

Town of Barnstable
Town Council
James H. Crocker Jr. Hearing Room
367 Main Street, 2nd floor,
Hyannis, MA 02601
Office 508.862.4738 • Fax 508.862.4770
E-mail: council@town.barnstable.ma.us

**TOWN COUNCIL MEETING AGENDA
May 18, 2023**

7:00 pm

The May 18, 2023 Meeting of the Barnstable Town Council shall be conducted in person at 367 Main Street 2nd Floor James H. Crocker Jr. Hearing Room, Hyannis, MA. The public may attend in person or participate remotely in Public Comment or during a Public Hearing via the Zoom link listed below.

Councillors:

Matthew Levesque
President
Precinct 10

Jennifer Cullum
Vice President
Precinct 13

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

Paula Schnepf
Precinct 12

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

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://townofbarnstable-us.zoom.us/j/82735798174> Meeting ID: 827 3579 8174
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 (Pre-Recorded)

- Update on Water Resource Management planning including the Comprehensive Wastewater Management Plan
Kelly Collopy, Communications Manager, Public Works Department
- Overview of Fiscal Year 2024 Proposed Operating Budget
Mark A. Milne, C.P.A., Director of Finance

7. ACT ON PUBLIC SESSION MINUTES

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

- Ted Lowrie, President, Barnstable Neighbor 2 Neighbor Program

Councilors:

Matthew Levesque
President
Precinct 10

Jennifer Cullum
Vice President
Precinct 13

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9. ORDERS OF THE DAY

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

10. ADJOURNMENT

NEXT REGULAR MEETING: June 01, 2023

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McKinney, as a regular member to a term expiring 06/2026; **Golf Committee:** John Cookson, as a regular member to a term expiring 06/30/2026; **Historical Commission:** Barbara Debiase, as an alternate member, to a term expiring 06/30/2026; Nancy Shoemaker, as a regular member to a term expiring 06/2026; Nancy Clark, as a regular member to a term expiring 06/2026; **Housing Committee:** Hilda Haye, as a regular member to a term expiring 06/30/2026; **Human Services Committee:** Cheryl Powell as a representative member to a term expiring 06/30/2026; Carlos Barbosa, as a representative member to a term expiring 06/30/2026; **Hyannis Main Street Waterfront Historic District Commission:** Jennifer Hinckley-Needham, as a regular member to a term expiring 06/30/2026; Jack Kay as a regular member to a term expiring 06/30/2026; Cheryl Powell, as a representative member from Barnstable Historic to a term expiring 06/30/2026; **Land Acquisition and Preservation Committee:** Elizabeth Lewis, as a regular member to a term expiring 06/30/2026; **Licensing Authority:** Nancy Karlson-Lidman, as an associate member, to a term expiring 06/30/2026; **Mid Cape Cultural Council:** Michele McCoy, as a regular member to a term expiring 06/30/2026; **Old Kings Highway Historic District Committee:** George Jessop, as an architect representative member, to a term expiring 06/30/2026; **Planning Board:** Mary Barry, as a regular member to a term expiring 06/2026; Tim O'Neill, as a regular member to a term expiring 06/2026; Steven Robichaud, as a regular member to a term expiring 06/2026; **Recreation Commission:** Rene King, as a regular member to a term expiring 06/30/2026; **Registrar of Voters:** David Jones, as an appointed member, to a term expiring 06/30/2026; **Sandy Neck Board:** Peter Sampou, a member representing Conservation Commission, to a term expiring 06/30/2026; **Scholarship Committee:** Janice Cliggott, as a regular member to a term expiring 06/30/2026; **Shellfish Committee:** Albert Surprenant, as a commercially permitted member, to a term expiring 06/30/2026; **Trust Fund Advisory Committee:** Frances Parks, as a Human Services Representative Member, to a term expiring 06/30/2026; **Youth Commission:** Eric Arabadzhev, as a student member to a term expiring 06/30/2024; Cameron Levesque, as a student member to a term expiring 06/30/2024; Michaela Stampfl, as a student member to a term expiring 06/30/2024; Shalanda Grant, as a student member to a term expiring 06/30/2024; Piper Hunt, as a student member to a term expiring 06/30/2024; Madeleine Boyle, as a student member to a term expiring 06/30/2024; Mary Flynn Kayajan, as a student member to a term expiring 06/30/2024; Connor O'Reilly, as a student member to a term expiring 06/30/2024; George Noonan, as an advisory member, to a term expiring 06/2026; Jaden Jeffries, as a student member to a term expiring 06/30/2024; Megan Garthee, as a student member to a term expiring 06/30/2024; Laik O'Reilly, as a student member to a term expiring 06/30/2024; **Zoning Board of Appeals:** Aaron Webb, as a regular member, to a term expiring 06/2026 **(First Reading) (Refer to Second Reading 06/01/2023)**..... 35-36

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2023-191 Acceptance of the provisions of M.G.L. Chapter 41, Section 110A of the Massachusetts General Laws **(May be acted upon) (Majority Vote)** 38-39

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2023-193 Approval to increase the Cost of Living Adjustment for Barnstable County Retirees from 3% To 5% for Fiscal Year 2023 **(May be acted upon) (Roll Call Majority Vote)**..... 42-43

