



Town of Barnstable
Town Council
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TOWN COUNCIL MEETING AGENDA

**November 17, 2022
7:00 PM**

Councilors:

Matthew Levesque
President
Precinct 10

Paula Schnepf
Vice President
Precinct 12

Gordon Starr
Precinct 1

Eric R. Steinhilber
Precinct 2

Betty Ludtke
Precinct 3

Nikolas Atsalis
Precinct 4

Paul Cusack
Precinct 5

Paul C. Neary
Precinct 6

Jessica Rapp Grassetti
Precinct 7

Jeffrey Mendes
Precinct 8

Tracy Shaughnessy
Precinct 9

Kristine Clark
Precinct 11

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell
Cynthia.Lovell@town.barnstable.ma.us

The November 17, 2022 Town Council Meeting of the Barnstable Town Council shall be conducted remotely and shall be physically closed to the public. Alternative public access shall be provided as set forth below.

1. The meeting will be televised live via Comcast Channel 18 or may be accessed via the Channel 18 live stream on the Town of Barnstable's website:

<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

2. Written Comments may be submitted to:

https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/Town_Council/Agenda-Comment.asp

3. Remote Participation: The public may participate in Public Comment or Public Hearings by utilizing the Zoom video link or telephone number and access meeting code:

Join Zoom Meeting <https://zoom.us/j/97126211626> Meeting ID: 971 2621 1626
US Toll-free/888 475 4499

PUBLIC SESSION

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 PUBLIC SESSION MINUTES

- Approve Public Session Minutes: November 03, 2022

**8. COMMUNICATIONS - from elected officials, boards, committees, and staff,
commission reports, correspondence and announcements**

9. ORDERS OF THE DAY

- A. Old Business**
- B. New Business**

10. ADJOURNMENT

NEXT REGULAR MEETING: December 01, 2022

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2023-047	Appointments to a Board/Committee/Commission: Disability Commission: Christopher Bartley, as a regular member to a term expiring 06/30/2024; Housing Committee: Evan Gaudette, as a regular member to a term expiring 06/30/2024; Youth Commission: Madeleine Boyle, as a student member, to a term expiring 06/30/2023; Eric Arabadzhiev as a student member to a term expiring 06/30/2023 (May be acted upon) (Roll Call Majority) 6	6
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B.	NEW BUSINESS	
2023-057	A resolution that the Town Council petition the County Commissioners of Barnstable County to formally discontinue a section of county highway, namely, Bearse’s Way from Massachusetts Route 132, a/k/a Iyannough Road to Stevens Street (May be acted upon) (Roll Call Majority) 20-21	20-21
2023-058	Appropriation Order in the amount of \$45,000 for the Golf Enterprise Fund for the purpose of funding the acquisition of a utility tractor for the Golf Maintenance Operations (Refer to Public Hearing 12/01/2022) 22-23	22-23
2023-059	Authorization to expend a Fiscal Year 2023 Housing Choice Grant in the amount of \$75,000 from the Commonwealth of Massachusetts, Department of Housing and Community Development for the Great Streets Downtown Hyannis Project (May be acted upon) (Roll Call Majority) 24-25	24-25
2023-060	Authorization to expend a Fiscal Year 2023 Community Planning Grant in the amount of \$75,000 from the Commonwealth of Massachusetts, Department of Housing and Community Development for the development of a Barnstable Adult Community Center Master Plan (May be acted upon) (Roll Call Majority) 26-27	26-27
2023-061	Appropriation Order in the amount of \$3,811,500 for the Fiscal Year 2023 Airport Enterprise Fund Operating Expense Budget for the purpose of purchasing Aviation Jet Fuel for resale (Refer to Public Hearing 12/01/2022) 28-30	28-30

2023-062	Approval of the change in purpose of the property located at 164 Route 149, Marstons Mills, as shown on Assessors' Map 078, Parcel 074 (May be acted upon) (Roll Call 2/3 Full Council)	31-32
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Please Note: The lists of matters are those reasonably anticipated by the Council President which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed 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 as 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, it may be continued to a future meeting, and with proper notice.

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2022-159

INTRO: 05/05/2022, 09/15/2022, 10/06/2022, 11/17/2022

2022-159 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I, GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III, §240-30(E) (4) BY AMENDING THE SEPARATION REQUIREMENTS OF THE MEDICAL MARIJUANA OVERLAY DISTRICT

ORDERED: To amend the Code of the Town of Barnstable, Part I, General Ordinances, Chapter 240 Zoning by deleting §240-30(E)(4) in its entirety and inserting the following new §240-30(E)(4) in its place:

“Separation requirements. The site does not abut a religious institution/place of religious assembly, and is at least 500 feet from any school, day-care center, preschool or afterschool facility or any facility in which children commonly congregate. In no case shall a RMD directly abut another RMD or any medical marijuana use.”

