



Town Council Meeting
December 7, 2023



A quorum being duly present, President Matthew Levesque called the December 7, 2023, Town Council meeting to order at 7:02 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: Charles Bloom, Seth Burdick, Kristine Clark, John Crow, Matthew Levesque, Betty Ludtke, Jeffrey Mendes, Paul Neary, Felicia Penn, Paula Schnepf, Gordon Starr, Craig Tamash, Kristin Terkelsen

The Pledge of Allegiance was led by President Levesque followed by a moment of silence for Councilor Paul Neary's father-in-law Robert Bancroft and all who have lost loved ones during this holiday season. President Levesque offered Happy Hanukkah wishes.

PUBLIC COMMENT:

In-person:

Susanne Conley invited the Councilors to an afternoon conference at the Hyannis Conference Center, for those who oppose wind power. The "Close to the Wind" summit facing the impact of developer transmission plans, please spend the afternoon with us.

Hector Guenther spoke about the Meals on Wheels program which has a need for drivers and gave the name and number to call if interested. Congratulations on the election, he is here to advocate in favor of increasing the residential exemption. The increase is long overdue for a higher percentage of exemption, which will benefit many residents.

Joanne O'Connor spoke about the crisis we face with the transmission lines coming through our beaches. We are doing everything we can to protect our sole source aquifer.

Chuck Tuttle congratulated the new Councilors and asked Councilors to be as welcoming to the taxpayers who speak at public comment, do not belittle residents. We are all in favor of clean energy, it is dangerous and unnecessary to land transmission cables on our beaches. You have the power to stop high voltage cables through our protected areas. Just say no to more easements, and no to more Article 97 waivers.

Asia Graves keep housing as a priority. Heard from members of our community "those who can't afford to live here should go elsewhere." Far too many are driving from off the cape to work here. We need a playground or park for the people who live on the development at Independence Drive, there is no transportation after 5 pm on that road, people are trapped in their homes. Businesses need year round help.

Bob Jones concerned about the vote for the Steamship Authority, said basically Island voters

have a substantial vote to make sure that the islands are not overpowered by the mainland. This adds an additional vote which would dilute the Island vote. We don't think about the votes, can't see a reason why the Council would not vote for this.

Meaghan Mort as a council you will soon be electing your leadership, you should have a thorough knowledge of that position. I sent an email to the Councilors and received a follow up phone call. The call was from a Councilor who accused me of assault. It was an insult, this does a disservice to your constituents, use your words carefully. Give your constituents time to debate over who should be Town Council President.

Roberta Mauch read a letter that she wrote to Donna Sharkey, the Environmental Facilities Siting Board (EFSB) needs to take a pause and slow down and reconsider the enormous burden the transmission lines will cause and the negative impacts. We need your help.

Hilda Hay for Barnstable Housing Committee spoke about the housing crisis. We are going to be in healthcare crisis, some people wait many hours to see a doctor, we have many workers who have moved to different states, due to the cost to live here. The housing at 307 Main Street would help alleviate the housing crisis, take this into consideration.

Cliff Carroll spoke about letters the Councilors received from the Centerville, Osterville, Marstons Mills (COMM) Water Commission ask for protection of the well zones, the motel site on Shootflying Hill Road sits on top of the aquifer, encourage the board to pursue that appeal to get the Town of Barnstable intervener status. Sole source aquifer, that contributes to our water supply is supposed to be enforced by the Massachusetts Department of Environmental Protection (MassDEP) to protect public wellfields.

Rob Brennan was confident the leadership of the Council were mindful of the book "Profiles in Courage" by John F. Kennedy. Leaders who are exercising their individual judgment, doing what is right. Focus on doing what is right for the future of Cape Cod. Remain mindful of that book and the focus of this Council should be planning for 2056. I have confidence in the current leadership of this current Council and will continue to look forward to working with the Council.

Zoom:

Beth Wade commented about the proposed sale of land on Route 149 Marstons Mills, it is very positive use of the property, habitat build homes will provide two families to own their own homes.

Greg Gerty, we thank you for your service, what has the town done regarding the Park City Wind?

Ellen Nosal the issue on the Park City Wind tentative decision requires many zoning ordinances. Does the town plan to participate in the Monday meeting? Does the town plan to accept the decision?

