

Town of Barnstable
Town Council
James H. Crocker Jr. Hearing Room
367 Main Street, 2nd floor,
Hyannis, MA 02601
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Original posted
6/18/2026 @
2:18pm. Updated on
06/23/2026 to add
Items 2026-216;
2026-217; 2026-218;
2026-219

TOWN COUNCIL MEETING
June 25, 2026
6:00pm

Councillors:

Craig Tamash
President
Precinct 4

Kris Clark
Vice President
Precinct 11

Gordon Starr
Precinct 1

Thomas Keane
Precinct 2

Betty Ludtke
Precinct 3

John Crow
Precinct 5

William Crocker
Precinct 6

Seth Burdick
Precinct 7

Lisa DaLuz
Precinct 8

Charles Bloom
Precinct 9

Matthew P. Levesque
Precinct 10

Barry Sheingold
Precinct 12

Felicia Penn
Precinct 13

Administrator:
Cynthia A. Lovell
Cynthia.lovell@barnstable.gov

The June 25, 2026 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. Please note that this in-person meeting will not be suspended or terminated if technological problems interrupt the remote connection or the live broadcast or live stream. If you have a particular interest in a topic to be discussed, please consider attending the meeting in person.

1. The meeting will be televised live via Xfinity Channel 8 or 1070 or High-Definition Channel 1072 or may be accessed via the Government Access Channel live stream on the Town of Barnstable's website: <https://barnstable.cablecast.tv/internetchannel/watch-now>

2. Written Comments that will be distributed to the entire Town Council may be submitted to: council@barnstable.gov

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/89812156235> Meeting ID: 898 1215 6235
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 and available on Video on Demand on the Town website)

7. MINUTES

- **ACT ON PUBLIC SESSION MINUTES: June 11, 2026**

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: July 16, 2026

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the American with Disabilities Act or state law, please contact Tammy Cunningham, Deputy Director of Human Resources, at (508) 862-4692, or at Tammy.Cunningham@barnstable.gov

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CONSENT AGENDA:		
Proposed Vote: To refer Items 2026-212, 2026-213, 2026-217, 2026-218 and 2026-219 as written, to a Second Reading to be held on each item at the Town Council meeting on July 16, 2026		
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A. NEW BUSINESS

2026-212	Appointments to a Board/Committee/Commission: District Improvement Financing Committee: Satchel Douglas, as a resident representing Precinct 9; Elizabeth Young, as a resident representing Precinct 13 (First Reading) (Refer to Second Reading 07/16/2026)29
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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 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# 2026-188

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-188 APPROPRIATION ORDER IN THE AMOUNT OF \$3,157,921 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2027 INSPECTIONAL SERVICES DEPARTMENT BUDGET

ORDERED: That the sum of **\$3,157,921** be appropriated for the purpose of funding the Town's Fiscal Year 2027 Inspectional Services Department Budget, and to meet such appropriation, that **\$3,085,814** be raised from current year revenues, and that **\$72,107** be provided from the General Fund Reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-189

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-189 APPROPRIATION ORDER IN THE AMOUNT OF \$2,459,418 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2027 PLANNING AND DEVELOPMENT DEPARTMENT BUDGET

ORDERED: That the sum of **\$2,459,418** be appropriated for the purpose of funding the Town's Fiscal Year 2027 Planning and Development Department Budget, and to meet this appropriation that **\$2,164,601** be raised from current year revenues, that **\$55,000** be provided from the Wetlands Protection Special Revenue Fund, that **\$183,660** be provided from the Bismore Park Special Revenue Fund, and **\$56,157** be provided from the General Fund Reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-190

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-190 APPROPRIATION ORDER IN THE AMOUNT OF \$273,810 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2027 TOWN COUNCIL BUDGET

ORDERED: That the sum of **\$273,810** be appropriated for the purpose of funding the Town's Fiscal Year 2027 Town Council Budget and to meet such appropriation, that **\$273,810** 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
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-191

INTRO: 05/28/2026, 06/11/2026, 06/26/2026

2026-191 APPROPRIATION ORDER IN THE AMOUNT OF \$1,454,093 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2027 TOWN MANAGER BUDGET

ORDERED: That the sum of **\$1,454,093** be appropriated for the purpose of funding the Town's Fiscal Year 2027 Town Manager Budget and to meet such appropriation, that **\$1,420,891** be raised from current year's revenues, and that **\$33,202** be provided from the General Fund Reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-192

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-192 APPROPRIATION ORDER IN THE AMOUNT OF \$1,114,808 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2027 PUBLIC, EDUCATION & GOVERNMENT (PEG) ACCESS CHANNELS ENTERPRISE FUND BUDGET

ORDERED: That the sum of **\$1,114,808** be appropriated for the purpose of funding the Town's Fiscal Year 2027 Public, Education & Government (PEG) Access Channels Enterprise Fund Budget, and to meet such appropriation, that **\$869,871** be raised from the PEG Enterprise Fund Revenues, and that **\$244,937** be provided from the PEG Enterprise Fund Reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-193

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-193 APPROPRIATION ORDER IN THE AMOUNT OF \$9,048,060 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2027 ADMINISTRATIVE SERVICES DEPARTMENT BUDGET

ORDERED: That the sum of **\$9,048,060** be appropriated for the purpose of funding the Town's Fiscal Year 2027 Administrative Services Department Budget, and to meet such appropriation, that **\$8,835,208** be raised from current year revenue, and that **\$212,852** be provided from the General Fund Reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-194

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-194 APPROPRIATION ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE TOWN COUNCIL'S FISCAL YEAR 2027 RESERVE FUND

ORDERED: That the sum of **\$250,000** be appropriated for the purpose of funding the Town Council's Fiscal Year 2027 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
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-195

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-195 APPROPRIATION ORDER IN THE AMOUNT OF \$62,794,395 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2027 OTHER REQUIREMENTS BUDGET

ORDERED: That the sum of **\$62,794,395** be appropriated for the purpose of funding the Town's Fiscal Year 2027 Other Requirements Budget, and to meet such appropriation, that **\$59,704,997** be raised from current year revenue, that **\$170,000** be provided from the Pension Reserve Trust Fund, and that **\$2,919,398** be provided from the General Fund Reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-196

