the future (Ludtke) a onetime ask (Ahern) yes (Schnepp) what are the things that Medicaid will reimburse (Ahearn) Health services in school, speech language, occupational therapy, etc. Lots of data that must be tracked (Schnepp) the students need to be eligible or just the therapy (Ahern) just the therapy.

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of \$52,993 be raised from current year revenue and added to the Fiscal Year 2024 Barnstable School Department Operating Budget of \$82,761,867 appropriated under Town Council Order 2023-156, resulting in a revised Fiscal Year 2024 Operating Budget of \$82,814,860.

**VOTE: PASSES 11 YES**

**Roll Call: Atsalis, Clark, Cullum, Cusack, Rapp Grasseti, Levesque, Ludtke, Neary, Schnepp, Shaughnessy, Steinhilber**

**2024-039 RESOLVE THAT THE TOWN COUNCIL PETITION THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO FORMALLY DISCONTINUE A SECTION OF COUNTY HIGHWAY, NAMELY OLD STAGE ROAD, A PORTION OF PINE STREET AND A PORTION OF CHURCH STREET INTRO: 10/05/2023**

Charles McLaughlin, Senior Town Attorney gave the rationale.

**Councilor questions and comments**

(Atsalis) The town has maintained these roads for decades (McLaughlin) we have been taking care of these roads for years. (Ludtke) is this the same for all the other towns (McLaughlin) I believe so; (Ludtke) when was the last time the County did any maintenance (McLaughlin) perhaps the 40's.

Upon a motion duly made and seconded it was

**RESOLVED:** That pursuant to General Laws Chapter 82, Section 5, the Town Council petition the County Commissioners of Barnstable County to formally discontinue a section of County Highway, namely Old Stage Road, a portion of Pine Street and a portion of Church Street extending northerly from Main Street in Centerville Village to Meetinghouse Way (Route 149) in West Barnstable Village, as described in 1924 Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 409, Page 352, dated August 25, 1924, and as amended in Deed Book 410, Page 463, dated May 9, 1925, also shown on a Plan of Land recorded in said Registry Tube No. 7.

It is the intent thereby to render said sections of the County highway a Town way by operation of G.L. c. 82, § 5; and further, that said petition request that the discontinued sections of said County highway remain a public way, and that the Town Manager be authorized to execute and deliver any documents on behalf of the Town necessary to effectuate this resolve.

**VOTE: PASSES UNANIMOUS**

**2024-040 RESOLVE THAT THE TOWN COUNCIL PETITION THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO FORMALLY DISCONTINUE TWO SECTIONS OF COUNTY HIGHWAY, NAMELY THE ENTIRE LENGTH OF MAIN STREET AND NORTH MAIN STREET IN CENTERVILLE VILLAGE INTRO: 10/05/2023**

Charles McLaughlin, Senior Town Attorney gave the rationale.

**Councilor questions and comments**

(Ludtke) Why don't we just take all of them (McLaughlin) we have had that discussion, the town surveyor is working on the research, to co-ordinate with the sewer, our office will certify that we own them, we are trying to lump them together (Rapp Grasseti) Draft plan is on the website, we must do our research on all the roads.

Upon a motion duly made and seconded it was

**RESOLVED:** That pursuant to General Laws Chapter 82, Section 5, the Town Council petition the County Commissioners of Barnstable County to formally discontinue two sections of County Highway, these two sections consisting of the entire length of Main Street and North Main Street in Centerville Village which, combined, extend from South Main Street to Pine Street, as described in two (2) Orders of Taking by the Barnstable County Commissioners, as follows:

The first section is a 1931 Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 480, Page 125, dated February 20, 1931, also shown on a Plan of Land recorded in said Registry in Plan Book 43, Page 31.

The second section is a 1953 Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 840, Page 80, dated April 24, 1953, also shown on a Plan of Land recorded in said Registry in Plan Book 109, Pages 107, 109 and 111.

It is the intent thereby to render said sections of the County highway a Town way by operation of G.L. c. 82, § 5; and further, that said petition request that the discontinued sections of said County highway remain a public way, and that the Town Manager be authorized to execute and deliver any documents on behalf of the Town necessary to effectuate this resolve.