Jennifer Mercanti is trying to come back to the Cape, it is a challenge right now. Times are changing around us; this is a housing crisis. There are ways to build to keep the quaintness. I think it is time for action but not for changing the guard of the Town Council. Stay the course.

COUNCIL RESPONSE TO PUBLIC COMMENT:

(Schnepp) good blend of issues which are very important to our community, I am committed to making things happen. (Ludtke) Appreciate the community members that moved forward the

issues on Wind farms, which is a big part of our Town Managers report. An important lesson for all of us is to listen to our residents. Moran's bill is all about equity in voting and equity in decisions is important. Economy and housing go hand in hand, difficult task. (Clark) Plug for Meals on Wheels are looking for drivers, thank you for the volunteer service. (Crow) Thanked the ongoing effort regarding the Wind Farm issue, it is good information to the public, and important to continue. Many people are open minded about housing, there is an urgency, and we should move forward. The tax levy discussion to make it more affordable. (Terkelsen) how people feel when they come before this Council, and within this Council. If we have issues, it should not be toward the people but towards the process. I would like us to be open minded, put down our swords and work together. (Levesque) appreciated everyone for participating, and all the information you presented. We will do our very best to represent Barnstable.
Close public comment

TOWN MANAGER'S COMMUNICATIONS: (Pre-Recorded) (Levesque)

The Town Manager's report has been pre-recorded and is available to Town Council and the public. The report will be prepared in written form and posted on the Town Manager's website as in the past. The Town Manager and staff will be available to answer any questions regarding the report as presented. The Town Managers communication for the period of November 15 through December 6, 2023, included an update on:

1. Update on Budget Action Calendar
2. Notice of upcoming Town Council meeting regarding setting the tax rate
3. Updated on public comment period closing relative to proposed Dog Control Regulation
4. Update on Eversource hearing on November 14, 2023, regarding the Mid Cape Reliability Project
5. Response prepared by Barnstable Legal Department to a question regarding the Energy Facilities Siting Boards (EFSB) and Barnstable intervenor status on the Park City Wind (PCW) project.
6. Update on use of opioid litigation funds
7. Announcement by the Department of Public Works regarding construction commencing on December 8 on West Main Street from Route 28 to Strawberry Hill Road.
8. Announcement that the Town of Barnstable has been awarded 'Community of the Year' by the Massachusetts Chapter of the American Planning Association
9. Update from Elizabeth Jenkins, Director of Planning & Development, will provide an update on Local Comprehensive Plan

Councilor questions and comments:

(Crow) Intervening means preserving the town's rights to protect the community. The Town did not preserve its rights until a few weeks ago, it was a mistake, can we have a host agreement and preserve the rights of the public at the same time. The town should intervene in all cases before the EFSB. On Commonwealth Wind (CW) the town will intervene, as soon as feasible. CW filed over a year ago. What would make it feasible now? Protect our communities' rights (Schnepp) Public outreach regarding Opioid litigation funds, happy to see the process, please keep us updated on the next steps (Ludtke) dog regulations on the beaches, lot of things going on the beaches, have we factored in time as a component. I walk my dog on the beach at 5 AM, could we allow dog walkers out there between 5 AM to 8 AM. (Ells) Regarding the Wind Farm, take them under review and report back to you at the next meeting. We are commenting on Monday at the EFSB meeting. Mark Milne is coordinating the Opioid process, to allow us to appropriately distribute the funds. Several of our beach restrictions are a result of what we are being required to do under the rare and endangered species. Take all the comments under review and try to keep as many beaches open as possible. Notice about the detour on West

Main, will not occur until after the holiday (Clark) Is it possible to share with the public the message we received from the legal department with clarification on the EFSB? Could it be available for the public on the website? (LaRossa) is it available for the public to see on the website EFSB 232 page tentative decision, that the project met the need; would grant zoning exemptions, which would allow the project to go forward. Concerns of noise – will follow up with noise modeling in their permitting. Comments to the EFSB, asked for electromagnetic fields, that there would be actual testing annually, to confirm. Preference is for a non PFAS foam. (Levesque) congratulations to the Planning Department for the Community of the Year award.

ACT ON PUBLIC SESSION MINUTES:

Upon a motion duly made and seconded it was to accept the minutes of November 16, 2023, as presented.