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) (Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2023-127
INTRO: 05/04/2023, 05/18/2023

2023-127 APPROPRIATION ORDER IN THE AMOUNT OF \$90,000 FOR THE PURPOSE OF FUNDING A FLOATING TREATMENT WETLAND PILOT STUDY FOR LONG POND MARSTONS MILLS

ORDERED: That the amount of **\$90,000** be appropriated for the purposes of funding a floating treatment wetland pilot study for Long Pond Marstons Mills, including the payment of costs incidental or related thereto; and that to meet such appropriation that **\$90,000** be provided from the General Fund Reserves, 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>05/04/2023</u>	<u>Referred to Public Hearing on 05/18/2023</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2023-127
INTRO: 05/04/2023, 05/18/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: May 04, 2023
SUBJECT: Appropriation Order in the amount of **\$90,000** for the purpose of funding a Floating Treatment Wetland Pilot Study for Long Pond Marstons Mills

BACKGROUND: In response to frequent cyanobacteria blooms in Long Pond Marstons Mills, the Department of Public Works (DPW) retained the Coastal Systems Program at UMass Dartmouth School for Marine Science and Technology (SMAST) to conduct a diagnostic assessment of Long Pond and develop a management plan to address water quality issues. SMAST has completed the diagnostic assessment and developed a final management plan for the pond.

ANALYSIS: Ultimately SMAST has determined that most effective long term solution to manage the pond and improve water quality is wastewater management for those properties with septic systems contributing phosphorus load to the pond (those within 300 feet up-gradient of the pond). These properties are currently identified to receive municipal sewer in Phase 3 of the Town's Comprehensive Wastewater Management Plan (CWMP). Significantly expediting sewer expansion to this location was deemed not practical due to the distance from existing sewer infrastructure.

In the interim (prior to sewer expansion), it is recommended that floating treatment wetlands be piloted on a small scale and studied for at least two growing seasons to assess phosphorus removal rates of the floating treatment wetland. This information will be used to prepare a technical memorandum detailing the phosphorus removal of the floating treatment wetland for the purposes of determining if floating treatment wetlands are a viable option for addressing the excess phosphorus within the pond. This pilot study is not expected to eliminate the potential for cyanobacteria blooms to occur in Long Pond MM, due to the proposed small scale of the project not resulting in enough phosphorus removal to mitigate the phosphorus load coming from the watershed.

FINANCIAL IMPACT: Funding for this project will be provided from the General Fund Reserves with an existing balance of \$24,975,542. There is \$25,999 remaining funds from the appropriation for the Long Pond Management Plan (Town Council Order 2021-109) that will be closed and returned to the General Fund reserves.

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

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

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

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-187
INTRO: 05/04/2023, 05/18/2023**

2023-187 APPROPRIATION ORDER IN THE AMOUNT OF \$86,758 FOR THE PURPOSE OF FUNDING THE ACQUISITION OF EQUIPMENT TO ASSIST WITH THE IMPLEMENTATION OF THE GREENING THE GATEWAY CITIES PROGRAM AND AUTHORIZATION TO EXPEND A FISCAL YEAR 2024-2026 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS GREENING THE GATEWAY CITIES PROGRAM GRANT IN THE AMOUNT OF \$1,800,000

RESOLVED: That the amount of **\$86,758** be appropriated for the purpose of funding the acquisition of equipment to assist with the implementation of the grant awarded under the Greening the Gateway Cities Program, and to fund this appropriation that **\$86,758** be provided from the General Fund Reserves, and that the Town Council does hereby authorize the Town Manager to contract for and expend this appropriation and a grant in the amount of **\$1,800,000** from the Executive Office of Energy and Environmental Affairs Greening the Gateway Cities Program for the purpose of planting 2,400 trees within an established planting zone.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/04/2023</u>	<u>Referred to Public Hearing on 05/18/2023</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2023-187

INTRO: 05/04/2023, 05/18/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Elizabeth S. Jenkins, Director of Planning & Development
DATE: May 04, 2023
SUBJECT: Appropriation Order in the amount of **\$86,758** for the purpose of funding the acquisition of equipment to assist with the implementation of The Greening the Gateway Cities Program and authorization to expend a Fiscal Year 2024-2026 Executive Office of Energy and Environmental Affairs Greening the Gateway Cities Program Grant in the amount of **\$1,800,000**

BACKGROUND: The Town of Barnstable has been awarded a **\$1,800,000** grant from the Commonwealth of Massachusetts' Greening the Gateway Cities Program. The Greening the Gateway Cities Program is a partnership between the Executive Office of Energy and Environmental Affairs (EOEEA), the Department of Conservation and Recreation (DCR) Urban & Community Forestry Program, the Department of Energy Resources (DOER), the US Forest Service, and the Department of Housing and Community Development (DHCD) with an objective of covering 5% of the defined Planting Zone in new tree canopy over the project duration of three years or six planting seasons. Concentrated within Environmental Justice neighborhoods, the Program targets areas that have lower tree canopy, older housing stock, higher wind speeds, and larger rent population.