**VOTE: PASSES UNANIMOUS**

**2024-041 RESOLVE THAT THE TOWN COUNCIL PETITION THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO FORMALLY DISCONTINUE THREE SECTIONS OF COUNTY HIGHWAY, NAMELY A PORTION OF PHINNEY'S LANE IN CENTERVILLE VILLAGE INTRO: 10/05/2023.**

Charles McLaughlin, Senior Town Attorney gave the rationale.

Upon a motion duly made and seconded it was

**RESOLVED:** That pursuant to General Laws Chapter 82, Section 5, the Town Council petition the County Commissioners of Barnstable County to formally discontinue three sections of County Highway, these three sections consisting of a portion of Phinney's Lane in Centerville Village, which, combined, extend from Falmouth Road (Route 28) to North Main Street as described in three (3) Orders of Taking by the Barnstable County Commissioners, as follows:

The first section is a 1930 Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 479, Page 284, dated December 19, 1930, also shown on a Plan of Land recorded in said Registry in Tube No. 5.

The second section is a 1932 Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 493, Page 117, dated December 31, 1932, also shown on a Plan of Land recorded in said Registry in Plan Book 47 Page 45.

The third section is a 1912 Barnstable County Taking as described in the Commissioners' Taking No. 642 of Phinney's Lane, North Main Street and Mother's Park Road in Barnstable

described in the Written Taking Books at Volume 9, Page 81.

It is the intent thereby to render said sections of the County highway a Town way by operation of G.L. c. 82, § 5; and further, that said petition request that the discontinued sections of said County highway remain a public way, and that the Town Manager be authorized to execute and deliver any documents on behalf of the Town necessary to effectuate this resolve.

**VOTE: PASSES UNANIMOUS**

**2024-042 RESOLVE THAT THE TOWN COUNCIL PETITION THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO FORMALLY DISCONTINUE TWO SECTIONS OF COUNTY HIGHWAY, NAMELY THE ENTIRE LENGTH OF OLD POST ROAD IN CENTERVILLE VILLAGE INTRO: 10/05/2023.**

Charles McLaughlin, Senior Town Attorney gave the rationale.

**Councilor questions and comments**

(Rapp Grassetti) Is this the Old Post Road that has speed bumps in it (McLaughlin) Yes, (Rapp Grassetti) has the town put the speed bumps in are they going to maintain the speed bumps (Ells) County roads have been treated as town public roads for decades, not sure when those speed bumps were added, but we are not changing our policy.

Upon a motion duly made and seconded it was

**RESOLVED:** That pursuant to General Laws Chapter 82, Section 5, the Town Council petition the County Commissioners of Barnstable County to formally discontinue two sections of County Highway, these two sections consisting of the entire length of Old Post Road in Centerville Village, which, combined, extend from Phinney's Lane to Old Stage Road as described in two (2) Orders of Taking by the Barnstable County Commissioners, as follows:

The first section is a 1916 Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 347, Page 546, dated September 19, 1916, also shown on a Plan of Land recorded in said Registry in Plan Book 4, Page 105.

The second section is a 1972 Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 1658, Page 286, dated May 30, 1972, also shown on a Plan of Land recorded in said Registry in Plan Book 257, Page 75.

It is the intent thereby to render said sections of the County highway a Town way by operation of G.L. c. 82, § 5; and further, that said petition request that the discontinued sections of said County highway remain a public way, and that the Town Manager be authorized to execute and deliver any documents on behalf of the Town necessary to effectuate this resolve.

**VOTE: PASSES UNANIMOUS**

**2024-043 ACCEPTANCE OF A GRANT OF A PERPETUAL EASEMENT PROVIDING FOR PUBLIC ACCESS RIGHTS TO A PORTION OF DEAD NECK, OSTERVILLE INTRO: 10/05/2023**

Charles McLaughlin, Senior Town Attorney gave the rationale.