VOTE: PASSES 12 YES, 1 Abstention (Mendes)

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

(Ludtke) Today is Pearl Harbor Day. (Penn) Planning and Development Department is working on a Master Hyannis Harbor Plan meeting on Wednesday, 12/14. (Tamash) Christmas Strolls are not over yet, Centerville's is on Sunday (Schnepp) Tomorrow morning breakfast at 7:30 Cape & Islands Municipal Leaders and on Monday Barnstable County Human Rights breakfast. (Neary) Sole source aquifer, Silent Springs tested many of our wells, if you have had it done, you may have some results, check your email (Levesque) successful strolls in Barnstable Village and the Hyannis Stroll and boat parade, congratulations to all.

Break: Returned 8:47 PM

2024-067 ALLOCATION OF TAX LEVY FY 24 – RESIDENTIAL EXEMPTION INTRO: 11/16/2023, 12/07/2023

Director of Finance, Mark Milne, gave the rationale.

Open public hearing seeing no one and no one on zoom close public hearing.

Councilor questions and comments:

(Starr) The exemption worth 1, 116 dollars? (Milne) Yes (Starr) so this would lower the tax rate for the occupant/owner and raise it for rental (Milne) rental property does not qualify. (Starr) So if you rent the tax rate will go up (Milne) Yes (Clark) could we make exceptions for properties that are rented year round (Milne) as in Provincetown, special legislation would have to be done to have this enacted. (Clark) how soon could this happen, (Milne) we could have it in place for the following tax year (Mendes) do you have the number of homes that are not owner occupied (Milne) about 56-44% (Mendes) 56% would get a bump (Milne) Yes (Ludtke) the tenants are paying the taxes or the owner (Milne) the owners, not a business property, (Ludtke) look at that for the smaller residential properties, single family or duplexes (Penn) Support the Provincetown model, to incentivize year round rentals. Long term concern big concern is the almost 90%, we are going to be assuming a long term risk, something to consider. (Tamash) raising the percentage, if we push it to 25% that would still allow for sewer bonding costs (Milne) half a billion dollars for sewer costs over the years we will be looking for a debt override. (Tamash) 25 % per parcel there is more flexibility for the future. (Schnepp) variables for someone's real estate tax (Milne) Waterfront property has gone up much more than residential properties. (Schnepp) Water and fire districts can significantly raise the taxes (Terkelsen) We don't know when we will need the override, I would be inclined to give the relief now, just seems crazy to me to be withholding the money. (Milne) That is a decision you could make this evening.

(Crow) big difference in the amount of qualifying properties, go back to the apartment complexes, year round residents, whether they are in small or large rental units, (Starr) where can we send this to take this further, and come back to us (Milne) maybe some working group of Councilors and Comprehensive Financial Advisory Committee (CFAC) members to give us a workshop (Levesque) our tax levy stays the same, we are taking 20% of that levy and giving it to them, so we are going to make it more unequal. If we give that tax break to the landlords, are they going to put it in their pockets? Just take this into consideration (Schnepp) a little more complicated, Barnstable has been a leader in this program, changing it without some analysis, I am not ready to vote for more than 20% tonight, but I am open to persuasion. (Neary) just a quick comment, when we enact things like this, looked over the gradual increase, cost marches on each year in terms of our budget. There will always be 2 ½ percent, hate taxes going up, but it has been moderate year after year. (Terkelsen) so the qualifying property, if we go to 30% it would increase the saving to about 425 dollars, nonresidents would be less than 200 dollars. I understand the impact, but we are also giving something to the residents. (Neary) Renters are residents, they don't own the property, but it can impact the residents (Starr) at some point we are going to ask for a tax override, and if we don't get it, we will have to cut our budget to the bones. (Levesque) we can accept it the way it is, and then with the new leadership, have a workshop to change it for next year, or vote to amend now. (Clark) when is the deadline for the billing by December 14th, so we won't be able to issue the bills by the end of December.

Upon a motion duly made and seconded it was to change to 30 % in place of 20%.

Discussion:

(Tamash) is 30% too much, if we go to 25% this year would give us more flexibility and can go up to 30% (Clark) would support 25%, (Bloom) go to 25% (Nober), a motion is on the floor, you need to rescind the first motion or amend the motion.