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-196 APPROPRIATION ORDER FOR THE FOLLOWING AMOUNTS FOR THE COMMUNITY PRESERVATION FUND PROGRAM SET-ASIDES AND ADMINISTRATIVE EXPENSES

ORDERED: That, pursuant to the provisions of General Law Chapter 44B Section 6, for the fiscal year beginning July 1, 2026, the following sums of the annual revenues of the Community Preservation Fund be set aside for further appropriation and expenditure for the following purposes: **\$532,827** for open space and recreation; **\$532,827** for historic resources; **\$532,827** for community housing; **\$3,478,784** for a budget reserve, and that the sum of **\$250,000** 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
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-197

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-197 APPROPRIATION ORDER IN THE AMOUNT OF \$65,450 FOR THE PURPOSE OF PAYING THE FISCAL YEAR 2027 COMMUNITY PRESERVATION FUND DEBT SERVICE REQUIREMENTS

ORDERED: That the sum of **\$65,450** be appropriated for the purpose of paying the Fiscal Year 2027 Community Preservation Fund Debt Service Requirements, and to meet such appropriation, that **\$65,450** be provided from the reserves for the Historic Preservation Program within the Community Preservation Fund.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

A. OLD BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-198

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-198 FISCAL YEAR 2027 SPENDING LIMITATIONS REVOLVING FUNDS

RESOLVED: That the Town Council hereby authorizes the following spending limitations for Fiscal Year 2027 Revolving Funds:

- Senior Services Classroom Education Fund - **\$100,000**
- Recreation Program Fund - **\$325,000**
- Shellfish Propagation Fund - **\$200,000**
- Consumer Protection Fund - **\$600,000**
- Geographical Information Technology Fund - **\$10,000**
- Arts and Culture Program Fund - **\$50,000**
- Asset Management Fund - **\$500,000**
- Electric Vehicle Charging Station Fund - **\$300,000**

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/28/2026</u>	<u>Refer to Second Reading 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued to 06/25/2026</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-201

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

2026-201 ORDER AMENDING ARTICLE II, SEWER ASSESSMENTS, CHAPTER 184 SEWERS AND WATER OF THE GENERAL ORDINANCES

ORDERED: That Article II, Sewer Assessments, Chapter 184 Sewers and Water, of the General Ordinances of the Code of the Town of Barnstable shall be amended by deleting the last two sentences of § 184-9.5(A) and inserting the following new sentences in their place:

“Commencing July 1, 2027, and annually thereafter, the initial maximum amount shall be adjusted as of July 1 of each year by the percentage change in the Engineering News-Record (ENR) Construction Cost Index for Boston for the immediately preceding year ending June 30, as determined by the Town Manager. The Town Manager shall post the adjusted maximum amount on the Town website each year on or before August 1.”

SPONSOR: Thomas Keane, Town Councilor, Precinct 2

DATE	ACTION TAKEN
<u>05/28/2026</u>	<u>Refer to Public Hearing 06/11/2026</u>
<u>06/11/2026</u>	<u>Continued Public Hearing 06/25/2026</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-201

INTRO: 05/28/2026, 06/11/2026, 06/25/2026

TO: Town Council
FROM: Councilor Thomas Keane, Precinct 2
SUBJECT: Order Amending Article II, Sewer Assessments, Chapter 184 Sewers and Water of the General Ordinances
DATE: May 28, 2026

BACKGROUND: This item would implement a recommendation of the Town's Comprehensive Financial Advisory Committee by amending the sewer assessment ordinance to make two changes to how the maximum sewer assessment amount, which is currently \$10,000, would be adjusted. First, it would change what is currently a discretionary annual adjustment of that amount by the Town Manager, subject to Town Council approval, to a mandatory annual adjustment, as determined by the Town Manager. Second, it would change how the annual adjustment would be calculated. As currently written, the adjustment would be based on the percentage change in the construction cost index as calculated by the Gordian Company for the immediately preceding year ending June 30. As proposed, the annual adjustment would be based on the percentage change in the Engineering News-Record (ENR) Construction Cost Index for Boston for the immediately preceding year ending June 30.

RATIONALE: Sewer infrastructure construction costs are heavily influenced by inflationary pressures in labor, materials, fuel, equipment, and regulatory compliance. Under the current discretionary framework, adjustments to the maximum sewer assessment may be delayed or omitted due to administrative or political considerations, causing assessment revenues to lag behind actual project costs. Over time, this will further increase the structural funding gap that currently exists in financing the Comprehensive Wastewater Management Plan (CWMP).

A mandatory annual adjustment mechanism based on an established construction cost index ensures that assessment limits keep pace with real-world construction expenses in an objective and transparent manner. By linking adjustments to an independent index, it removes uncertainty and avoids the need for repeated legislative or administrative action to address inflationary increases.

In addition, indexing the maximum assessment promotes fairness among property owners who are being added to the public sewer system. Without regular indexed adjustments, deferred increases may eventually require larger, sudden increases to recover accumulated cost escalation.

Finally, use of a construction cost index provides an administratively efficient and defensible standard. Because the adjustment is based on publicly available economic data rather than discretionary judgment, the process is more transparent, consistent, and less susceptible to arbitrary decision-making.

Accordingly, replacing the current discretionary annual adjustment with a mandatory index-based adjustment mechanism is a prudent and sustainable policy that better aligns sewer assessments with actual infrastructure costs while promoting financial stability, transparency, and equitable cost allocation.

FISCAL IMPACT: The current maximum sewer assessment of \$10,000 per dwelling unit provides a small percentage of the overall funding resources for the CWMP. The sewer expansion projects authorized to date, including Strawberry Hill Rd., Rt. 28 East and West, Centerville Village North and South, Phinney's Lane Neighborhoods and Long Pond Area, are projected to generate \$19.6 million in sewer assessment revenue based on the current maximum assessment. Project construction and financing costs are projected to total \$185 million requiring a subsidy of approximately \$165 million, or

90% of the cost, excluding project management. A 5% increase in the current assessment would generate approximately \$760,000 more in assessment revenue for the projects approved to date.