In collaboration with the Department of Conservation and Recreation (DCR), the Town's Planting Zone was established within Environmental Justice neighborhoods located in Hyannis based on factors including, but not limited to, density, existing tree canopy, and impervious surface. A map of the established Planting Zone is attached. The Planting Zone is composed of 966 acres predominately located north and northwest of downtown Hyannis between Falmouth Road (Route 28) and Iyannough Road to the north, Old Strawberry Hill Road to the west, West Main Street and Stevens Street to the south and Ridgewood Avenue to the east. The Planting Zone also includes the western half of Sea Street.

Grant funds will be used to improve the Planting Zone with a total of 2,400 trees of which 80%, or 1,920 trees, will be planted on private properties and 20%, or 480 trees, will be planted on public properties. The project will commence Fall 2023. Significant outreach will occur in advance of the Fall to inform the community of this opportunity and to encourage residents to sign up for trees to be planted at their property. Trees will be free to all residents who live within the Planting Zone subject to submittal of the Town's Access and Watering Agreement.

Through this project, and by increasing tree canopy within the Planting Zone, the community will realize benefits including beautification of our neighborhoods, schools and other public places, improved air quality, noise reduction, increased wildlife habitat, and increased shade which will reduce urban heat island effect as well as maximize homeowner energy savings.

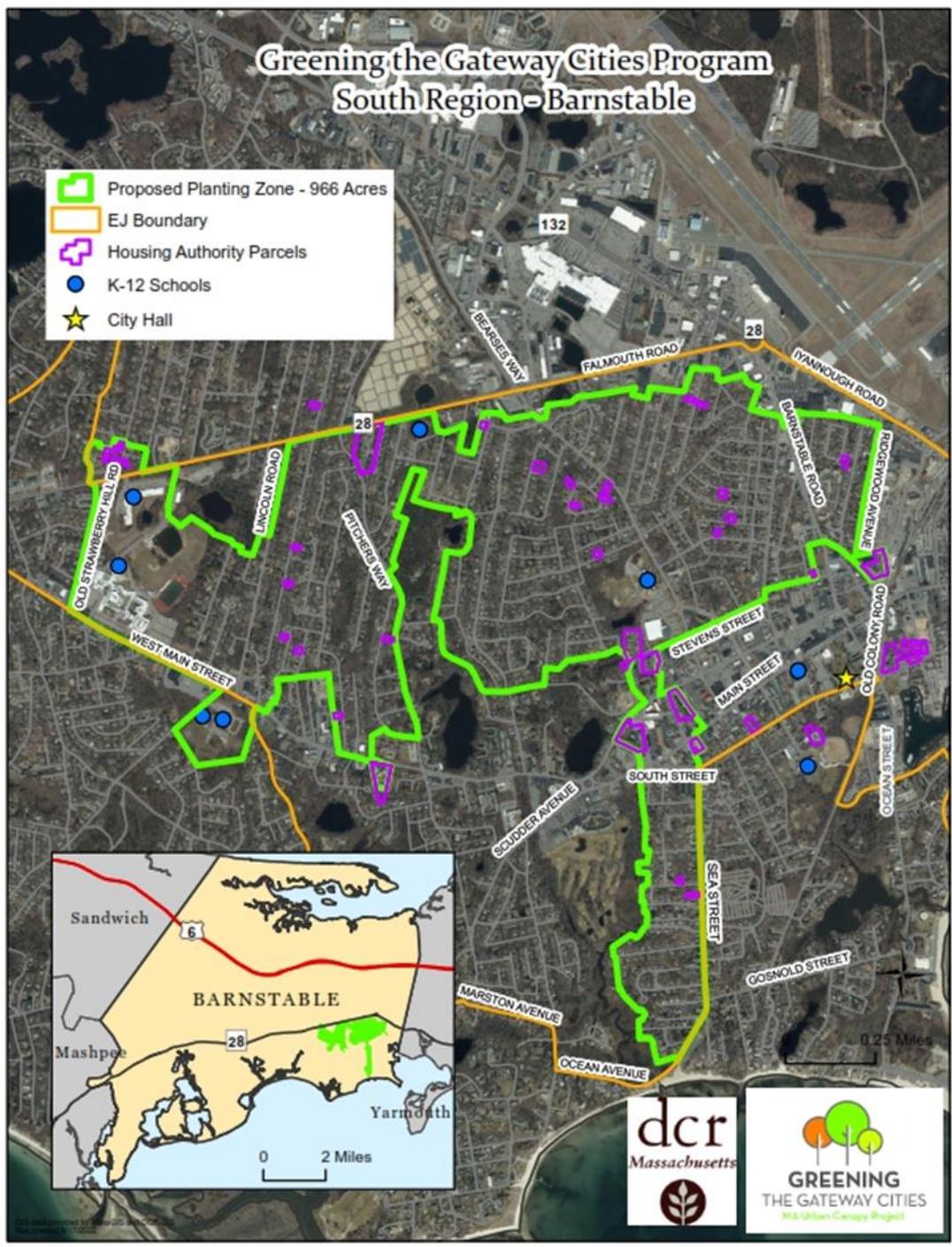
FISCAL IMPACT: No funding match is required for this grant award; however, the grant cannot be used for acquiring a vehicle that will be needed to carry out the program. This vehicle will be added to the Public Works Department fleet and will be equipped with the necessary axillary equipment needed for this program and other purposes such as snow removal in the planting offseason. Funding will be provided from the General Fund reserves which have a current balance of \$24,975,542.

