



Town of Barnstable Town Council

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MEETING AGENDA TOWN HALL HEARING ROOM December 07, 2017 7:00 PM

Councilors:

Eric R. Steinhilber
President
Precinct 2

James H. Crocker Jr.
Vice President
Precinct 5

John G. Flores
Precinct 1

Paul Hebert
Precinct 3

Britt Beedenbender
Precinct 4

Paul Neary
Precinct 6

Jessica Rapp Grassetti
Precinct 7

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Matthew Levesque
Precinct 10

Philip N. Wallace
Precinct 11

Paula Schnepf
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell

Administrative
Assistant:
Kelly Crahan

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. PUBLIC COMMENT**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
- 6. TOWN MANAGER COMMUNICATIONS**
- 7. ACT ON MINUTES (Including Executive Session)**
- 8. COMMUNICATIONS- from elected officials, boards, committees, staff commission reports, correspondence and announcements**
 - **Snow and Ice Overview , Daniel W. Santos, P.E., Director of Public Works**
- 9. ORDERS OF THE DAY**
 - A. Old Business**
 - B. New Business**
- 10. ADJOURNMENT**

NEXT REGULAR MEETING: December 21, 2017

- **Town Council Election of 2018 Officers**

President:

Vice President:

ITEM NO.	INDEX TITLE	PAGE
A. OLD BUSINESS		
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B. NEW BUSINESS		
2018-048	Resolve in support of an Intermunicipal Agreement between Barnstable, Sandwich, and Mashpee for the purpose of Popponesset Bay watershed permitting (First Reading)	9-10

Approve Minutes –November 16, 2017

Please Note: The list of matters, are those reasonably anticipated by the council president, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Council may go into executive session. The Council may also act on items in an order other than they appear on this agenda. Persons interested are advised, that in the event any matter taken up at the meeting remains unfinished at the close of the meeting, may be put off to a continued session of this meeting, and with proper notice. Anyone requiring hearing assistance devices please inform the Town Clerk at the meeting.

A. OLD BUSINESS (Public Hearing) (Roll Call)

BARNSTABLE TOWN COUNCIL

ITEM# 2018-044
INTRO: 11/16/17, 12/07/17

2018-044 ALLOCATION OF TAX LEVY FISCAL YEAR 2018 – TAX FACTOR

RESOLVED, that the Town Council hereby votes to classify the Town of Barnstable under the Classification Act at a Factor of 1 (one) for the Fiscal Year 2018

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/16/17</u>	<u>Refer to Public Hearing 12/07/17</u>

- _____
- ___ Read Item
 - ___ Motion to Open Public Hearing
 - ___ Rationale
 - ___ Public Hearing
 - ___ Close Public Hearing
 - ___ Council Discussion
 - ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2018-044
INTRO: 11/16/17, 12/07/17

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
DATE: November 16, 2017
SUBJECT: Allocation of Tax Levy Fiscal Year 2018 – Tax Factor

BACKGROUND: According to Massachusetts General Law, Chapter 40, Section 56, of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Town Council is annually charged with determining the Allocation of Local Property Taxes by the adoption of a Residential Factor. This tax levy-shifting tool will not change the overall amount of money that will be raised through property taxes; rather it allows the town to shift a portion of the tax levy between classes of property. The residential factor commonly referred to as the “Split Tax Rate” allows the Town Council to create separate tax rates; one for residential property owners and a separate one for commercial, industrial and personal property owners, (CIP owners). Under a residential “Factor of 1”, all property owners would pay taxes at the same rate per \$1,000 of valuation. The maximum permissible shift would increase the CIP tax rate by 175%. Since 2007, the Town Council’s policy has been to select a Residential Factor of “1”.