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

STAFF SUPPORT: Karen L. Nober, Town Attorney; Mark Milne, Director of Finance

A. OLD BUSINESS (May be acted upon)(2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-202

INTRO: 05/28/2026, 06/25/2026

2026-202 ORDER ALTERING THE PUBLIC ROADWAY LAYOUT FOR SOUTH STREET AND OLD COLONY ROAD IN HYANNIS, AND AUTHORIZING THE ACQUISITION OR TAKING OF EASEMENTS BY EMINENT DOMAIN IN CONNECTION WITH SUCH PURPOSES

ORDERED: That the Town Council does hereby declare that public necessity and convenience require that the existing 1967 roadway layout of South Street and the 1970 roadway layout of Old Colony Road in Hyannis be altered to allow for the Town’s reconstruction of the roadway intersection at South Street, Old Colony Road and Ocean Street. The roadway layout alterations hereby laid out, made and accepted by this order are shown on a plan of land captioned “Roadway Layout Alteration Plan – South Street and Old Colony Road – Hyannis Village – Barnstable, Massachusetts”, dated May 21, 2026, prepared by Town of Barnstable – Department of Public Works, and attached hereto as Exhibit A (the “Alteration Plan”). The roadway layout for South Street is hereby altered and accepted to add into the public way the area shown as Parcel A on the Alteration Plan and containing approximately 5,984± square feet. The roadway layout for Old Colony Road is hereby altered and accepted to add into the public way the area shown as Parcel B on the Alteration Plan and containing approximately 921± square feet.

The Town Council hereby authorizes the Town Manager, on behalf of the Town, for no monetary consideration, to purchase or take by eminent domain pursuant to Chapter 79 of the General Laws a perpetual, exclusive easement for public way purposes, including for all purposes for which such an easement is commonly used in the Town of Barnstable, under, over and upon a parcel of land shown as “Parcel B” on a plan captioned “Easement Exhibit Plan” “500 Old Colony Road - Hyannis Village – Barnstable, MA”, prepared by the Town of Barnstable, Department of Public Works, dated October 16, 2025, and attached hereto as Exhibit B. The Town Manager is also authorized, for no monetary consideration, to purchase or take by eminent domain pursuant to Chapter 79 of the General Laws a perpetual easement for public utility purposes over and upon the area shown on the Easement Exhibit Plan as “15.00’ Wide Utility Easement 794± S.F.” The easements authorized herein are on land supposed to be owned by the Barnstable Housing Authority. Said perpetual easement for public utility purposes shall include the right for the Town to grant an easement to NSTAR Electric Company, doing business as Eversource Energy, to construct, operate and maintain an overhead electric wire for service to its customers.

Following the Town’s purchase or taking of the above-referenced easements, the Town Manager, on behalf of the Town, is authorized to grant an easement, for \$1.00 or no monetary consideration, to NSTAR Electric Company, doing business as Eversource Energy, to construct, operate and maintain an overhead electric line in the above-referenced perpetual public utility easement. The Town Manager is hereby further authorized, on behalf of the Town, to make any minor corrections to and finalize the Alteration Plan and the Easement Exhibit Plan, and to negotiate, accept, sign, deliver and record any instruments or plans as necessary to effectuate this Order.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

- _____ Read Item
- _____ Rationale
- _____ Council Discussion
- _____ Vote

Exhibit A

Alteration Plan

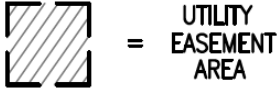
Exhibit B

Easement Exhibit Plan

EASEMENT EXHIBIT PLAN

RECORD OWNER:
 ASSESSORS MAP 326 LOT 27
 500 OLD COLONY ROAD

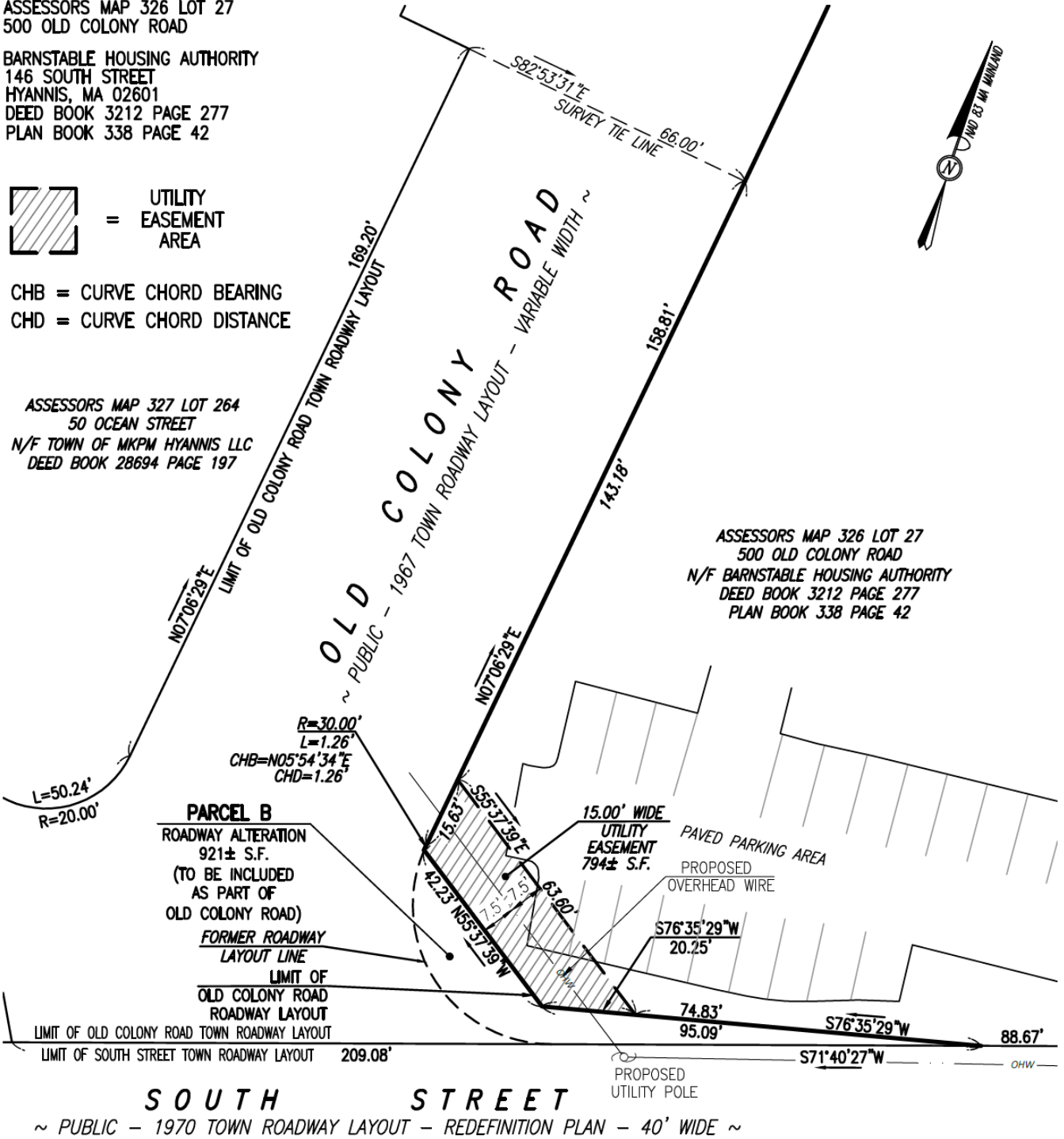
BARNSTABLE HOUSING AUTHORITY
 146 SOUTH STREET
 HYANNIS, MA 02601
 DEED BOOK 3212 PAGE 277
 PLAN BOOK 338 PAGE 42