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

STAFF ASSISTANCE: Kate Maldonado, Assistant Director of Planning & Development; Andy Bernier, Tree Warden, Department of Public Works; Alice Marcus Krieg, Grants Coordinator, Planning & Development

Greening the Gateway Cities Program South Region - Barnstable

-  Proposed Planting Zone - 966 Acres
-  EJ Boundary
-  Housing Authority Parcels
-  K-12 Schools
-  City Hall



B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-155
INTRO: 05/18/2023**

**2023-155 APPROPRIATION ORDER IN THE AMOUNT OF \$11,072,723 FOR THE
PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 AIRPORT
ENTERPRISE FUND BUDGET**

ORDERED: That the sum of **\$11,072,723** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Airport Enterprise Fund budget, and to meet such appropriation that **\$11,072,723** be raised from current year revenues by the Airport Enterprise Fund, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-156
INTRO: 05/18/2023**

2023-156 APPROPRIATION ORDER IN THE AMOUNT OF \$82,761,867 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 BARNSTABLE PUBLIC SCHOOL DEPARTMENT BUDGET, AND TO MEET THIS APPROPRIATION THAT \$82,761,867 BE RAISED FROM CURRENT YEAR REVENUES, AS PRESENTED TO THE TOWN COUNCIL BY THE TOWN MANAGER

ORDERED: That the sum of **\$82,761,867** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Barnstable Public School Department Budget, and to meet this appropriation that **\$82,761,867** be raised from current year revenues, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-157
INTRO: 05/18/2023**

2023-157 APPROPRIATION ORDER IN THE AMOUNT OF \$17,097,520 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 BARNSTABLE POLICE DEPARTMENT BUDGET

ORDERED: That the sum of **\$17,097,520** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Barnstable Police Department Budget; and to meet such appropriation that **\$17,097,520** be raised from current year revenues, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-158
INTRO: 05/18/2023**

2023-158 APPROPRIATION ORDER IN THE AMOUNT OF \$2,327,810 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 PLANNING AND DEVELOPMENT DEPARTMENT BUDGET

ORDERED: That the sum of **\$2,327,810** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Planning and Development Department Budget, and to meet this appropriation that **\$2,105,510** be raised from current year revenues, that **\$45,000** be provided from the Wetlands Protection Special Revenue Fund, and that **\$177,300** be provided from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-159
INTRO: 05/18/2023**

**2023-159 APPROPRIATION ORDER IN THE AMOUNT OF \$2,590,647 FOR THE
PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 COMMUNITY
SERVICES DEPARTMENT GENERAL FUND BUDGET**

ORDERED: That the sum of **\$2,590,647** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Community Services Department General Fund Budget, and to meet such appropriation that **\$2,590,647** be raised from current year revenues, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-160
INTRO: 05/18/2023**

2023-160 APPROPRIATION ORDER IN THE AMOUNT OF \$3,690,660 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 GOLF COURSE ENTERPRISE FUND BUDGET

ORDERED: That the sum of **\$3,690,660** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Golf Course Enterprise Fund budget; and to meet such appropriation that **\$3,226,168** be raised from Enterprise Fund revenues, that **\$291,960** be provided from the set-aside for recreation and open space within the Community Preservation Fund, and that **\$172,532** be provided from the Golf Course Enterprise Fund reserves, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-161
INTRO: 05/18/2023**

2023-161 APPROPRIATION ORDER IN THE AMOUNT OF \$3,577,188 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 HYANNIS YOUTH AND COMMUNITY CENTER ENTERPRISE FUND BUDGET

ORDERED: That the sum of **\$3,577,188** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Hyannis Youth and Community Center Enterprise Fund Budget; and to meet such appropriation that **\$407,039** be raised from Enterprise Fund Revenues, that **\$1,406,994** be raised in the General Fund, that **\$1,350,535** be transferred from the Capital Trust Fund, and that **\$412,620** be provided from the Hyannis Youth and Community Center Enterprise Fund Reserves, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-162
INTRO: 05/18/2023**

2023-162 APPROPRIATION ORDER IN THE AMOUNT OF \$1,459,889 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 MARINE & ENVIRONMENTAL AFFAIRS DEPARTMENT GENERAL FUND BUDGET

ORDERED: That the sum of **\$1,459,889** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Marine & Environmental Affairs Department General Fund Budget, and to meet such appropriation, that **\$1,076,389** be raised from current year revenue and that **\$383,500** be provided from the Waterways Special Revenue Fund, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-163
INTRO: 05/18/2023**

**2023-163 APPROPRIATION ORDER IN THE AMOUNT OF \$713,286 FOR THE
PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 MARINA
ENTERPRISE FUND BUDGET**

ORDERED: That the sum of **\$713,286** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Marina Enterprise Fund Budget; and to meet such appropriation that **\$644,561** be raised from Enterprise Fund Revenues, that **\$38,725** be provided from the Capital Trust Fund, and that **\$30,000** be raised in the General Fund, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-164
INTRO: 05/18/2023**