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/05/2022</u>	<u>Refer to Planning Board</u>
<u>09/15/2022</u>	<u>Open and Continued Public Hearing 10/06/2022</u>
<u>10/20/2022</u>	<u>Council voted on 10/20/2022 to reconsider Item No. 2022-159 and re advertise the Public Hearing on the item to be held on November 17, 2022</u>

☐ Read Item
☐ Motion to Open Public Hearing
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2022-159

INTRO: 05/05/2022, 09/15/2022, 10/06/2022, 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Elizabeth Jenkins, Director, Planning & Development Department
DATE: May 05, 2022
SUBJECT: Amending the Code of the Town of Barnstable, Part I, General Ordinances, Chapter 240 Zoning, Article III, §240-30(E)(4) by amending the separation requirements of the Medical Marijuana Overlay District

RATIONALE: Section 5 of M.G.L. c. 40A, the state Zoning Act, provides that “[a]doption or change of zoning ordinances or by-laws may be initiated by the submission to the city council ... of a proposed zoning ordinance ... by ten registered voters in a city ...” Section 5 further provides that the City Council “shall within fourteen days of receipt of such zoning ordinance ... submit it to the planning board for review.”

On May 2, 2022, a proposed amendment to the Town’s zoning ordinance was submitted to the Town Clerk, along with the signatures of ten residents of the Town. On May 2, 2022, the Town Clerk certified that the petition was signed by ten certified voters of the Town. On May 2, 2022, the petition was submitted to the Town Council by one of the proponents of the petition. In accordance with G.L. c. 40A, section 5, the proposed amendment has been placed on this meeting’s agenda for referral to the Planning Board.

FISCAL IMPACT: There is no significant fiscal impact of the proposed zoning amendment.

STAFF SUPPORT: Elizabeth Jenkins, Director, Planning & Development Department; Karen Nober, Town Attorney; James Kupfer, Senior Planner

A. OLD BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-047
INTRO: 11/03/2022, 11/17/2022

2023-047 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Disability Commission:** Christopher Bartley, as a regular member to a term expiring 06/30/2024; **Housing Committee:** Evan Gaudette, as a regular member to a term expiring 06/30/2024; **Youth Commission:** Madeleine Boyle, as a student member, to a term expiring 06/30/2023; Eric Arabadzhiev as a student member to a term expiring 06/30/2023.

SPONSOR: Appointment Committee Members

DATE	ACTION TAKEN
<u>11/03/2022</u>	<u>Referred to Second Reading 11/17/2022</u>

___ Read Item
___ Rationale
___ Council Discussion
___ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-048
INTRO: 11/03/2022, 11/17/2022

2023-048 SUPPLEMENTAL APPROPRIATION ORDER FOR THE BARNSTABLE POLICE DEPARTMENT FISCAL YEAR 2023 OPERATING EXPENSE BUDGET IN THE AMOUNT OF \$142,896 FOR THE PURPOSE OF FUNDING THE COSTS ASSOCIATED WITH THE HIRING OF EIGHT (8) PATROL OFFICERS TO FILL CURRENT VACANCIES

ORDERED: That the amount of **\$142,896** be appropriated and added to the Fiscal Year 2023 Police Department General Fund Operating Expense Budget for the purpose of funding expenses related to the hiring of eight (8) new police officers, including costs related to hiring, training, uniforms, ammunition and equipment purchases.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/03/2022</u>	<u>Referred to Public Hearing 11/17/2022</u>

_____	_____
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_____	Read Item
_____	Motion to Open Public Hearing
_____	Rationale
_____	Public Hearing
_____	Close Public Hearing
_____	Council Discussion
_____	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-048

INTRO: 11/03/2022, 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: October 19, 2022
SUBJECT: Supplemental Appropriation Order for the Barnstable Police Department Fiscal Year 2023 Operating Expense Budget in the amount of **\$142,896** for the purpose of funding the costs associated with the hiring of eight (8) patrol officers to fill current vacancies

BACKGROUND: The department has 8 patrol officer vacancies they will fill at this time. We will be enrolling 7 police officer recruits in the Cape Cod Municipal Police Academy starting on January 9, 2023. We will also be hiring 1 new officer who is already academy-trained. At the time of the preparation and finalization of the Fiscal Year 2023 budget, the Police Department did not have confirmation on the number of retirements to take place nor the availability of police academy seats. The costs associated with the hiring of 8 police officers to fill current vacancies require a supplemental appropriation to the Police Department's Fiscal Year 2023 budget as follows:

Academy Bound New Hires

Training	\$24,640
Uniform	\$22,988
Equipment	\$57,973
Ammunition	\$13,697
Hiring Physical	\$6,972
Hiring Psych Eval	\$3,850
Total Academy Bound New Hires	\$130,120

Academy Trained New Hire

Training	\$0
Uniform	\$2,321
Equipment	\$7,070
Ammunition	\$1,839
Hiring Physical	\$996
Hiring Psych Eval	\$550
Total Transfer New Hire	\$12,776

Grand Total **\$142,896**

ANALYSIS: This supplemental appropriation request is comprised of several parts: 1) pre-employment requirements including medical exams and psychological assessments; 2) academy tuition; 3) ammunition 4) equipment including radio and firearm; and 5) uniform. The items listed above will need to be funded in Fiscal Year 2023 in order to complete the hiring components required by the Cape Cod Municipal Police Academy and enough ordering time for the remaining equipment and uniforms.