STAFF ASSISTANCE: Mark Milne, Finance Director; Edward O’Neil, Director of Assessing

A. OLD BUSINESS (Public Hearing) (Roll Call)

BARNSTABLE TOWN COUNCIL

ITEM# 2018-045
INTRO: 11/16/17, 12/07/17

2018-045 ALLOCATION OF TAX LEVY FISCAL YEAR 2018 – RESIDENTIAL EXEMPTION

RESOLVED, that the Town Council hereby votes to adopt a Residential Exemption of 20 percent for Fiscal Year 2018.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/16/17</u>	<u>Refer to Public Hearing 12/07/17</u>

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2018-045

INTRO: 11/16/17, 12/07/17

SUMMARY

TO: Town Council
FROM: Town Manager
THROUGH: Mark Milne, Director of Finance; Edward O'Neil, Director of Assessing
DATE: November 16, 2017
SUBJECT: Allocation of Tax Levy Fiscal Year 2018– Residential Exemption

BACKGROUND: According to Massachusetts General Law, Chapter 40, Section 56, of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Town Council may adopt a Residential Exemption as part of determining the allocation of the tax levy between residential property owners. This tax levy-shifting tool will not change the overall amount of money that will be raised through property taxes; rather it allows the town to shift a portion of the residential property tax levy between property owners based on statutory criteria. The maximum exemption allowed is 35 percent of the average assessed value of all Class One (or Residential) parcels. This exemption would be applied to residential parcels which are qualified as the principal residence of the taxpayer. Principal residence is a taxpayer's domicile, that is, their fixed place of habitation, permanent home, and legal residence, as used for federal and state income tax purposes. This option shifts property taxes between residential taxpayers only and does not affect the Commercial, Industrial and Personal Property class of taxpayers. The Town Council has voted to adopt a 20% residential exemption for the past 12 fiscal years. If a 20% exemption amount is repeated for the Fiscal Year 2018 tax levy, residential taxpayers whose principal residence is in the Town of Barnstable will receive a tax reduction as long as their property assessment is approximately less than \$998,000 and the residential tax rate for all taxpayers will rise to cover the exempted portion of value of the qualified properties. The tax savings these property owners realize will be shifted to all non-resident property owners and residential property owners whose assessments are greater than approximately \$998,000. Under this option, property tax savings are greater as the assessed value of the property declines and the percentage exemption adopted increases.

STAFF ASSISTANCE: Mark Milne, Director of Finance, Edward O'Neil, Director of Assessing

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2018-046
INTRO: 11/16/17, 12/07/17

**2018-046 ORDER TO APPROVE TERM OF CONTRACT CHANGE FOR OLDE
BARNSTABLE FAIRGROUNDS GOLF COURSE GOLF CARS**

ORDERED, that the Town Council, under the provisions of M.G. L c, 30B, §12 (b), does hereby authorize the Town Manager to enter into a five (5) year contract to lease golf cars and utility vehicles for use at the Olde Barnstable Fairgrounds Golf Course.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/16/17</u>	<u>First Reading</u>
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Council Discussion
- ___ Move / Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2018-046
INTRO: 11/16/17, 12/07/17

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: November 16, 2017
SUBJECT: Order to Approve Term of Contract Change under the MGL 30B, Uniform Procurement Act, Section 12, paragraph(b), which would allow the Olde Barnstable Fairgrounds Golf Course Golf Car contract to be extended from three (3) years to five (5) years with the approval of the Town Council

RATIONALE: The Town of Barnstable's current golf car contract for Olde Barnstable Fairgrounds Golf Course is with Country Club Enterprise will end on March 31, 2018. A request for quotation was issued by the procurement office under the State Contract FAC88 for golf cars and utility vehicles for the Olde Barnstable Fairgrounds Golf Course (OBF) (66 cars plus nine (9) utility vehicles) on October 11, 2017 from three state contract vendors as required by the state contract. Quotes were due on November 2, 2017. Request for Quotes (RFQ) were sent to:

1. Country Club Enterprise
2. New England Golf Cars
3. Five Star Golf Cars

The state contract allows the municipalities to award their procurement to the "best value" to them. The request for quote stated that the award would be made based all factors of the equipment, options, pricing and product and vendor performance/references will be considered in determining the best value for the Barnstable Golf Division.