(Nober) a motion to amend is on the floor, you can amend that amendment once. Once it is voted you cannot amend it. You can vote to amend the amendment. A yes vote would be to amend the 30% to 25%

A motion was duly made and seconded to amend the amendment to 25%

VOTE: PASSES 12, 1 NO (Starr)

To approve this item as amended the at 25 %

VOTE: PASSES 12, 1 NO (Starr)

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby votes to adopt a Residential Exemption of twenty percent (25%) for Fiscal Year 2024.

VOTE: As AMENDED PASSES 12 YES, 1 NO (Starr)

2024-068 ALLOCATION OF TAX LEVY FISCAL YEAR 2024 – TAX FACTOR INTRO: 11/16/2023, 12/07/2023

Finance Director, Mark Milne gave the rationale,
Open public hearing seeing no one and no one on zoom close the public hearing.

Councilor questions and comments:

(Tamash) with a 90% residential base it doesn't seem like we should not change this.

With input from Legal, we went back to approve the amendment of the previous item: **2024-067**
VOTE: AS AMENDED PASSES 12 YES, 1 NO (Starr)

Continuing with 2024-068

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 2024.

VOTE: PASSES UNANIMOUS

2024-074 RESOLVE AUTHORIZING THE TOWN TO CONVEY PROPERTY AT 259 BARNSTABLE ROAD, HYANNIS TO RONALD BOURGEOIS INTRO: 12/07/2023.

Director of Asset Management, David Anthony gave the rationale.

WHEREAS, on July 20, 2023, by Town Council Item 2024-006, the Town Council authorized the Town to dispose of the surplus property at 259 Barnstable Road, as shown on Assessors Map 310, Parcel 171, to Bass River Properties Management Corp., Inc. for the highest bid received of \$220,000; and

WHEREAS, Ronald Bourgeois, President of Bass River Properties Management Corp., Inc. seeks to have the property conveyed to him individually, instead of to the corporation, for the bid price of \$220,000;

THEREFORE, BE IT RESOLVED: That the Town Council hereby authorizes the Town to dispose of the property at 259 Barnstable Road to Ronald Bourgeois, individually, instead of to Bass River Properties Management Corp., Inc., and as otherwise authorized by Item 2024-006, and further authorizes the Town Manager to execute, deliver and record any documents necessary to effectuate this Resolve.

VOTE: PASSES UNANIMOUS

2024-075 APPROPRIATION ORDER IN THE AMOUNT OF \$905,000 IN COMMUNITY PRESERVATION FUNDS FOR THE PURPOSE OF ACQUIRING A CONSERVATION RESTRICTION ON 5.5 ACRES OF OPEN SPACE AT 150 WHEELER ROAD, MARSTONS MILLS, BARNSTABLE; AND AUTHORIZATION TO EXPEND A FISCAL YEAR 2024 LOCAL ACQUISITIONS FOR NATURAL DIVERSITY (LAND) GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS IN THE AMOUNT OF \$488,700 TO DEFRAY THE COST OF SAID CONSERVATION RESTRICTION INTRO: 12/07/2023.

President Levesque recused himself from this item and left the dais.

With no Vice President we refer to the Town Council rules, which allows Precinct 1, Gordon Starr to take the gavel.

ORDERED: That pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the amount of Nine Hundred and Five Thousand Dollars (**\$905,000**) be appropriated from the Undesignated Fund within the Community Preservation Fund for the purpose of the Town acquiring a Conservation Restriction (CR) on 5.5± acres of land located at 150 Wheeler Road, Barnstable, shown as a portion of Assessors Map 103, Parcel 109/002, and as also shown on a sketch plan of land titled "*Concept ANR Plan of Land Located at 150 & 178 Wheeler Rd, Martons Mills, MA*", prepared for Barnstable Land Trust, dated 7/24/2023, by Down Cape Engineering, Inc., for conservation and passive outdoor recreation purposes, pursuant to G.L. c. 184, sections 31-32 and G.L. c. 40, section 8C, and subject to Article 97 of the Amendments to

the Massachusetts Constitution, said restriction to be granted to the Town of Barnstable as primary grantee and The Compact of Cape Cod Conservation Trusts, Inc. as the secondary grantee. The Town Manager is hereby authorized to expend the amount appropriated on behalf of the Town for the acquisition of the CR. Pursuant to G.L. c. 184, section 32, the Town Council hereby approves the CR, authorizes the Town Manager to negotiate the terms of the final CR, and authorizes the Town Council President to sign the Conservation Restriction on the Town Council's behalf.