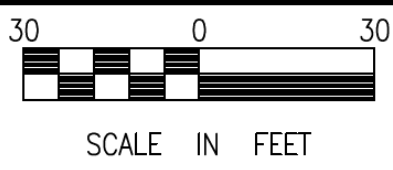
CHB = CURVE CHORD BEARING
 CHD = CURVE CHORD DISTANCE

ASSESSORS MAP 327 LOT 264
 50 OCEAN STREET
 N/F TOWN OF MKPM HYANNIS LLC
 DEED BOOK 28694 PAGE 197

ASSESSORS MAP 326 LOT 27
 500 OLD COLONY ROAD
 N/F BARNSTABLE HOUSING AUTHORITY
 DEED BOOK 3212 PAGE 277
 PLAN BOOK 338 PAGE 42



500 OLD COLONY ROAD - HYANNIS VILLAGE - BARNSTABLE, MA



SCALE: 1" = 30' **DRAFT**
 DATE: OCTOBER 16, 2025
 JOB No: 25-001

TOWN OF BARNSTABLE
 Department of Public Works
 Administration & Technical Support
 382 Falmouth Road, Hyannis, MA 02601
 Phone: (508) 790-6400
<https://townofbarnstable.us>



BARNSTABLE TOWN COUNCIL

ITEM# 2026-202
INTRO: 05/28/2026, 06/25/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Thomas J. LaRosa, First Assistant Town Attorney; Griffin Beaudoin, P.E., Town Engineer; James Kupfer, Director, Planning & Development
DATE: May 28, 2026
SUBJECT: Order authorizing the alteration of the public roadway layout for South Street and Old Colony Avenue in Hyannis, and the acquisition or the taking by eminent domain of easements in connection with such purposes

BACKGROUND: The Town is preparing for the planned Great Streets project that involves the reconstruction of the intersection at South Street, Ocean Street and Old Colony Avenue. The work would include a new roundabout to address this complex intersection, with the goal of improved safety and traffic circulation, and safer public access and bicycle connections between the waterfront and the Main Street areas. In order to accomplish the work, the Town needs to alter and enlarge the limits of the existing roadway layout of South Street and Old Colony Road.

Specifically, the roadway layout for South Street would be altered to add a 5,984± square-foot area of Town-owned land held by the Town for general municipal purposes and located on the northwesterly side of the intersection of South Street and Ocean Street. This area is shown as Parcel A on the Alteration Plan attached as Exhibit A.

The roadway layout of Old Colony Road would be altered to add a 921± square foot area on the northeasterly side of the intersection of Old Colony Road and South Street. This area is presently owned by the Barnstable Housing Authority and is shown as Parcel B on the Alteration Plan. As part of implementing the altered roadway layout, the Town would need to acquire easement rights in parcel.

The vote would authorize the Town Manager, on behalf of the Town, to purchase or take by eminent domain two easements from the Barnstable Housing Authority. Planning and Development has met with the Housing Authority, and they previously voted to support the Town's plans for the two easements. The first would be a perpetual exclusive easement for public way purposes upon Parcel B, containing 921± square feet, as shown on the Alteration Plan and the Easement Exhibit Plan attached as Exhibit B, which would be held and used for all purposes for which public ways are used in the Town as part of the altered roadway layout. The second easement would be a perpetual, non-exclusive easement for public utility purposes upon the area shown as "15.00' Wide Utility Easement 794± S.F." on the Easement Exhibit Plan. This second easement would not be part of the altered roadway layout. Instead, the easement would be located outside the roadway layout and is needed to accommodate the relocation of an overhead electric line owned by Eversource. The vote would authorize the Town to purchase or take sufficient public utility easement rights and grant an easement to NSTAR Electric Company, doing business as Eversource Energy, to locate their overhead electric line.

FISCAL IMPACT: None

STAFF ASSISTANCE: Thomas J. LaRosa, First Assistant Town Attorney; Griffin Beaudoin, P.E., Town Engineer; Shane Brenner, Town Surveyor; James Kupfer, Director, Planning & Development

A. OLD BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-205
INTRO: 06/11/2026, 06/25/2026

2026-205 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Comprehensive Financial Advisory Committee:** Sherman Baldwin, as a regular member to a term expiring 06/30/2029; **Hyannis Main Street Waterfront Historic District Commission:** Alan Feltham, as an alternate member to a term expiring 06/30/2029; Suzanne Welch, as an alternate member to a term expiring 06/30/2029 **(First Reading) (Refer to Second Reading 06/25/2026)**

SPONSOR: Appointments Committee Members: Councilor Seth Burdick, (Chair); Councilor Thomas Keane; Councilor John Crow; Councilor Charles Bloom; and Councilor Gordon Starr