**Councilor questions and comments**

(Cusack) any clarification on actual usage would be important (McLaughlin) we are expecting to negotiate the management cost incurred by Audubon and Three Bays is contributing sums; we can provide more information later (Cusack) the scope of work; is it a navigable channel, or



hazards for navigation or all of the above (McLaughlin) all of the above, needs this nourishment as soon as possible. (Rapp Grasseti) Make sure you don't have to be a member of Audubon to step foot on the island; like to see this nourishment on our own beaches, (McLaughlin) DPW will be bringing up other areas that need nourishment, one year lease to start.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council hereby authorizes the Town Manager to accept, on behalf of the Town, the grant of a perpetual easement providing for public access rights to a portion of Dead Neck, Osterville, as shown on a plan of land entitled, "Town of Barnstable, 367 Main Street, Barnstable, MA 02601, Dead Neck Nourishment Site Plan, Limit of Proposed Nourishment at Dead Neck, June 2023, Foth" on file with the Barnstable Department of Public Works and the Office of Town Council, subject to final review and approval by the Town Attorney. The Town Manager is authorized to negotiate, accept, sign, and deliver all documents necessary to effectuate this resolve and complete this transaction.

**VOTE: PASSES UNANIMOUS**

**2024-044 TRANSFER ORDER IN THE AMOUNT OF \$49,000 FROM THE COMMUNITY SERVICES DEPARTMENT FISCAL YEAR 2024 PERSONNEL BUDGET TO THE FISCAL YEAR 2024 COMMUNITY SERVICES DEPARTMENT OPERATING EXPENSE BUDGET FOR THE PURPOSE OF FUNDING A SECURITY SERVICES CONTRACT FOR TOWN BEACHES INTRO: 10/05/2023**

Chris Gonnella, Director of Community Services gave the rationale.

#### **Councilor questions and comments**

(Atsalis) have you chosen the company yet, (Gonnella) bids closed today (Atsalis) problems that we have had at the beaches, appreciate the work put in by the town staff, I would be in favor of this (Cullum) the biggest win is something to prevent illegal activity on the beaches, thankful this is happening (Schnepp) could you tell us what times you may be implementing (Gonnella) 9 PM close and open at 5 AM daily (Schnepp) no other services (Gonnella) Just what the DPW does today (Rapp Grasseti) look at the beaches that aren't locked up, whatever we can do to secure the beaches (Ludtke) What is the duration of the contract (Gonnella) 223 days (Ludtke) then the DPW would take over (Gonnella) this is a pilot program.

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Council does hereby authorize the Town Manager to transfer **\$49,000** from the Fiscal Year 2024 Community Services Department General Fund Personnel Budget to the Fiscal Year 2024 Community Services Department General Fund Operating Expense Budget for the purpose of funding the cost of securing and opening specific beaches during the off season.

**VOTE: PASSES UNANIMOUS**

**2024-045 APPROPRIATION ORDER IN THE AMOUNT OF \$9,800 FOR THE REDESIGN OF THE HYANNIS YOUTH AND COMMUNITY CENTER WEBSITE INTRO: 10/05/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$9,800** be appropriated and provided from the Hyannis Youth and Community Center Enterprise Fund Reserves for the purpose of funding the cost of redesigning the operation's website, and that the Town Manager is authorized to contract for and expend this appropriation for this purpose.

**VOTE: TO A PUBLIC HEARING ON 10-19-2023-UNANIMOUS**

**2024-046      APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$3,500,000  
FOR FROM THE GENERAL FUND RESERVES TO THE CAPITAL TRUST FUND INTRO:  
10/05/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$3,500,000** be appropriated from the General Fund reserves and transferred to the Capital Trust Fund for the purpose of replenishing funds in the Capital Trust Fund that were used to fund the school portables project under Town Council Order 2023-200.

**VOTE: TO A PUBLIC HEARING ON 10-19-2023-UNANIMOUS**

**VOTED TO ADJOURN:**

**VOTE: PASSES UNANIMOUS**

**Adjourned at 9:32 PM**

Respectfully submitted,

Ann M. Quirk  
Town Clerk

**NEXT MEETING: October 19, 2023**

Exhibits

A      Town Manager's update