It is further ordered that the Town Manager is authorized to contract for and expend any funds that may be provided by the Commonwealth or other public or private sources to defray all or a portion of the costs of said acquisition, including, but not limited to, grants and/or reimbursement to the Community Preservation Fund from the Commonwealth under the Local Acquisitions for Natural Diversity (LAND) program (formerly known as the Self-Help program), pursuant to G.L. c. 132A, Section 11, including a LAND grant in the amount of Four Hundred and Eighty Eight Thousand, Seven Hundred Dollars (**\$488,700**), which grant and/or funds so received shall be used to repay all or a portion of the amount transferred from the Community Preservation Fund hereunder. The Town Manager is hereby authorized to negotiate, accept, approve, execute, receive, deliver, and record any written instruments to effectuate this Order and complete this transaction.

VOTE: TO A PUBLIC HEARING ON 12/21/2023-UNANIMOUS

2024-076 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FEDERAL FISCAL YEAR 2023 COPS HIRING PROGRAM GRANT IN THE AMOUNT OF \$250,000 FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY-ORIENTED POLICING SERVICES INTRO: 12/07/2023.

Police Chief, Jeannie Challies gave the rationale,

Councilor questions and comments:

(Ludtke) curious you have had vacancies, how are you going to guarantee that you will have the positions filled within 3 years (Challies) we have some in the academy right now, we have five conditional offers, our hope is that these two positions would be lateral. We have retirements looming, we have a successful hiring process (Ludtke) What did you do to bring them to the Barnstable Police department (Challies) brand new civil service process, large pool of people in process, the cape is a tourist destination, the people that are coming have family or friends to give them places to stay.

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Federal Fiscal Year 2023 COPS Hiring Program Grant in the amount of \$250,000 from the U.S. Department of Justice, Office of Community-Oriented Policing Services for the purpose of funding two additional career law enforcement officers.

VOTE: PASSES UNANIMOUS

2024-077 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$770,000 FOR THE PURPOSE OF FUNDING THE BEARSE'S WAY VACUUM SEWER REPLACEMENT PROJECT INTRO: 12/07/2023

ORDERED: That the amount of \$770,000 be appropriated for the purpose of funding the Bearse's Way Vacuum Sewer Replacement 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 \$770,000 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: TO A PUBLIC HEARING ON 12/21/2023-UNANIMOUS

2024-078 AUTHORIZATION FOR SALE OF LAND AT 164 ROUTE 149 (COTUIT ROAD), MARSTONS MILLS, MA INTRO: 12/07/2023

Director of Planning and Development, Elizabeth Jenkins gave the rationale.

Councilor questions and comments:

(Terkelsen) are these two separate lots? (Jenkins) This will be separated into two separate lots with one shared driveway (Starr) Will this property have a sewer? (Jenkins) this will be title five septic (Schnepp) any financial requests from of the Affordable Housing Trust? (Jenkins) we have spoken to Habitat but not yet. (Schnepp) Are there any other parcels that we may use this Request for Proposal (RFP) to create additional housing? (Jenkins) Yes, we have some potential properties, near the Police Station and a second on at the Barnstable Adult Community Center

WHEREAS, on November 17, 2022, the Town Council, in Item No. 2023-062, approved the change in purpose of the property located at 164 Route 149, Marstons Mills, as shown on Assessors Map 078, Parcel 074 (the "Property"), to provide that the Property shall remain in the care, custody, management and control of the Town Manager for the purpose of disposition by sale, provided it is appropriately restricted for affordable housing; and provided further, that the Town Manager shall obtain Town Council approval prior to any such disposition; and

WHEREAS, the Town Manager declared the Property to be surplus property and, through the Town's Asset Management Program, issued a Request for Proposals ("RFP") for the disposition of the Property for affordable housing purposes; and

WHEREAS, the Town received one responsive proposal in response to the RFP;

NOW, THEREFORE, BE IT RESOLVED: That the Town Council hereby authorizes the Town Manager to dispose of all rights, title, and interest in the Property to Habitat for Humanity of Cape Cod, Inc. for a price of Ten Dollars (\$10.00) for the development of two permanently deed restricted single-family homes affordable to individuals or households at or below 80% of the Area Median Income, as defined by the Executive Office of Housing and Livable Communities; and further authorizes the Town Manager to execute and deliver any and all documents necessary to effectuate the disposition authorized herein.