DATE	ACTION TAKEN
<u>06/11/2026</u>	<u>Refer to Second Reading 06/25/2026</u>

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

A. OLD BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-208
INTRO: 06/11/2026, 06/25/2026**

2026-208 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member Board/Committee/Commission: **Airport Commission:** John Flores, as a regular member to a term expiring 06/30/2029; **Comprehensive Financial Advisory Committee:** Chris King, as a regular member to a term expiring 06/30/2029; **Conservation Commission:** Angela Tangney as a regular member to a term expiring 06/30/2029; **Council on Aging:** Maureen Hughes, as a regular member to a term expiring 06/30/2029; Janet Kraemer, as a regular member to a term expiring 06/30/2029; Kathy Turnbull, as a regular member to a term expiring 06/30/2029; **Disability Commission:** John Lundborn, as a regular member to a term expiring 06/30/2029; **Historical Commission:** John Richmond, as a regular member to a term expiring 06/30/2029; Robert Frazee, as a regular member to a term expiring 06/30/2029; **Housing Committee:** Joseph Taccogna, as a regular member to a term expiring 06/30/2029; Hilda Haye, as a regular member to a term expiring 06/30/2029; **Hyannis Main Street Waterfront Historic District Commission:** Cornelius Cawley, as a regular member to a term expiring 06/30/2029; David Wrenn, as a regular member to a term expiring 06/30/2029; Conrad Watson, as an alternate member, to a term expiring 06/30/2029; Cheryl Powell, as a representative member to a term expiring 06/30/2029; **Infrastructure and Energy Committee:** Christopher Gloninger, as a regular member to a term expiring 06/30/2029; **Licensing Authority:** Michael Travato, as an associate member to a term expiring 06/30/2029; **Open Space Committee:** Elizabeth Lewis, as a regular member to a term expiring 06/30/2029; Douglas Payson, as a regular member to a term expiring 06/30/2026; **Planning Board:** Steve Robichaud, as a regular member to a term expiring 06/30/2029; Tim O’Neill, as a regular member to a term expiring 06/30/2029; **Recreation Commission:** Tony Lapolla, as a regular member to a term expiring 06/30/2029; **Sandy Neck Committee:** Christina Carrington, as a recreation commission representative member to a term expiring 06/30/2029; Shellfish Committee: Timothy Hamel, as a commercially permitted resident, to a term expiring 06/30/2029; **Zoning Board of Appeals:** Emmanuel Alves, as a regular member to a term expiring 06/30/2029; Aaron Webb, as a regular member to a term expiring 06/30/2029. **(First Reading) (Refer to Second Reading 06/25/2026)**

SPONSOR: Appointments Committee Members: Councilor Seth Burdick, (Chair); Councilor Thomas Keane; Councilor John Crow; Councilor Charles Bloom; and Councilor Gordon Starr

DATE	ACTION TAKEN
<u>06/11/2026</u>	<u>Refer to Second Reading 06/25/2026</u>

- _____ Read Item
- _____ Rationale
- _____ Council Discussion
- _____ Vote

B. NEW BUSINESS (First Reading) (Refer to Second Reading 07/16/2026)

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-212
INTRO: 06/25/2026**

2026-212 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **District Improvement Financing Committee:** Satchel Douglas, as a resident representing Precinct 9; Elizabeth Young, as a resident representing Precinct 13 **(First Reading) (Refer to Second Reading 07/16/2026)**

SPONSOR: Appointments Committee Members: Councilor Seth Burdick, (Chair); Councilor Thomas Keane; Councilor John Crow; Councilor Charles Bloom; and Councilor Gordon Starr

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (First Reading) (Refer to Second Reading 07/16/2026)

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-213
INTRO: 06/25/2026**

2026-213 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member Board/Committee/Commission: **Board of Health:** F.P.Tom Lee, as a regular member, to a term expiring 06/30/2029; **Conservation Commission:** John Abodeely, as a regular member to a term expiring 06/30/2029; **Disability Commission:** Paul Logan, as a regular member to a term expiring 06/30/2029 **(First Reading) (Refer to Second Reading 07/16/2026)**

SPONSOR: Appointments Committee Members: Councilor Seth Burdick, (Chair); Councilor Thomas Keane; Councilor John Crow; Councilor Charles Bloom; 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# 2026-214
INTRO: 06/25/2026**

2026-214 RESOLVE AUTHORIZING FOUR MEACHAM-CRAWFORD SCHOLARSHIP AWARDS TO TOWN OF BARNSTABLE GRADUATING HIGH SCHOOL SENIORS FOR THE PURPOSE OF DEFRAYING THEIR POST-SECONDARY EDUCATION TUITION COSTS

RESOLVED: That the Town Council does hereby authorize, in accordance with the last will and testament of Edward C. Crawford, four separate \$10,000 scholarship awards from the Meacham-Crawford Fund on behalf of four Town of Barnstable High School students, living in the Town at the time of their graduation, to help defray part of the cost of the tuition for their attendance at an accredited post-secondary educational institution, with each award being paid directly to such institution by the Town, on behalf of the recipient, as follows:

- Brian Uhlman - \$10,000
- Jack Bertling - \$10,000
- Ava Przygoda - \$10,000
- Harry Clark - \$10,000

SPONSOR: Seth Burdick, Councilor, Precinct 7

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-214
INTRO: 06/25/2026

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Mark Milne, Director of Finance, Sean O'Brien, Treasurer Collector
DATE: June 25, 2026
SUBJECT: Resolve authorizing four Meacham-Crawford Scholarship Awards to Town of Barnstable graduating high school seniors for the purpose of defraying their post-secondary education tuition costs

BACKGROUND: The Town was gifted the estate of Edward C. Crawford, amounting to \$1.9M for the purposes of scholarships. The will outlines the scholarship process where students of high character, achievement, and community involvement will be nominated for significant awards to their post-secondary education costs. The Trust Fund Advisory Committee and Treasurer Collector worked with the school department providing recommendations to provide before Town Council for the award process. The Trust Fund Advisory Committee moved to provide four awards of \$10,000 per student and the school guidance department nominated the following four candidates for awards:

Brian Uhlman
Jack Bertling
Ava Przygoda
Harry Clark

ANALYSIS: The Chair of the Trust Fund Advisory Committee and School Guidance Officials met to discuss the timeline and scholarship process. In keeping with the will, the scholarship was made available to all Barnstable High School seniors, and we are appreciative of the guidance office for helping to vet candidates for Town Council approval.