FISCAL IMPACT: Funding for this appropriation will be provided from the General Fund reserves that are allocated to the Municipal Savings Account which has a current balance of \$8,272,011. This is a one-time cost and the appropriation will not be added to the department's base budget for Fiscal Year 2024 budget planning purposes.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this budget increase.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police; Anne Spillane, Finance Director, Barnstable Police Department

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-049

INTRO: 11/03/2022, 11/17/2022

2023-049 APPROPRIATION ORDER IN THE AMOUNT OF \$150,000 IN COMMUNITY PRESERVATION FUNDS FOR THE PURPOSE OF AQUIRING A CONSERVATION RESTRICTION ON 2.3 ACRES OF OPEN SPACE LOCATED AT 242 COMMERCE ROAD, BARNSTABLE, MA, SHOWN AS A PORTION ON ASSESORS MAP 318, PARCEL 025/001

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the amount of One Hundred and Fifty Thousand Dollars **\$150,000** be appropriated and transferred from the amount set aside for Open Space and Recreation within the Community Preservation Fund for the purpose of acquiring a Conservation Restriction on 2.3 acres of open space located at 242 Commerce Road, Barnstable, shown as a portion of Assessors Map 318, Parcel 025/001. Said Restriction is subject to approval by the Massachusetts Secretary of Energy and Environmental Affairs. Further it is ordered that the Town Manager is authorized to expend the amount appropriated on behalf of the Town for the acquisition subject to oversight by the Community Preservation Committee, and that the Town Manager is authorized to execute, receive, deliver and record any written instruments for the stated purposes.

SPONSOR: Mark S. Ells, Town Manager, upon recommendation of the Community Preservation Committee

DATE

ACTION TAKEN

11/03/2022

Referred to Public Hearing 11/17/2022

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

BARNSTABLE TOWN COUNCIL

ITEM# 2023-049
INTRO: 11/03/2022, 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lindsey Counsell, Chair, Community Preservation Committee
DATE: November 03, 2022
SUBJECT: Appropriation Order in the amount of **\$150,000** in Community Preservation Funds for the purpose of acquiring a conservation restriction on 2.3 acres of open space located at 242 Commerce Road, Barnstable, MA shown as a portion on Assessors Map 318, Parcel 025/001

BACKGROUND: The Barnstable Land Trust, Inc. is seeking approval from the Town Council through the Town Manager for Community Preservation Open Space/Recreation Funds in the amount of One Hundred Fifty Thousand Dollars (\$150,000) for the acquisition of a conservation restriction on 2.3 acres of open space located at 242 Commerce Road, Barnstable, shown as a portion of Map 318, Parcel 025/001. At the May 17, 2021, Community Preservation Committee (CPC) meeting, the seven Committee members present voted unanimously to support and recommend the Application for appropriation. However, the project was put on hold until a Conservation Restriction (“CR”) was drafted so it was not provided to the Town Council for a vote at that time.

The draft CR is now under review for approval by the Massachusetts Secretary of Energy and Environmental Affairs however, that approval has been much delayed as the Commonwealth attempts to replace its main CR reviewer who has departed the position. This request is that the project be considered by the Town Council for approval of the funding request, then later return with the approved CR, in substantially the form attached hereto, so as not to delay the ultimate closing date. This Community Preservation Application for Open Space funds is part of a conservation project named Bowles Field Historic Landscape Project in which Barnstable Land Trust will purchase the property and the Town of Barnstable would hold the Conservation Restriction. The complete project includes preservation of an additional adjacent 2.8 acres owned by the same family, who will donate a Conservation Restriction on those acres to Barnstable Land Trust, Inc. This funding request represents a portion of the total project cost of \$581,200 with \$256,200 to be provided by Barnstable Land Trust, \$175,000 from a Massachusetts Conservation Partnership Grant (to be awarded Fall 2022) and the balance of \$150,000 funded with this authorization.

Conservation of this property will complete a 37.44-acre area extending to Barnstable Harbor connecting with conservation lands owned by the Mass Audubon Society and protect a major contiguous wildlife corridor and view to Barnstable Harbor from Commerce Road forever. Public access is planned by a short walking trail to the field and a seating area. Barnstable Land Trust is allowing ample time for private and public fundraising with the intention to close by January 2023. The project is also dependent on the owner receiving subdivision approval from the Cape Cod Commission (CCC) and the Town, as this parcel was part of a prior CCC Determination of Regional Impact (DRI) for the subdivision of the larger acreage.

ANALYSIS: Acquisition of a Conservation Restriction is consistent with the Local Comprehensive Plan, Open Space Plan, and other planning documents and preserves community character; and protects land threatened by development. The MA Conservation Land Tax Credit has allowed for a purchase

price lower than fair market value. The project serves more than one CPA purpose: land conservation, passive recreation, and historic preservation opportunities.

FISCAL IMPACT: Funding for this appropriation will be provided from the amount set aside for open space and recreation within the Community Preservation Fund which currently has a balance of \$1,549,072.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this appropriation.

VOLUNTEER STAFF ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-050
INTRO: 11/03/2022, 11/17/2022

2023-050 ALLOCATION OF TAX LEVY FISCAL YEAR 2023 – RESIDENTIAL EXEMPTION

RESOLVED: That the Town Council hereby votes to adopt a Residential Exemption of twenty percent (20%) for Fiscal Year 2023.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/03/2022</u>	<u>Referred to Public Hearing 11/17/2022</u>
_____	_____

____ Read Item
____ Motion to Open Public Hearing
____ Rationale
____ Public Hearing
____ Close Public Hearing
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-050
INTRO: 11/03/2022, 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Mark A. Milne, Finance Director
DATE: November 03, 2022
SUBJECT: Allocation of Tax Levy Fiscal Year 2023 – Residential Exemption

BACKGROUND: According to Massachusetts General Laws, Chapter 59, Section 5C, 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 option will not change the overall amount of property taxes raised through the residential class of property. It allows the town to shift a portion of the residential property tax levy between residential property owners based on statutory criteria. The maximum exemption allowed is 35 percent of the average assessed value of all Class One (Residential) parcels. This exemption would be applied to all residential parcels which are qualified by the Town Assessor 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.