**2023-164 APPROPRIATION ORDER IN THE AMOUNT OF \$1,069,975 FOR THE
PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 SANDY NECK
PARK ENTERPRISE FUND BUDGET**

ORDERED: That the sum of **\$1,069,975** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Sandy Neck Park Enterprise Fund Budget; and to meet such appropriation that **\$962,237** be raised from Enterprise Fund Revenues, and that **\$107,738** be provided from the Sandy Neck Enterprise Fund Reserves, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-165
INTRO: 05/18/2023**

2023-165 APPROPRIATION ORDER IN THE AMOUNT OF \$2,461,095 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 INSPECTIONAL SERVICES DEPARTMENT BUDGET

ORDERED: That the sum of **\$2,461,095** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Inspectional Services Department Budget, and to meet such appropriation, that **\$2,461,095** be raised from current year revenue as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-166
INTRO: 05/18/2023**

2023-166 APPROPRIATION ORDER IN THE AMOUNT OF \$11,142,056 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 DEPARTMENT OF PUBLIC WORKS GENERAL FUND BUDGET

ORDERED: That the sum of **\$11,142,056** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Department of Public Works General Fund Budget, and to meet such appropriation, that **\$11,058,916** be raised from current year revenue, that **\$56,320** be provided from the Embarkation Fee Special Revenue Fund, and that **\$26,820** be provided from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-167
INTRO: 05/18/2023**

2023-167 APPROPRIATION ORDER IN THE AMOUNT OF \$3,748,307 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 DEPARTMENT OF PUBLIC WORKS SOLID WASTE ENTERPRISE FUND BUDGET

ORDERED: That the sum of **\$3,748,307** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Department of Public Works Solid Waste Enterprise Fund Budget, and to meet such appropriation that **\$3,627,285** be raised from the Enterprise Fund Revenues, and that **\$121,022** be provided from the Solid Waste Enterprise Fund Reserves, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-168
INTRO: 05/18/2023**

2023-168 APPROPRIATION ORDER IN THE AMOUNT OF \$8,108,805 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 DEPARTMENT OF PUBLIC WORKS WATER POLLUTION CONTROL ENTERPRISE FUND BUDGET

ORDERED: That the sum of **\$8,108,805** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Department of Public Works Water Pollution Control Enterprise Fund Budget, and to meet such appropriation that **\$5,010,517** be raised from the Enterprise Fund Revenues, and that **\$3,098,288** be provided from the Sewer Construction and Private Road Maintenance and Improvement Special Revenue Fund, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-169
INTRO: 05/18/2023**

2023-169 APPROPRIATION ORDER IN THE AMOUNT OF \$8,364,442 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 DEPARTMENT OF PUBLIC WORKS WATER SUPPLY ENTERPRISE FUND BUDGET

ORDERED: That the sum of **\$8,364,442** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Department of Public Works Water Supply Enterprise Fund Budget, and to meet such appropriation that **\$7,324,442** be raised from the Enterprise Fund Revenues, that **\$1,000,000** be provided from the Water Stabilization Fund, and that **\$40,000** be provided from the Capital Trust Fund, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-170
INTRO: 05/18/2023**

**2023-170 APPROPRIATION ORDER IN THE AMOUNT OF \$261,328 FOR THE
PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 TOWN COUNCIL
BUDGET**

ORDERED: That the sum of **\$261,328** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Town Council Budget and to meet such appropriation, that **\$261,328** be raised from current year revenue, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-171
INTRO: 05/18/2023**

2023-171 APPROPRIATION ORDER IN THE AMOUNT OF \$1,535,533 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 TOWN MANAGER BUDGET

ORDERED: That the sum of **\$1,535,533** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Town Manager Budget and to meet such appropriation, that **\$1,535,533** be raised from current year revenue, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-172
INTRO: 05/18/2023**

2023-172 APPROPRIATION ORDER IN THE AMOUNT OF \$856,897 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 PUBLIC, EDUCATION & GOVERNMENT (PEG) ACCESS CHANNELS ENTERPRISE FUND BUDGET

ORDERED: That the sum of **\$856,897** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Public, Education & Government (PEG) Access Channels Enterprise Fund Budget, and to meet such appropriation, that **\$856,897** be raised from the PEG Enterprise Fund Revenues, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-173
INTRO: 05/18/2023**

**2023-173 APPROPRIATION ORDER IN THE AMOUNT OF \$7,530,592 FOR THE
PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024
ADMINISTRATIVE SERVICES DEPARTMENT BUDGET**

ORDERED: That the sum of **\$7,530,592** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Administrative Services Department Budget, and to meet such appropriation, that **\$7,530,592** be raised from current year revenue, as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-174
INTRO: 05/18/2023**

2023-174 APPROPRIATION ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE TOWN COUNCIL'S FISCAL YEAR 2024 RESERVE FUND

ORDERED: That the sum of **\$250,000** be appropriated for the purpose of funding the Town Council's Fiscal Year 2024 Reserve Fund and to meet such appropriation, that **\$250,000** be provided from the General Fund Reserves.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-175
INTRO: 05/18/2023**

2023-175 APPROPRIATION ORDER IN THE AMOUNT OF \$51,770,243 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2024 OTHER REQUIREMENTS BUDGET