FINANCIAL IMPACT: Since the funds were first invested in April of 2023, the funds have grown from \$1.9M to \$2.3M as of 4/30/26. The fund is a perpetual trust fund that can make distributions of capital gains and investment income (dividends and interest). Year to date interest earnings have been \$61,940.36 and are able to sustainably cover the \$40,000 recommended distributions.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of the scholarship awards.

STAFF ASSISTANCE: Sean O'Brien, Treasurer Collector, Mark Milne, Director of Finance

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

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-215
INTRO: 06/25/2026**

2026-215

**ORDER TO PETITION THE GENERAL COURT OF THE
COMMONWEALTH TO ENACT SPECIAL LEGISLATION APPROVING
THE GRANT OF AN EASEMENT OR GRANT OF LOCATION FOR
PUBLIC UTILITIES OVER AN AREA OF PUBLIC PARKLAND IN
HYANNIS**

ORDERED: SECTION 1. That, having received notice that the Town Manager has determined that 785± square feet of airspace over Town parkland under the care and control of the Town Manager, shown as “utility easement” on a plan of land captioned “Easement Exhibit Plan” “367 Main Street – Hyannis Village – Barnstable, MA”, dated October 16, 2025, prepared by the Town of Barnstable, Department of Public Works, and attached hereto as Exhibit A, should be made available for overhead electric wires to be installed by the NSTAR Electric Company, doing business as Eversource Energy, because said wires cannot be feasibly located within the roadway layout of Ocean Street, and that the relocation and placement of the overhead wires into the “utility easement” is needed as part of the reconstruction of the intersection of Ocean Street, South Street and Old Colony Road, a project that serves a significant public interest by addressing an existing complex intersection by improving traffic circulation and accommodating safer bicycle and public pedestrian access, including between the waterfront and the Main Street areas, the Town Council hereby approves of the grant of an easement or other rights in the “utility easement” airspace, with no change of use or access by the general public to the ground surface of the parkland, to NSTAR Electric Company sufficient for their installation, operation and maintenance of overhead electric lines; provided that the grant of such easement or other rights shall be subject to the enactment of legislation by the General Court as set forth in Section 2 of this Order.

SECTION 2. That the Town Council hereby directs the Town Manager to submit a petition to the General Court of the Commonwealth for a special act approving the grant of an easement of other rights to NSTAR Electric Company within 785± square feet of air space over Town parkland, as follows:

“AN ACT AUTHORIZING THE CITY KNOWN AS THE TOWN OF BARNSTABLE TO GRANT AN EASEMENT OR OTHER RIGHTS TO NSTAR ELECTRIC COMPANY WITHIN AIR RIGHTS OVER PUBLIC PARKLAND

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith a grant of an easement or other rights for public utility purposes in airspace over public parkland to facilitate a significant public works project in the city know as the town of Barnstable, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, and in accordance with section 5A of Chapter 3 of the General Laws, the town council of the city known as the town of Barnstable may grant an air rights easement to the NSTAR Electric Company over an area of public parkland, shown as “utility easement” on a plan of land captioned “Easement Exhibit Plan” “367 Main Street – Hyannis Village – Barnstable, MA”, dated October 16, 2025, prepared by the town of Barnstable, department of public works, and on file with the town clerk, or may issue a grant of location over the same area pursuant to section 20 of Chapter 166 of the General Laws and the code of the town of Barnstable notwithstanding that the involved area is adjacent to but located outside the public roadway layout. The town manager may make minor modifications to the plan to carry out this act.

SECTION 2. As the area described in section 1 is less than 2,500 square feet in area, the transfer involves only air rights and shall have no effect on the use of the parkland surface, and the transfer will serve a significant public interest by allowing the town of Barnstable to relocate an existing electric utility and thereby accomplish the reconstruction of a complex intersection, which is intended to improve traffic circulation and accommodate safer bicycle and public pedestrian access between public parkland along the waterfront and in the Main Street areas of the village of Hyannis, no replacement land is required under section 5A of Chapter 3 of the General Laws.

SECTION 3. The town manager of the city known as the town of Barnstable may execute and record on behalf of the town any instruments necessary to carry out this act.

SECTION 4. This act shall take effect upon its passage.”