ANALYSIS: The exemption is calculated on the average residential parcel value which is \$759,556 in Fiscal Year 2023. The assessed property value is then reduced by the value of the exemption before the tax rate is applied to determine the tax bill amount. Since the exemption removes an amount of the taxable residential property value subject to taxation, and the tax levy paid by the residential class remains the same, the tax rate for this class of property increases. The projected savings in Fiscal Year 2023 for the median residential assessed value of \$538,100 using different residential exemption percentages is illustrated as follows:

Exemption %	Exemption Amount	Taxable Value	Tax Rate	Tax Bill	Savings
0%	\$0	\$538,100	\$6.43	\$3,460	\$0
5%	\$37,968	\$500,132	\$6.57	\$3,286	\$174
10%	\$75,936	\$462,164	\$6.73	\$3,110	\$350
15%	\$113,904	\$424,196	\$6.88	\$2,918	\$542
20%	\$151,871	\$386,229	\$7.05	\$2,722	\$738
25%	\$189,839	\$348,261	\$7.22	\$2,514	\$946
30%	\$227,807	\$310,293	\$7.41	\$2,299	\$1,161
35% (Maximum)	\$265,775	\$272,325	\$7.60	\$2,070	\$1,390

FISCAL IMPACT: This is a progressive tax by nature as it offers a greater property tax savings for an owner of a qualifying lower valued residential property. The savings diminishes as the property value increases to a point where the tax paid by the owner of a qualifying property valued at \$1,725,126 pays the same amount of tax with a 20% residential exemption and no exemption. Owners of residential property who qualify for the exemption that exceed a value of \$1,725,126 pay more in property taxes with a 20% residential exemption in place. The Town Council has voted to adopt a 20% residential exemption every year since fiscal year 2006.

STAFF ASSISTANCE: Mark A. Milne, Finance Director

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)
BARNSTABLE TOWN COUNCIL

ITEM# 2023-051
INTRO: 11/03/2022, 11/17/2022

2023-051 ALLOCATION OF TAX LEVY FISCAL YEAR 2023 – TAX FACTOR

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 Fiscal Year 2023.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/03/2022</u>	<u>Referred to Public Hearing 11/17/2022</u>
_____	_____

____ Read Item
____ Motion to Open Public Hearing
____ Rationale
____ Public Hearing
____ Close Public Hearing
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-051
INTRO: 11/03/2022, 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Mark A. Milne, Finance Director
DATE: November 03, 2022
SUBJECT: Allocation of Tax Levy Fiscal Year 2023 – Tax Factor

BACKGROUND: According to Massachusetts General Laws, c. 40, § 56, the Town Council is annually charged with determining the Allocation of Local Property Taxes by the adoption of a Minimum 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 (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 150% which would result in a CIP tax Rate of \$9.64 for Fiscal Year 2023, (\$6.43 x 1.5 = \$9.64). Since 2007, the Town Council’s policy has been to select a Residential Factor of “1”.

ANALYSIS: The Minimum Residential Factor is used to make sure the shift of the tax burden complies with the law (M.G.L. c. 58, § 1A). Residential and Open Space taxpayers must pay at least 65% of their full and fair cash value share of the levy. Commercial/Industrial/Personal Property taxpayers cannot pay more than 150% of their full and fair cash value share of the levy.

If the calculated Minimum Residential Factor is less than 65%, a community cannot make the maximum shift and must use a Commercial/Industrial/Personal Property factor less than 150%.

<u>A. Class</u>	<u>B. Valuation</u>	<u>C. Percentage Share</u>	<u>D. Combined Res/OS, CIP</u>
1. Residential	19,481,851,049	89.1021%	89.1021%
2. Open Space	0	0.0000%	
3. Commercial	1,879,347,857	8.5954%	10.8979%
4. Industrial	105,764,700	0.4837%	
5. Personal Property	397,666,050	1.8188%	
TOTALS	21,864,629,656	100.0000%	

The "Percentage Share" is based on the "Full and Fair Cash Valuation" of each class, which is affected by the level of assessment for each class.

The Maximum Share of Levy for Commercial/Industrial/Personal Property: 150% * 10.8979% (Lines 3C + 4C + 5C) = 16.3469% (Max % Share).

This calculation shows the maximum % share of the levy allowed for the full and fair cash value of the combined Commercial, Industrial and Personal Property classes (150% of the combined shares.) NOTE: Shift impact is reduced as the Max % Share decreases.

Minimum Share of Levy for Residential and Open Space: 100% - 16.3469% (Max CIP % Share) = 83.6531% (Min % Share)

This calculation shows the minimum % share of the levy allowed for the full and fair cash value of the combined Residential and Open Space Property classes. This is computed by subtracting the Maximum Share for Industrial/Commercial/Personal Property from 100%.

Minimum Residential Factor (MRF): 83.6531% (Min % Share) / 89.1021% (Lines 1C + 2C) = 93.8845% (Minimum Residential Factor)

This calculates the Minimum Residential Factor: divide the minimum % share for Residential and Open Space by the actual % share for Residential and Open Space.