Quotes received from the three firms were as follows:

36 month lease 60 month lease

1. Country Club(Club Car) \$188,216\$253,278
2. New England Golf (Yamaha) \$200,296\$260,583
3. Five Star Golf Cars (E-Z Go) \$253,044\$344,190

The evaluation of the golf cars and utility vehicles offered by County Club Enterprises (CCE), New England Golf Cars (NEGC), and Five Star Golf Carts (FSGC) was done by the following: Bruce McIntyre, Director of Golf Operations; Christopher White, Director of Golf Maintenance; Golf Maintenance Staff; Merry Holway, Olde Barnstable Head Golf Professional; and Golf Operational Staff. Their recommendation is based on feedback from customers using demo golf cars, staff using demo utility vehicles, vehicle course performance, cart comfort, service plan offerings, reference checks, comparisons with current golf cars, history with the three vendors that submitted bids, current price paid and bid prices proposed.

The Town Council previously approved the current cart contract from a three (3) to five (5) year term.

FISCAL IMPACT: New competitive state contract quote process resulted in a reduction of yearly lease cost at OBF over the current lease from Country Club Enterprises of \$4,503.97 for a total of \$22,519.85 cost savings over the five (5) year lease. This also includes an all-inclusive service/maintenance plan. There is an estimated 30% increase in fuel efficiency with fuel injected motors which will result in higher profits on a lower expense with this new fleet.

STAFF ASSISTANCE: Johanna Boucher, Chief Procurement Officer; Bruce McIntyre, Director of Golf Operations

B. NEW BUSINESS (First Reading)

BARNSTABLE TOWN COUNCIL

ITEM # 2018-048

INTRO: 12/07/17

2018-048 RESOLVE IN SUPPORT OF AN INTERMUNICIPAL AGREEMENT BETWEEN BARNSTABLE, SANDWICH, AND MASHPEE FOR THE PURPOSE OF POPPONNESSET BAY WATERSHED PERMITTING

RESOLVED: That the Town Council approves the execution and delivery by the Town Manager on behalf of the Town of an Intermunicipal Agreement to include a maximum duration of twenty-five years between the Towns of Barnstable, Sandwich and Mashpee to jointly apply for a permit for the Popponnesset Bay system pursuant to the 208 Plan update and Chapter 259 of the Acts of 2014 and any future requirement pursuant to 315 C.M.R. 5.00

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rational
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2017-048

INTRO: 12/07/17

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
DATE: December 5, 2017
SUBJECT: Resolve in support of an Intermunicipal Agreement between Barnstable, Sandwich, and Mashpee for the purpose of Popponesset Bay watershed permitting

BACKGROUND: Pursuant to Section 208 of the federal Clean Water Act, in 2015, the Cape Cod Commission submitted the updated Cape Cod Water Quality Management Plan (208 Plan) to the USEPA. In conjunction with development of the 208 Plan, the Commonwealth of Massachusetts in Section 2A of Chapter 258 of the Acts of 2014 requires MassDEP to develop a watershed permitting approach to address and optimize nitrogen management measures intended to restore water quality to meet applicable water quality standards in watersheds included in an area-wide nitrogen management plan.

ANALYSIS: Of the six watersheds in Barnstable, four are shared with neighboring Towns. Under DEPs nascent watershed permitting approach, a single permit will be developed for an entire watershed, which in the case of shared watersheds; will necessarily involve all of the included towns. For the past year the Town of Barnstable has been working with the Towns of Sandwich and Mashpee to develop an Intermunicipal Agreement which will guide the development of a Watershed Permit for the Popponesset Bay Watershed. The Intermunicipal Agreement sets out the structure of how the Towns intend to work together to develop, apply for, and implement the Watershed Permit. The Agreement establishes respective responsibilities based on a nitrogen allocation formula, since each town contributes nitrogen based on their area within the watershed and density and character of development. The Agreement establishes a working group, and addresses matters such as nitrogen trading, term of agreement and dispute resolution; as well as documenting each party's progress on Comprehensive Wastewater Management Planning efforts.

FISCAL IMPACT: There is no direct fiscal impact resulting from the Intermunicipal Agreement. The Town will continue to plan for and implement wastewater projects in compliance with regulations through the normal budgeting process. The aim of the Intermunicipal Agreement is to work collaboratively with neighboring towns, which will result in an efficient and cost-effective approach to addressing wastewater needs.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of the Town Council Resolve.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public Works