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____


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

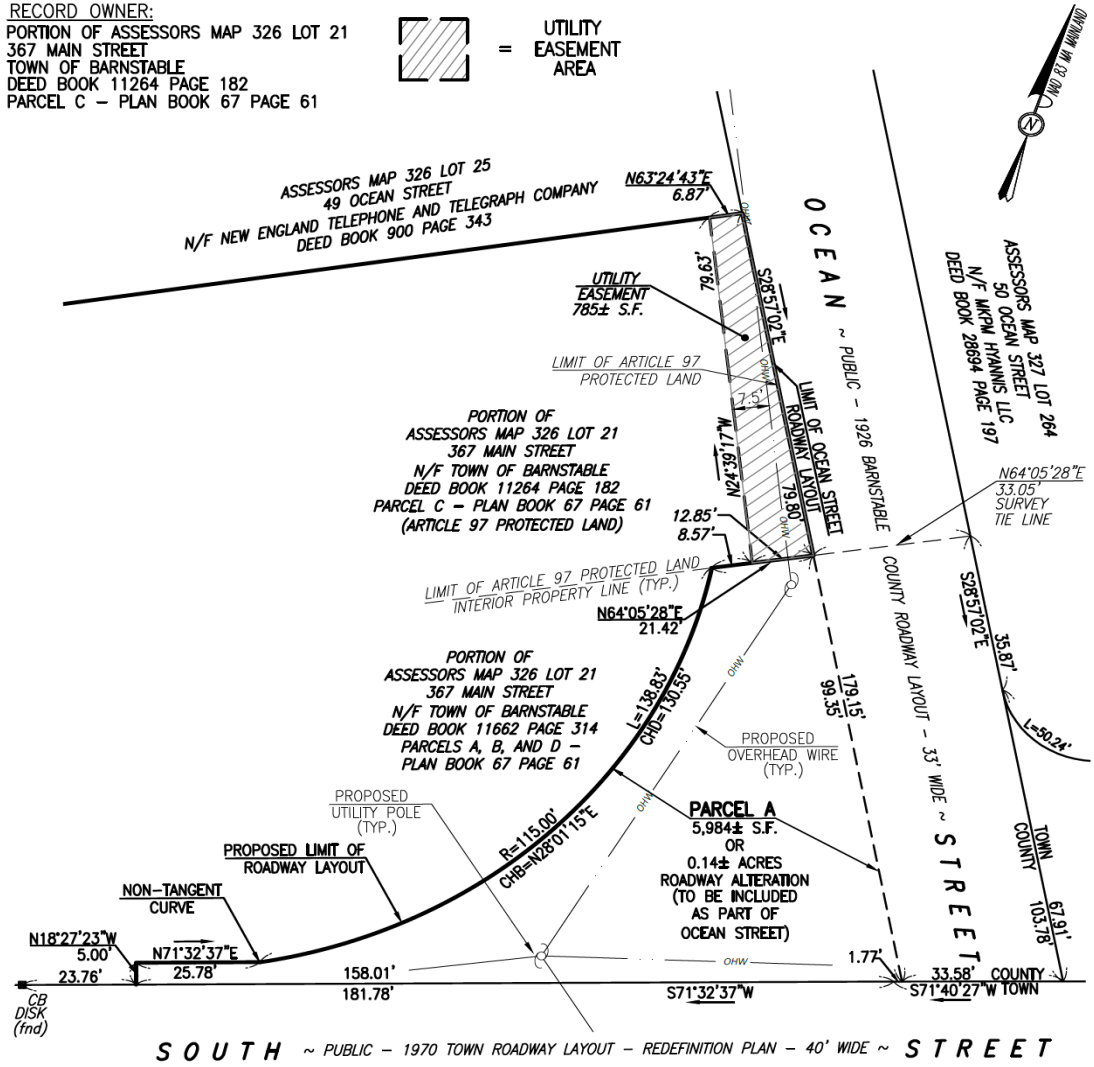
Exhibit A

Easement Exhibit Plan

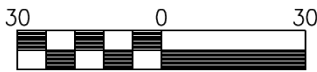
EASEMENT EXHIBIT PLAN

RECORD OWNER:
 PORTION OF ASSESSORS MAP 326 LOT 21
 367 MAIN STREET
 TOWN OF BARNSTABLE
 DEED BOOK 11264 PAGE 182
 PARCEL C - PLAN BOOK 67 PAGE 61

 = UTILITY EASEMENT AREA



367 MAIN STREET - HYANNIS VILLAGE - BARNSTABLE, MA



SCALE IN FEET

SCALE: 1" = 30' **DRAFT**
 DATE: OCTOBER 16, 2025
 JOB No: 25-001

TOWN OF BARNSTABLE
 Department of Public Works
 Administration & Technical Support
 382 Falmouth Road, Hyannis, MA 02601
 Phone: (508) 790-6400
<https://townofbarnstable.us>



SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THRU: Thomas J. LaRosa, First Assistant Town Attorney
DATE: June 25, 2026
SUBJECT: Order to petition the General Court of the Commonwealth to enact special legislation approving the grant of an easement or grant of location for public utilities over an area of public parkland in Hyannis

BACKGROUND: The Town is preparing for the planned Great Streets project that involves the reconstruction of the intersection at South Street, Ocean Street and Old Colony Avenue. The work would include a new roundabout to address this complex intersection, with the goal of improved safety and traffic circulation and safer public access and bicycle connections between the waterfront and the Main Street areas. In order to accomplish the work, the Town needs to alter and enlarge the limits of the existing roadway layout of South Street and Old Colony Road, which is the subject of Item No. 2026-202, which is pending before the Town Council.

The work would require that NSTAR Electric Company, doing business as Eversource Energy, relocate several utility poles, including overhead electric wires. One of the relocated utility poles will be placed within the sidewalk area of the roadway layout as altered by pending Item No. 2026-202. New overhead electric wires would need to be strung between that pole and another pole further north up Ocean Street. The new overhead wires would cross an area, which is roughly comprised of the northeasterly quadrant of the land located east of the Town Hall driveway off South Street. This northeasterly quadrant was acquired by the Town for park purposes under Town Council Item No. 98-055, passed January 29, 1998, and therefore is protected under Article 97 of the Amendments to the State Constitution. Because NSTAR Electric Company would need rights to maintain its electric wires over the park area, this would be considered a disposition under Article 97, thereby requiring approval of the State Legislature through a Special Act.¹

Accordingly, this vote would authorize and direct the Town Manager to seek such a Special Act of the State Legislature, which would authorize the Town Council to either grant an easement or a grant of location to NSTAR Electric Company under which they would install and maintain their electric wires over the park area as shown on the attached plan. The overhead electric wires would be located adjacent to the roadway layout and would not affect or change the use of the ground surface of the park land. Accordingly, the Town would seek, as part of the legislation and consistent with the Open Space Act, G.L. c. 3, § 5A, a waiver from any mitigation requirement to acquire additional open space on account of the rights that would be granted to NSTAR Electric Company. The Special Act would authorize the Town Manager to execute and record any necessary instruments.

FISCAL IMPACT: None

STAFF ASSISTANCE: Thomas J. LaRosa, First Assistant Town Attorney; Griffin Beaudoin, Town Engineer; Shane Brenner, Town Surveyor; James Kupfer, Director, Planning & Development

¹ The other three quadrants of this land, although functioning as part of the same seamless property, were acquired under Item No. 98-079, passed April 2, 1998, and are not protected by Article 97.