ORDERED: That the sum of **\$51,770,243** be appropriated for the purpose of funding the Town's Fiscal Year 2024 Other Requirements Budget, and to meet such appropriation, that **\$51,487,043** be raised from current year revenue, that **\$200,000** be provided from the Pension Reserve Trust Fund, that **\$43,680** be provided from the Embarkation Fee Special Revenue Fund, and that **\$39,520** be provided from the Bismore Park Special Revenue Fund, all for the purpose of funding the Town's Fiscal Year 2024 General Fund Other Requirements Budget as presented to the Town Council by the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-176
INTRO: 05/18/2023**

2023-176 APPROPRIATION ORDER OF THE FOLLOWING SUMS OF THE ANNUAL REVENUES OF THE COMMUNITY PRESERVATION FUND BE SET ASIDE FOR FURTHER APPROPRIATION AND EXPENDITURE FOR THE FOLLOWING PURPOSES: \$503,390 FOR OPEN SPACE AND RECREATION; \$503,390 FOR HISTORIC RESOURCES; \$503,390 FOR COMMUNITY HOUSING; \$3,017,456 FOR A BUDGET RESERVE, AND THAT THE SUM OF \$200,000 BE APPROPRIATED FROM THE ANNUAL REVENUES OF THE COMMUNITY PRESERVATION FUND FOR THE ADMINISTRATIVE EXPENSES OF THE COMMUNITY PRESERVATION COMMITTEE

ORDERED: That, pursuant to the provisions of General Law Chapter 44B Section 6, for the Fiscal Year beginning July 1, 2023, the following sums of the annual revenues of the Community Preservation Fund be set aside for further appropriation and expenditure for the following purposes: **\$503,390** for open space and recreation; **\$503,390** for historic resources; **\$503,390** for community housing; **\$3,017,456** for a Budget Reserve, and that the sum of **\$200,000** be appropriated from the annual revenues of the Community Preservation Fund for the administrative expenses of the Community Preservation Committee, to be expended under the direction of the Town Manager or the Community Preservation Committee with the prior approval of the Town Manager.

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-177
INTRO: 05/18/2023**

**2023-177 APPROPRIATION ORDER IN THE AMOUNT OF \$378,795 FOR THE
PURPOSE OF PAYING THE FISCAL YEAR 2024 COMMUNITY
PRESERVATION FUND DEBT SERVICE REQUIREMENTS**

ORDERED: That the sum of **\$378,795** be appropriated for the purpose of paying the Fiscal Year 2024 Community Preservation Fund Debt Service Requirements, and to meet such appropriation, that **\$306,270** be provided from current year revenues of the Community Preservation Fund and that **\$72,525** be provided from the reserves for the Historic Preservation Program within the Community Preservation Fund.

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

B. NEW BUSINESS (First Reading) (Refer to Second Reading 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-188
INTRO: 05/18/2023**

2023-188 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Conservation Commission:** Angela Tangney, as a regular member to a term expiring 6/2026; **Hyannis Main Street Waterfront Historic District Commission:** Kevin Ferreira, as an alternate member to a term expiring 06/2023; **Infrastructure and Energy Committee:** Larry Hurwitz, as a regular member to a term expiring 06/2023; **Planning Board:** Matthew Teague, as a regular member to a term expiring 06/2024; **Shellfish Committee:** Gloriann Hurwitz, as a member holding a family permit, to a term expiring 06/2025

SPONSORS: Appointments Committee Members: Councilor Paula Schnepf, Chair; Councilor Tracy Shaughnessy; Councilor Jeffrey Mendes; Councilor Nikolas Atsalis; and Councilor Gordon Starr

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (First Reading) (Refer to Second Reading 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-189
INTRO: 05/18/2023**