VOTE: PASSES UNANIMOUS

2024-079 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2024 GRANT IN THE AMOUNT OF \$15,097.80 FROM THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION TO ACQUIRE THREE ELECTRIC VEHICLE CHARGING STATIONS INTRO: 12/07/2023.

Director of Asset Management, David Anthony introduced Sean Hogan who gave the rationale.

Councilor questions and comments:

(Starr)Is the location at the armory parking lot? How long before they are ready? (Hogan) Yes,

but they must evaluate the property, technically 6 months (Schnepp) just for municipal vehicles (Hogan) yes. (Clark) what is the difference in level one to level two (Hogan) the amount of time necessary to recharge the vehicle (Terkelsen) When is the town getting the electrical vehicles? (Hogan) as soon as we have the electrical stations.

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a grant in the amount of \$15,097.80 to acquire and deploy three Level 2 Massachusetts Electric Vehicle Incentive Program-funded electric vehicle charging stations for a total of six charging ports at 225 South Street, Hyannis.

VOTE: PASSES UNANIMOUS

2024-080 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2024 GRANT IN THE AMOUNT OF \$264,409 FROM THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION TO ACQUIRE THIRTY-ONE ELECTRIC VEHICLE CHARGING STATIONS INTRO: 12/07/2023.

Director of Asset Management, David Anthony turned over to Sean Hogan to give the rationale.

Councilor questions and comments:

(Tamash) you are going to be charging for the use of the stations (Hogan) Yes (Tamash) a little clarification are these only for municipal (Hogan) no, for the public (Tamash) a lot of new work for electricians (Schnepp) look forward to their great success (Crow) what determines where on the property these are located (Hogan) Eversource will decide the location (Hogan) next to the current one at the high school (Crow) how long does it take for the cars to charge (Hogan) about four hours (Crow) seems like the locations should be away from the buildings (Hogan) understood, but places where you can find other things to do while your car is charging (Crow) these should not be close to the stores. (Terkelsen) these proposed sites, are they all mapped out (Hogan) Yes, I could share that with you.

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a grant in the amount of \$264,409 to acquire and deploy up to thirty-one Level 2 Massachusetts Electric Vehicle Incentive Program-funded electric vehicle charging stations for a total of sixty-two charging ports. The distribution of funds and chargers is planned as follows:

\$34,117.00 for eight ports at 744 West Main Street, Hyannis, MA

\$42,647.00 for ten ports at 895 Falmouth Road, Hyannis, MA

\$42,647.00 for ten ports at 18 North Street, Hyannis, MA

\$34,117.00 for eight ports at 243 North Street, Hyannis, MA

\$42,647.00 for ten ports at 26 Ocean Street, Hyannis, MA

\$34,117.00 for eight ports at 367 Main Street, Hyannis, MA

\$34,117.00 for eight ports at 141 Bassett Lane, Hyannis, MA

VOTE: PASSES UNANIMOUS

2024-081 AUTHORIZATION TO CONTRACT FOR AND EXPEND a fiscal year 2024 Grant IN THE AMOUNT OF \$242,424 FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ELDER AFFAIRS TO SUPPORT STAFF SALARIES AND PROGRAMS OF THE BARNSTABLE COUNCIL ON AGING DIVISION. INTRO: 12/07/2023

Director of Community Services, Chris Gonnella gave the rationale.

Councilor questions and comments:

(Terkelsen) new parttime drivers, the addition will make it more widely utilized, (Gonnella) we

started this program two weeks ago, we are trying this out (Clark) Will you have to reapply for this grant (Gonnella) this is a formula grant for all Council on Aging.

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2024 grant in the amount of \$242,424 from the Commonwealth of Massachusetts, Executive Office of Elder Affairs for the purpose of funding staff salaries and program expenses of the Barnstable Council on Aging Division.