MINIMUM RESIDENTIAL FACTOR: 93.8845% Chapter 58, Section 1A mandates a minimum residential factor of not less than 65 percent

When the Minimum Residential Factor is multiplied by % share of the Residential and Open space full and fair cash value, it reduces the Residential and Open Space share to its Minimum % Share of the Levy as calculated above.

FISCAL IMPACT: A factor greater than one (1) would shift more of the tax levy to the commercial, industrial and personal property (CIP) tax classifications. Since residential property comprises over 89% of all property in town, any shift of the levy from this class of taxpayer to the CIP classes would result in minimal savings for a residential taxpayer and a much higher tax bill for CIP property owners.

STAFF ASSISTANCE: Mark A. Milne, Finance Director

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-052
INTRO: 11/03/2022, 11/17/2022

2023-052 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,850,000 FOR THE PURPOSE OF FUNDING DESIGN AND PERMITTING OF THE WATER POLLUTION CONTROL FACILITY HEADWORKS IMPROVEMENT PROJECT

ORDERED: That the sum of **\$2,850,000** be appropriated for the purpose of funding the design and permitting of the Water Pollution Control Facility Headworks Improvement Project, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$2,850,000 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/03/2022</u>	<u>Referred to Public Hearing 11/17/2022</u>

____ Read Item
____ Motion to Open Public Hearing
____ Rationale
____ Public Hearing
____ Close Public Hearing
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-052
INTRO: 11/03/2022, 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: November 03, 2022
SUBJECT: Appropriation and Loan Order in the amount of **\$2,850,000** for the purpose of funding design and permitting of the Water Pollution Control Facility Headworks Improvement Project

BACKGROUND: The purpose of this project is to construct improvements to the headworks station at the Water Pollution Control Facility. The improvements will address the condition, capacity and performance of the headworks building while making necessary upgrades to support the construction of future nitrogen removal improvements. Rehabilitation of the headworks facility was identified in the Comprehensive Wastewater Management Plan. Construction is proposed to be combined with the nitrogen removal improvements project to begin in Fiscal Year 2025 and be completed in Fiscal Year 2027.

ANALYSIS: The headworks building at the Water Pollution Control Facility (WPCF) is the beginning of the wastewater treatment process. Wastewater is screened, grit and debris are removed, and flow is metered at this location. The headworks station includes odor control systems including odor control “scrubbers” and chemical delivery systems. The existing headworks building was originally constructed in 1973 and the building has been expanded and upgraded once since it was put into service. In recent years, the building has shown advanced signs of degradation requiring emergency repair including leaking channel walls, grit system failures, failing concrete and a failing odor control system. The odor control unit is housed in a location with inadequate access to carry out routine maintenance.

The Town recently completed an evaluation of nitrogen removal technologies and the selected alternative requires improvements to the WPCF screening process in order to function properly. This project aims to design improvements to the WPCF headworks building that will extend the useful life of this process by approximately 30 years. This project, coupled with the nitrogen removal improvements upgrade will result in a substantially higher quality treated effluent being discharged from the WPCF.

FINANCIAL IMPACT: Funding for this project will be provided from a bond issue and future years’ operating budgets will include the annual debt service costs. The annual loan payment is estimated to be \$174,000 over a 20 year period.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this Appropriation and Loan Order.

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

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-057
INTRO: 11/17/2022

2023- 057 A RESOLUTION THAT THE TOWN COUNCIL PETITION THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO FORMALLY DISCONTINUE A SECTION OF COUNTY HIGHWAY, NAMELY, BEARSE’S WAY FROM MASSACHUSETTS ROUTE 132, a/k/a IYANNOUGH ROAD, TO STEVENS STREET

RESOLVED: That, pursuant to M.G.L. Chapter 82, Section 5, the Town Council petition the County Commissioners of Barnstable County to formally discontinue a section of County Highway, namely, Bearse’s Way from Massachusetts Route 132, a/k/a Iyannough Road, to Stevens Street as described in 1930 Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 473, Page 260, dated May 17, 1930, also shown on a Plan of Land recorded in said Registry in Plan Book 41, Pages 43, 45 and 47.

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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

___ Read Item
___ Rationale
___ Council Discussion
___ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-057
INTRO: 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Charles McLaughlin, Senior Counsel
DATE: November 3, 2022
SUBJECT: A resolution that the Town Council petition the County Commissioners of Barnstable County to formally discontinue a section of county highway, namely Bearse's Way from Massachusetts Route 132, a/k/a Iyannough Road to Stevens Street

BACKGROUND: Bearse's Way from Massachusetts Route 132 to Stevens Street in Barnstable was laid out as a county road in 1930 as described in a Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 473, Page 260, dated May 17, 1930, also shown on a Plan of Land recorded in said Registry in Plan Book 41, Pages 43, 45 and 47. Bearse's Way has not been maintained by the County for generations and, to accommodate the Town's sewer expansion program as well as other potential uses of this road, it is necessary to request that the County abandon it and that the Town take this road over as a public road and that the Town agree to maintain it as such.

ANALYSIS: Bearse's Way from Massachusetts Route 132 to Stevens Street in Barnstable is a vital in-road route for sewer lines that will be installed by the Town. G.L. c. 82, §5 establishes a clear procedure for obtaining this discontinuance via petition by a town to a county requesting that the county discontinue a county way (or a section thereof). A county way discontinued by following this procedure automatically becomes a town way, and, if requested, remains a public way.