2023-189 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member Board/Committee/Commission: **Airport Commission:** Joe DiGeorge, as a regular member to a term expiring 06/30/2026, John Flores, as a regular member to a term expiring 06/30/2026; **Board of Assessors:** Melvin Pauze, as a regular member to a term expiring 06/30/2026; **Board of Health:** F.P. Tom Lee, as a regular member to a term expiring 06/2026; **Community Preservation Committee:** Lindsey Counsell, as a regular member to a term expiring 06/30/2026; Terry Duenas, as a regular member to a term expiring 06/2026; **Conservation Commission:** John Abodeeley, as a regular member to a term expiring 06/2026; **Disability Commission:** John Lundborn, as a regular member to a term expiring 06/30/2026; Linda McKinney, as a regular member to a term expiring 06/2026; **Golf Committee:** John Cookson, as a regular member to a term expiring 06/30/2026; **Historical Commission:** Barbara Debiase, as an alternate member, to a term expiring 06/30/2026; Nancy Shoemaker, as a regular member to a term expiring 06/2026; Nancy Clark, as a regular member to a term expiring 06/2026; **Housing Committee:** Hilda Haye, as a regular member to a term expiring 06/30/2026; **Human Services Committee:** Cheryl Powell as a representative member to a term expiring 06/30/2026; Carlos Barbosa, as a representative member to a term expiring 06/30/2026; **Hyannis Main Street Waterfront Historic District Commission:** Jennifer Hinckley-Needham, as a regular member to a term expiring 06/30/2026; Jack Kay as a regular member to a term expiring 06/30/2026; Cheryl Powell, as a representative member from Barnstable Historic to a term expiring 06/30/2026; **Land Acquisition and Preservation Committee:** Elizabeth Lewis, as a regular member to a term expiring 06/30/2026; **Licensing Authority:** Nancy Karlson-Lidman, as an associate member, to a term expiring 06/30/2026; **Mid Cape Cultural Council:** Michele McCoy, as a regular member to a term expiring 06/30/2026; **Old Kings Highway Historic District Committee:** George Jessop, as an architect representative member, to a term expiring 06/30/2026; **Planning Board:** Mary Barry, as a regular member to a term expiring 06/2026; Tim O'Neill, as a regular member to a term expiring 06/2026; Steven Robichaud, as a regular member to a term expiring 06/2026; **Recreation Commission:** Rene King, as a regular member to a term expiring 06/30/2026; **Registrar of Voters:** David Jones, as an appointed member, to a term expiring 06/30/2026; **Sandy Neck Board:** Peter Sampou, a member representing Conservation Commission, to a term expiring 06/30/2026; **Scholarship Committee:** Janice Cliggott, as a regular member to a term expiring 06/30/2026; **Shellfish Committee:** Albert Surprenant, as a commercially permitted member, to a term expiring 06/30/2026; **Trust Fund Advisory Committee:** Frances Parks, as a Human Services Representative Member, to a term expiring 06/30/2026; **Youth Commission:** Eric Arabadzhiev, as a student member to a term expiring 06/30/2024; Michaela Stampfl, as a student member to a term expiring 06/30/2024; Shalanda Grant, as a student member to a term expiring 06/30/2024; Gene Desruisseaux, an advisory member, to a term expiring 06/30/2024; Piper Hunt, as a student member to a term expiring 06/30/2024; Madeleine Boyle, as a student member to a term expiring 06/30/2024; Mary Flynn Kayajan, as a student member to a term expiring 06/30/2024; Connor O'Reilly, as a student member to a term expiring 06/30/2024; George Noonan, as an advisory member, to a term expiring 06/2026; Jaden Jeffries, as a student member to a term expiring 06/30/2024; Megan Garthee, as a student member to a term expiring 06/30/2024; Laik

O'Reilly, as a student member to a term expiring 06/30/2024; **Zoning Board of Appeals:** Aaron Webb, as a regular member, to a term expiring 06/2026

SPONSORS: Appointments Committee Members: Councilor Paula Schnepf, Chair; Councilor Tracy Shaughnessy; Councilor Jeffrey Mendes; Councilor Nikolas Atsalis; and Councilor Gordon Starr

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council Discussion
- Vote

B. NEW BUSINESS (First Reading) (Refer to Second Reading 06/01/2023)

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-190
INTRO: 05/18/2023**

2023-190 REAPPOINTMENT TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoint the following individual to a multiple-member Board/Committee/Commission: **Youth Commission:** Mary Steinhilber, as a student member to a term expiring 06/30/2024

SPONSORS: Appointments Committee Members: Councilor Paula Schnepf, Chair; Councilor Tracy Shaughnessy; Councilor Jeffrey Mendes; Councilor Nikolas Atsalis; and Councilor Gordon Starr

DATE	ACTION TAKEN
_____	_____
_____	_____

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

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

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-191
INTRO: 05/18/2023**

2023-191 ACCEPTANCE OF THE PROVISIONS OF CHAPTER 41, SECTION 110A OF THE MASSACHUSETTS GENERAL LAWS

RESOLVED: The Town Council does hereby accept by reference the provisions of Section 110A of Chapter 41 of the Massachusetts General Laws as a part of the general ordinances of the Town; and, pursuant to said Section 110A, authorizes the Town Clerk’s Office to remain closed on all Saturdays and further authorizes any other public office in the Town to remain closed on any or all Saturdays as may be determined from time to time by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2023-191
INTRO: 05/18/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Ann Quirk, Town Clerk
DATE: May 18, 2023
SUBJECT: Acceptance of the provisions of M.G.L. Chapter 41, Section 110A of the Massachusetts General Laws

BACKGROUND: M.G.L. c. 41, Section 110A provides as follows:

Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.

With the enactment of Chapter 92 of the Acts of 2022, the VOTES Act, voter registration deadlines will always fall on a Saturday, which will require the Town Clerk's office to be open from 8:30 to 5:00 PM. Acceptance of this statute will allow the Town Clerk's Office to treat Saturdays as a legal holiday when calculating filing deadlines, such as voter registrations or submittal of nomination papers. Should the date fall on a Saturday, voter registrations for a local election deadline would fall to the business day prior, from 8:30am-5pm, and nomination/petition papers would fall to the next business day 8:30am-4:30pm.

Acceptance of this statute would not disenfranchise anyone from registering to vote. There are many avenues today for people to register to vote: in person, by mail, online or through the Registry of Motor Vehicles.

FISCAL IMPACT: By accepting M.G.L. c. 41, sec. 110A, it will save the Town the cost of opening Town offices on a Saturday to hold voter registration sessions for local elections, acceptance of nomination papers, etc.