VOTE: PASSES UNANIMOUS

2024-082 ORDER AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF BARNSTABLE AND BARNSTABLE COUNTY FOR DREDGING SERVICES INTRO: 12/7/2023.

ORDERED: That the Town Council authorizes the execution and delivery by the Town Manager of an Intergovernmental Agreement with Barnstable County under which Barnstable County shall perform dredging work for the Town at the Cotuit Bay Entrance and Embayment Channel for a term not-to-exceed six months in an amount not-to-exceed \$345,700.

VOTE: TO A PUBLIC HEARING ON 12/21/2023-UNANIMOUS

2024-083 APPROPRIATION ORDER IN THE AMOUNT OF \$100,000 IN COMMUNITY PRESERVATION OPEN SPACE/RECREATION FUNDS FOR THE PURPOSE OF PROVIDING FUNDING TO THE CENTERVILLE-OSTERVILLE-MARSTONS MILLS (COMM) WATER DEPARTMENT FOR PROFESSIONAL SERVICES TO EVALUATE THE SUITABILITY OF ACQUIRING LANDS OR INTERESTS IN LAND ADJACENT TO OR WITHIN A ZONE II, AS DEFINED BY THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION DRINKING WATER REGULATIONS, AND ADJACENT TO EXISTING COMM WATER DEPARTMENT DRINKING WATER SUPPLIES INTRO: 12/07/2023

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the amount of One Hundred Thousand Dollars (\$100,000) be appropriated from the amount set aside for Open Space/Recreation within the Community Preservation Fund to the Centerville-Osterville-Marstons Mills (COMM) Water Department on a grant reimbursement basis for the purpose of funding professional services to assist COMM in evaluating the suitability of acquiring lands or interests in land adjacent to or within a Zone II, as defined in the Massachusetts Department of Environmental Protection Drinking Water regulations, and adjacent to existing COMM Water Department drinking water supplies. It is further ordered that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, subject to oversight by the Community Preservation Committee.

VOTE: TO A PUBLIC HEARING ON 12/21/2023-UNANIMOUS

2024-084 RESOLVE APPROVING A LETTER IN SUPPORT OF SENATE BILL 1315 INTRO: 12/07/2023.

Town Attorney, Karen Nober gave the rationale.

Councilor questions and comments:

(Ludtke) the Steamship Authority has taken over the Hyannis Harbor, this is an incremental step. The Islands are working on a letter to oppose the bill. Councilor Penn took the initiative to strengthen the letter. (Levesque) I think it is worthy of support, there needs to be a certain level of accountability (Penn) Offered this amendment, to focus on the influence on the three mainland ports.

A motion was made and duly seconded to approve the letter as amended.

(Mendes) this is a small step forward, but I don't think it goes far enough. This is a great first step, but I hope there will be many others.

RESOLVED: That the Town Council does hereby approve sending a letter, substantially in the form as presented at this meeting, to the respective clerks of the Massachusetts House and Senate, stating the Council's support of Senate Bill 1315, An Act relative to municipal equity in Steamship Authority operations, which would amend the enabling legislation of the Steamship Authority to require that when the Dukes County (Martha's Vineyard) and Nantucket members vote the same way, a vote from one of the other members (Barnstable, Falmouth or New Bedford) is necessary for any action to be taken by the Authority.

VOTE: AS AMENDED PASSES UNANIMOUS

NOMINATIONS:

Office of President:

1 Paula Schnepf
2 Felicia Penn

Nominated by:

Gordon Starr
John Crow

Second:

Paul Neary
Kristin Terkelsen

Office of Vice President:

1 Craig Tamash
2 Gordon Starr

Nominated by:

Kris Clark
Paul Neary

Second:

John Crow
Jeffrey Mendes

A motion was made and duly seconded to vote for the offices of President and Vice President instead of waiting until the next meeting.

VOTE: FAILS 4 YES (Crow, Terkelsen, Penn, Tamash), 9 NO.

VOTED TO ADJOURN:

VOTE: PASSES UNANIMOUS

Adjourned at 10:56 PM

Respectfully submitted,

Ann M. Quirk
Town Clerk

NEXT MEETING: December 21, 2023

Exhibits

A Town Manager's update