FISCAL IMPACT: The Town has operated for years in the belief that Bearse's Way from Massachusetts Route 132 to Stevens Street in Barnstable is owned by the Town. The Town has maintained this road and has budgeted accordingly. There is no impact on the General Fund Operating Budget resulting from the legal formality of transferring this road from the County to the Town's control or from petitioning that this way remain a public way.

STAFF SUPPORT: Charles McLaughlin, Senior Counsel; Griffin Beaudoin, Town Engineer; Shane Brenner, Town Surveyor

B. NEW BUSINESS (Refer to Public Hearing 12/01/2022)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-058
INTRO: 11/17/2022

2023-058 APPROPRIATION ORDER IN THE AMOUNT OF \$45,000 FOR THE GOLF ENTERPRISE FUND FOR THE PURPOSE OF FUNDING THE ACQUISITION OF A UTILITY TRACTOR FOR THE GOLF MAINTENANCE OPERATIONS

ORDERED: That the amount of **\$45,000** be appropriated and transferred from the Golf Enterprise Fund surplus for the purpose of funding expenses related to the acquisition of a utility tractor for the Golf Maintenance Operations.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
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_____	_____
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_____	_____
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_____	Read Item
_____	Motion to Open Public Hearing
_____	Rationale
_____	Public Hearing
_____	Close Public Hearing
_____	Council Discussion
_____	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-058
INTRO: 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Madeline Noonan, Director of Community Services
DATE: November 17, 2022
SUBJECT: Appropriation Order in the amount of **\$45,000** for the Golf Enterprise Fund for the purpose of funding the acquisition of a utility tractor for the Golf Maintenance Operations

BACKGROUND: Due to supply chain issues, the current lead time to receive most golf maintenance equipment is over fourteen (14) months from the time a purchase agreement has been executed. We are requesting approval to purchase the tractor so we can obtain the equipment in time for specific cultural practices that are necessary and seasonal in nature.

The number of golf rounds at both facilities has increased dramatically causing more compaction, requiring additional cultural practices to relieve compaction and create a more favorable growing medium. We have also implemented additional maintenance techniques including: annual slice seeding, aerovating, verticutting, and numerous approaches that require the use of a tractor. These cultural practices are an integral part of our environmentally sustainable land management plan. We have also experienced unprecedented drought conditions causing watering restrictions that have further declined the health of turf. These conditions require additional practices to aid in the recovery of turf stands and establishment of new seedlings.

FISCAL IMPACT: The Golf Enterprise Fund surplus was recently certified by the Department of Revenue at \$2,326,507. Approval of the purchase of the tractor using golf surplus funds will allow the golf operations to continue to meet the level of conditions expected from golfers while maintaining an adequate reserve level. We can perform necessary cultural practices more efficiently, thus reducing closing of facilities which would result in lost revenue.

STAFF ASSISTANCE: Chris Gonnella, Assistant Director of Community Services; Jesse Schechtman, Director of Golf; James Bentley, Director of Golf Maintenance

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-059
INTRO: 11/17/2022

2023-059 AUTHORIZATION TO EXPEND A FISCAL YEAR 2023 HOUSING CHOICE GRANT IN THE AMOUNT OF \$75,000 FROM THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE GREAT STREETS DOWNTOWN HYANNIS PROJECT

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2023 Housing Choice Grant in the amount of **\$75,000** from the Commonwealth of Massachusetts, Department of Housing and Community Development for the purpose of retaining consultant services to expand project scope for the Great Streets Downtown Hyannis Main Street Transportation Network and Streetscape Plan.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

____ Read Item
____ Rationale
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-059
INTRO: 11/17/2022

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Elizabeth Jenkins, Planning & Development Director
DATE: November 17, 2022
SUBJECT: Authorization to expend a Fiscal Year 2023 Housing Choice Grant in the amount of **\$75,000** from the Commonwealth of Massachusetts, Department of Housing and Community Development for the Great Streets Downtown Hyannis Project

BACKGROUND: The Housing Choice grant program is a Community One Stop grant program that provides designated Housing Choice Communities funding for infrastructure improvements and to meet community planning needs.

ANALYSIS: The Town of Barnstable was awarded a \$75,000 grant from Department of Housing and Community Development's Housing Choice grant program. The funding will be used to expand the scope of the Great Streets Downtown Hyannis project, which seeks to transform streets within our downtown core to prime public spaces. This is realized through promoting three primary objectives: to provide safe streets and multi-modal access for all; promote a vibrant and attractive downtown that supports local businesses and the people who live in and visit Hyannis; and create a functional, enduring, and sustainable streetscape. All of these objectives will be viewed through the lens of enhancing transportation equity in downtown Hyannis.

The project is currently underway, and these funds will be used to expand the project scope and support the deliverables including preliminary designs for the transportation network and key intersections, as well as an urban design plan to guide new development in a manner consistent with the public realm.

FISCAL IMPACT: No funding match is required for this grant and there is no operating budget impact.