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

STAFF ASSISTANCE: Karen L. Nober, Town Attorney

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

BARNSTABLE TOWN COUNCIL

**ITEM# 2023-192
INTRO: 05/18/2023**

2023-192 ACCEPTANCE ON BEHALF OF THE TOWN OF A GIFT OF A 2015 31 FOOT SAFEBOAT FROM THE CAPE COD REGIONAL LAW ENFORCEMENT COUNCIL FOR USE BY THE BARNSTABLE POLICE DEPARTMENT

RESOLVED: That the Town Council does hereby accept on behalf of the Town the transfer of ownership of a 2015 31 foot Safeboat as a gift to the Town at no cost to the Town from the Cape Cod Regional Law Enforcement Council (CCRLEC) to be placed in the custody of the Town of Barnstable Police Department and operated as a Police Department asset and made available by the Police Department for regional support of the CCRLEC; and authorizes the Town Manager to execute on behalf of the Town a Memorandum of Understanding between the Town and the CCRLEC to effectuate the purposes stated herein.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2023-192
INTRO: 05/18/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: May 18, 2023
SUBJECT: Acceptance on behalf of the Town of a gift of a 2015 31 foot Safeboat from the Cape Cod Regional Law Enforcement Council for use by the Barnstable Police Department

BACKGROUND: The Barnstable Police Department has long maintained a Marine Division available for emergency response and other public safety missions off the Town of Barnstable coastline. With two major ferry services based in Hyannis Harbor shuttling passengers, goods, and services to and from the islands on a daily basis, one of the busiest airports in the region, and numerous maritime based public events occurring annually, the ability of the Barnstable Police Department to respond quickly and effectively to maritime emergencies is essential. The 2000 26' Regulator that serves as the Police Department's main response unit needs new engines at a high cost; however, the Cape Cod Regional Law Enforcement Council has received a 2015 31' Safeboat from the Barnstable County Sheriff's Office for use as a regional response asset. The CCRLEC does not possess its own staff or facilities to operate the Safeboat and seeks to transfer ownership to the Town to enable the Barnstable Police Department to operate the Safeboat as a Town of Barnstable and make it available as a regional asset in support of the CCRLEC as needed. The 26' Regulator currently operated by the Barnstable Police Marine Unit will be sold and the proceeds used to help cover operating costs associated with the Safeboat.

ANALYSIS: The acceptance of a 2015 31' Safeboat from the CCRLEC will enable the Barnstable Police Department to continue to provide maritime public safety coverage and emergency response as well as providing regional support to other member agencies of the CCRLEC as needed.

FISCAL IMPACT: The Barnstable Police Department is currently budgeted for and maintains a line item for the Marine Unit. Costs associated with CCRLEC use will be covered by the CCRLEC.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends acceptance of this gift to the Town.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police, Anne E. Spillane, Finance & Support Services Director, Barnstable Police Dept.

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

BARNSTABLE TOWN COUNCIL

**ITEM # 2023-193
INTRO: 05/18/2023**

2023-193 APPROVAL TO INCREASE THE COST OF LIVING ADJUSTMENT FOR BARNSTABLE COUNTY RETIREMENT ASSOCIATION RETIREES FROM 3% TO 5% FOR FISCAL YEAR 2023

RESOLVED: That the Town Council does hereby approve a one-time increase in the Cost of Living Adjustment from 3% to 5% for Barnstable County Retirement Association retirees in Fiscal Year 2023 as authorized under Chapter 269 of the Acts of 2022.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2023-193
INTRO: 05/18/2023

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Mark A. Milne, C.P.A., Director of Finance
DATE: May 18, 2023
SUBJECT: Approval to increase the Cost of Living Adjustment for Barnstable County Retirees from 3% To 5% for Fiscal Year 2023

BACKGROUND: Chapter 269 of the Acts of 2022 provides the local retirement systems with a local option to increase the Cost of Living Adjustment (“COLA”) for Fiscal Year 2023 to up to 5 percent on the base amount specified pursuant to G.L. c. 32, § 103. The approval of the increase can occur at any time during the fiscal year and will take effect as of July 1, 2022.

In order for Barnstable County Retirement System to adopt a COLA increase pursuant to this act, the retirement board must vote for the increased amount and then it must also receive local approval. In a county, the county commissioners, who normally do not have a role in COLAs nor COLA base increases, must vote to accept and two-thirds of the cities and towns within the system must approve the increase. If the necessary approvals are received then the increase will be retroactive to July 1, 2022.

ANALYSIS: Barnstable County Retirement Association has established a maximum base of \$18,000 for calculation of the COLA which would mean that if this is approved, the maximum increase to any retiree would be \$30 per month. The County Retirement System’s actuary, Segal Co., prepared estimates as to the impact on the system’s unfunded liability as a result of approval of this action and the annual impact on assessments to participating members. It is estimated by Segal Co. that the town of Barnstable’s annual assessments for Fiscal Year 2025 and Fiscal Year 2026 would increase \$168,202 and \$177,958, respectfully. These higher assessments would be in place until the system’s unfunded liability is fully amortized as currently scheduled by 2037.

FISCAL IMPACT: Approval of this action would result in a higher retirement assessment on an annual basis until 2037 and would need to be factored into future operating budgets.

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

STAFF ASSISTANCE: Mark A. Milne, C.P.A., Director of Finance