STAFF ASSISTANCE: Elizabeth Jenkins, Planning & Development Director; Kate Maldonado, Assistant Director of Planning & Development

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM # 2023-060
INTRO: 11/17/2022

2023-060 AUTHORIZATION TO EXPEND A FISCAL YEAR 2023 COMMUNITY PLANNING GRANT IN THE AMOUNT OF \$75,000 FROM THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE DEVELOPMENT OF A BARNSTABLE ADULT COMMUNITY CENTER MASTER PLAN

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2023 Community Planning Grant in the amount of **\$75,000** from the Commonwealth of Massachusetts, Department of Housing and Community Development for the purpose of hiring a consultant for the creation of a Master Plan for Town-owned parcels surrounding the Barnstable Adult Community Center to evaluate the potential for infill development of affordable housing and enhanced recreational amenities.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

____ Read Item
____ Rationale
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-060
INTRO: 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Elizabeth Jenkins, Planning & Development Director
DATE: November 15, 2022
SUBJECT: Authorization to expend a Fiscal Year 2023 Community Planning Grant in the amount of **\$75,000** from the Commonwealth of Massachusetts, Department of Housing and Community Development for the development of a Barnstable Adult Community Center Master Plan

BACKGROUND: The Community Planning Grant is a competitive grant program for municipalities that have achieved the Housing Choice designation, part of the Community One Stop for Growth program. These grants fund technical assistance and infrastructure improvements in communities that have shown commitment to advancing sustainable housing production.

ANALYSIS: The Town of Barnstable was awarded a \$75,000 Community Planning Grant from the Department of Housing and Community Development. The funding will be used for the purpose of hiring a consultant to create a master plan for Town-owned parcels surrounding the Barnstable Adult Community Center (BACC). The project will evaluate the potential for infill development of affordable housing targeted to seniors coupled with enhanced outdoor recreational amenities, along with ways to improve pedestrian and recreational connectivity with adjoining properties. The project will be an interdepartmental effort, involving input from users of the BACC facility and the community at large. The deliverables are a preferred development concept and zoning recommendations to allow development of affordable multi-family housing.

FISCAL IMPACT: No funding match is required for this grant and there is no operating budget impact.

STAFF ASSISTANCE: Elizabeth Jenkins, Planning & Development Director; Kate Maldonado, Assistant Director of Planning & Development; Mark Marinaccio, Town Architect, Department of Public Works; Madeline Noonan, Community Services Director

B. NEW BUSINESS (Refer to Public Hearing on 12/01/2022)

BARNSTABLE TOWN COUNCIL

**ITEM#2023-061
INTRO: 11/17/2022**

**2023-061 APPROPRIATION ORDER IN THE AMOUNT OF \$3,811,500 FOR THE FISCAL
YEAR 2023 AIRPORT ENTERPRISE FUND OPERATING EXPENSE BUDGET
FOR THE PURPOSE OF PURCHASING AVIATION JET FUEL FOR RESALE**

ORDERED: That the amount of **\$3,811,500** be appropriated and provided from the Airport Enterprise Fund surplus for the purpose of funding the purchase of aviation jet fuel for resale.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

____ Read Item
____ Motion to Open Public Hearing
____ Rationale
____ Public Hearing
____ Close Public Hearing
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM#2023-061
INTRO: 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Katie R. Servis, Airport Manager
DATE: November 17, 2022
SUBJECT: Appropriation Order in the amount of **\$3,811,500** for the Fiscal Year 2023 Airport Enterprise Fund Operating Expense Budget for the purpose of purchasing Aviation Jet Fuel for resale

SUMMARY: Cape Cod Gateway Airport is requesting an increase in the Fiscal Year 2023 Operating Expense Budget to cover the cost of jet fuel purchases through the end of the Fiscal Year. This request is the result of an increase in the projected fuel sales.

The Airport tracks year-over-year and month-over-month the average fuel loads purchased and sold. This tracking allows the operation to identify the number of fuel loads typically needed year-over-year and month-over-month and is used for forecasting purposes. With the onset of COVID-19, there has been an increase in aviation jet fuel sales with more corporate aircraft utilizing the facility and purchasing fuel in Fiscal Year 2021 and Fiscal Year 2022. We are starting to normalize our sales in Fiscal Year 2023 but the cost of fuel has doubled. Because of this cost increase, by the end of the first quarter and into the second quarter of FY 2023, the airport had surpassed the fuel budget for Fiscal Year 2023.

The Fiscal Year 2023 budget anticipated the sale of 1,250,000 gallons of fuel at the rate of \$2.80 per gallon (cost not retail) or \$3,500,000. As of October 2022, the Airport has purchased over 823,000 gallons this season. The issue is not that the Airport is selling more fuel per say (in fact we are selling slightly less) but the cost to buy fuel, which has nearly doubled; with the average rate per gallons costing \$4.30 per gallon rather than the \$2.80 anticipated. The table below identifies the cost thus far for Fiscal Year 2023.

Month	Actual Gallons Purchased	Average Cost per Gallon	Total Fuel Cost
JULY	257,335	\$4.37	\$ 1,124,616.32
AUGUST	296,921	\$4.07	\$ 1,209,722.94
SEPTEMBER	139,167	\$4.06	\$ 565,004.90
OCTOBER	129,741	\$4.71	\$ 611,123.68
NOVEMBER			
DECEMBER			
JANUARY			
FEBRUARY			
MARCH			
APRIL			
MAY			
JUNE			
TOTALS	823,164		\$ 3,510,467.84

The table below compares the month-to-month sales for Fiscal Year 2022 and Fiscal Year 2023.

GALLONS SOLD			
MONTH	FY2022	FY2023	FY23 vs FY22
JULY	257,418	222,786	-34,632
AUGUST	292,353	264,002	-28,351
SEPTEMBER	166,126	155,922	-10,204
OCTOBER	125,851	128,394	2,543
NOVEMBER	109,134		-109,134
DECEMBER	74,230		-74,230
JANUARY	46,124		-46,124
FEBRUARY	38,352		-38,352
MARCH	49,282		-49,282
APRIL	46,820		-46,820
MAY	111,488		-111,488
JUNE	172,350		-172,350
TOTALS	1,489,528	771,104	-718,424

From November through June, the Airport has historically have purchased 75 fuel loads. The historic average purchase of fuel is outlined below.

ANALYSIS OF HISTORICAL GALLONS SOLD/MONTH			
MONTH	Average Load Purchased/Month	Average Gallons/Load	Total Gallons/Month
NOVEMBER	10	9900	99,000
DECEMBER	10	9900	99,000
JANUARY	6	9900	59,400
FEBRUARY	5	9900	49,500
MARCH	6	9900	59,400
APRIL	6	9900	59,400
MAY	12	9900	118,800
JUNE	20	9900	198,000
TOTALS	75	-	742,500

The cost of this fuel is determined as follows:

- ➔ We will assume the average cost per load is \$5.00 to allow for increases that are likely or currently \$49,500
- ➔ 75 loads x \$49,500 = \$3,712,500.
- ➔ Fuel budget remaining as of November 2022 is \$0
- ➔ Two additional loads to be conservative and as a buffer = \$99,000
- ➔ **Appropriation Request = \$3,811,500.**

Any funds remaining at the end of the fiscal year will be returned to the Airport Enterprise Fund reserves.

FISCAL IMPACT: The sale of jet fuel will replenish the Airport's reserves used to fund this appropriation for fuel. The Airport's reserve fund was certified on of July 1, 2022 at \$8,878,844.

STAFF ASSISTANCE: Katie R. Servis, Airport Manager; Mark A. Milne, Director of Finance

B. NEW BUSINESS (May be acted upon) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-062
INTRO: 11/17/2022

2023-062 APPROVAL OF THE CHANGE IN PURPOSE OF THE PROPERTY LOCATED AT 164 ROUTE 149, MARSTONS MILLS, AS SHOWN ON ASSESSORS' MAP 078, PARCEL 074

ORDERED: That, having received notice that the Town Manager has determined that the property located at 164 Route 149, Marstons Mills, as shown on Assessors' Map 078, Parcel 074 (the "Property"), which is in the care, custody, management and control of the Town Manager, is no longer needed for a parking lot, the purpose for which it was acquired by purchase, as recorded at the Barnstable County Registry of Deeds in Book 29787, Page 40, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

___ Read Item
___ Rationale
___ Council Discussion
___ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2023-062
INTRO: 11/17/2022

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
DATE: November 17, 2022
SUBJECT: Approval of the change in purpose of the property located at 164 Route 149, Marstons Mills, as shown on Assessors' Map 078, Parcel 074

BACKGROUND: The subject property is a parcel located in the center of the Marstons Mills Village. The Town acquired this property in April 2016. The intent had been to demolish the house and put in parking to support Marstons Mills Center. The project included an Americans with Disabilities Act compliant path connection to the Marstons Mills Library so that the additional parking could support the Library activities. The Department of Public Works (DPW) retained a consultant to prepare a feasibility study for the parking lot, which was completed in October 2017.

ANALYSIS: In evaluating construction costs against maximizing the number of parking spaces, the issue of a 20" rise in height from the front to the back of the lot necessitated expensive retaining walls to maximize parking. The 2017 estimate of nearly \$850,000 to produce 52 parking spaces at this site was tabled. A 30 space parking lot at the 2017 price of \$250,000 also was considered, but failed to move forward. For Fiscal Year 2021, the parking lot proposal was revisited, and approximately 28 spaces at a project cost of \$315,000 did not secure priority in the CIP staff review process.

Subsequent discussion with Planning and Development and the Affordable Housing and Economic Development Trust has identified this property as a location for housing.

ACTION REQUESTED: The property was purchased under Town Council Order 2016-087, April 7, 2016, for \$255,000. The appropriation and loan order specifically identified the use as for a parking lot. The quit claim Deed also indicates that the property was purchased for Parking. Asset Management put this parcel through an internal review to all Town Departments to determine the merits of disposal or retention. The only use identified in this internal review was a possibility of affordable housing and this was brought to the Town Manager to make it available for disposition. The Town Council is requested to vote to change the purpose of the property from its current purpose of parking to a new purpose of disposition by sale for affordable housing. This would allow the Town Manager and Town Staff to proceed with the next steps leading to a Request for Proposal (RFP) to put this property out for disposal with that restricted use stated. The details of the affordable housing restriction will be set forth in the RFP documents.

This action supports the Town Council's strategic plan for Housing and Town Infrastructure & Assets.

FISCAL IMPACT: Currently the Town's DPW must occasionally tidy up the property by removing accumulating trash and any fallen trees. The house has been mothballed, and utilities have been shut off. The fiscal impact will be positive when the property is sold and the money is returned to the general fund and when DPW can redirect its resources to other priorities. The land would likely be returned to a taxable status, and the potential development of this parcel will help meet the identified need for additional housing. The land is currently assessed at \$117,100.

STAFF ASSISTANCE: David Anthony, Director of Asset Management