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

BARNSTABLE TOWN COUNCIL

**ITEM # 2026-216
INTRO: 06/25/2026**

2026-216 RESOLVE ENSURING COMPLIANCE WITH EVOLVING LAW AND FEDERAL GRANT CONDITIONS

WHEREAS, the federal government is currently requiring all federal grant recipients to certify that they do not operate any programs promoting Diversity, Equity, and Inclusion (DEI) initiatives that violate any applicable federal anti-discrimination laws; and

WHEREAS, the Town recognizes that the federal government has stated its intention to interpret this requirement so broadly as to include programs and policies that reference DEI or which may be construed to provide preferential treatment based on certain classifications, including, but not limited to, race or gender, even if those programs and policies in fact comply with existing federal anti-discrimination law;

WHEREAS, the Town of Barnstable has reviewed its policies and programs which implicate federal anti-discrimination laws and has determined that, to ensure compliance with evolving law and federal grant conditions, certain policy and program changes are advisable;

WHEREAS, the federal government has expressed its intention to use the False Claims Act to seek civil and criminal penalties against those entities and officials who it believes to make false grant certifications; and

WHEREAS, to ensure the Town's ability to continue to apply for and accept federal grants and limit the risk of civil and criminal claims, even if meritless, against the Town and its officers and employees who may certify compliance with federal grant conditions, it is prudent for the Town to make certain changes to its policies and programs;

NOW, THEREFORE, the Town Council does hereby Resolve as follows:

That the Town Council:

- (1) shall revise its Strategic Plan to remove all references to "DEI"; and
- (2) hereby rescinds the Town's outdated Affirmative Action Plan, last revised September 1, 2004, while continuing to maintain in full force and effect the Town's Equal Employment Opportunity Policy, and directs the Town Manager to take all necessary steps to implement the rescission of such Plan, including removing from the Town Manager Regulations of the Town Code all references thereto, including any related Affirmative Action program or policy; and

(3) hereby rescinds the Town's Minority and Women Business Enterprise (M/WBE) contracting requirements for Town-funded projects, which are in addition to and separate and distinct from any such requirements as may be in effect under state or federal law, including Disadvantaged Business Enterprise (DBE) contracting requirements, and directs the Town Manager to take all necessary steps to implement the rescission of such contracting requirements by revising the Town Manager Regulations of the Town Code accordingly; and further directs the Town Manager to investigate and propose options to the Town Council for a new program which supports and promotes contracting opportunities for local, small and/or developing businesses on Town-funded projects.

SPONSOR:Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Rationale
- _____ Council Discussion
- _____ Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2026-216
INTRO: 06/25/2026

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Karen L. Nober, Town Attorney
SUBJECT: Resolve ensuring compliance with evolving law and federal grant conditions
DATE: June 25, 2026

RATIONALE: The federal government is currently requiring all federal grant recipients to certify that they do not operate any programs promoting Diversity, Equity, and Inclusion (DEI) initiatives that violate any applicable federal anti-discrimination laws. If the Town cannot make the required certifications, it will not be eligible to receive federal grant funds.

The federal government has stated its intention to interpret this requirement so broadly as to include programs and policies that reference DEI or which may be construed to provide preferential treatment based on certain classifications, including, but not limited to, race or gender, even if those programs and policies in fact comply with existing federal anti-discrimination law.

The federal government has expressed its intention to use the False Claims Act to seek civil and criminal penalties against those entities and officials who it believes to make false grant certifications.

To ensure the Town's ability to continue to apply for and accept federal grants and limit the risk of civil and criminal claims, even if meritless, against the Town and its officers and employees who may certify compliance with federal grant conditions, and to ensure compliance with evolving law, it is prudent for the Town to make certain changes to its policies and programs, including rescinding its outdated

Affirmative Action Plan, last revised in 2004, while continuing to maintain in full force and effect the Town's Equal Employment Opportunity Policy, and rescinding its Minority and Women Business Enterprise (M/WBE) contracting requirements for Town-funded projects, while continuing to implement state and federal M/WBE and Disadvantaged Business Enterprise requirements for state and federally funded contracts.

FISCAL IMPACT: The proposed changes will ensure the Town's ability to make the necessary certifications to enable it to continue to accept federal grants, which are a considerable funding source for the Town, particularly for the Airport Enterprise Fund's capital improvement program and the School Department's operations.

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

STAFF ASSISTANCE: Karen L. Nober, Town Attorney

B. NEW BUSINESS (First Reading) (Refer to Second Reading 07/16/2026)

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-217
INTRO: 06/25/2026**

2026-217 ORDER AUTHORIZING GRANTS OF EASEMENTS FOR GAS FACILITIES TO SERVE THREE SEWER PUMP STATIONS ON TOWN-OWNED LAND

ORDERED: That the Town Council hereby authorizes the Town Manager, on behalf of the Town, as part of a negotiated transaction and for nominal monetary consideration, to grant perpetual easements to the Boston Gas Company, doing business as National Grid, or one of its related entities for the installation and operation of natural gas facilities to serve the following Town-owned land and easement areas described as follows:

- Upon a portion of the land located at 990 Shootflying Road in Centerville, shown as Assessor Parcel 211-006, and described in an order of taking recorded at the Barnstable Land Registration Office of the Land Court as Document No. 1,500,742, an easement area comprised of 580± square feet as shown on a plan captioned “Gas Easement Exhibit Plan” “990 Shootflying Road (Centerville Village) Barnstable, Massachusetts”, prepared by the Town of Barnstable, Department of Public Works, dated March 27, 2026, and attached hereto as Exhibit A.
- Upon a portion of the land located at 567 Shootflying Road in Centerville, shown as Assessor Parcel 193-024, referred to in an instrument recorded at the Barnstable County Registry of Deeds (the “Registry”) in Book 17994, Page 303, being described as Parcel III in a deed recorded at the Registry in Book 4121, Page 301, and shown as Lot 2 on a plan recorded at the Registry in Plan Book 107, Page 43, an easement area comprised of 330± square feet as shown on a plan captioned “Gas Easement Exhibit Plan” “567 Shootflying Road (Centerville Village) Barnstable, Massachusetts”, prepared by the Town of Barnstable, Department of Public Works, dated March 12, 2026, and attached hereto as Exhibit A.
- Upon a portion of the land referred to as 20A Phinney’s Lane in Centerville, shown as Assessor Parcel 209-123, described an order of taking recorded at the Registry in Book 35861, Page 95, and shown on a plan recorded at the Registry in Plan Book 700, Page 80, an easement area consisting of 2,489± square feet as shown on a plan captioned “Gas Easement Exhibit Plan” “Portion of Assessors Map 209 Lot 123 Centerville Village, Barnstable, MA”, prepared by the Town of Barnstable, Department of Public Works, dated April 29, 2026, and attached hereto as Exhibit A.

The Town Manager is authorized to negotiate, accept, sign, deliver and record any documents, and may make minor modifications to the easement areas and the plans as necessary to effectuate this Order and complete the easement transactions.

SPONSOR: Mark S. Ells, Town Manager

DATE

ACTION TAKEN

- Read Item
- Rationale
- Council Discussion
- Vote

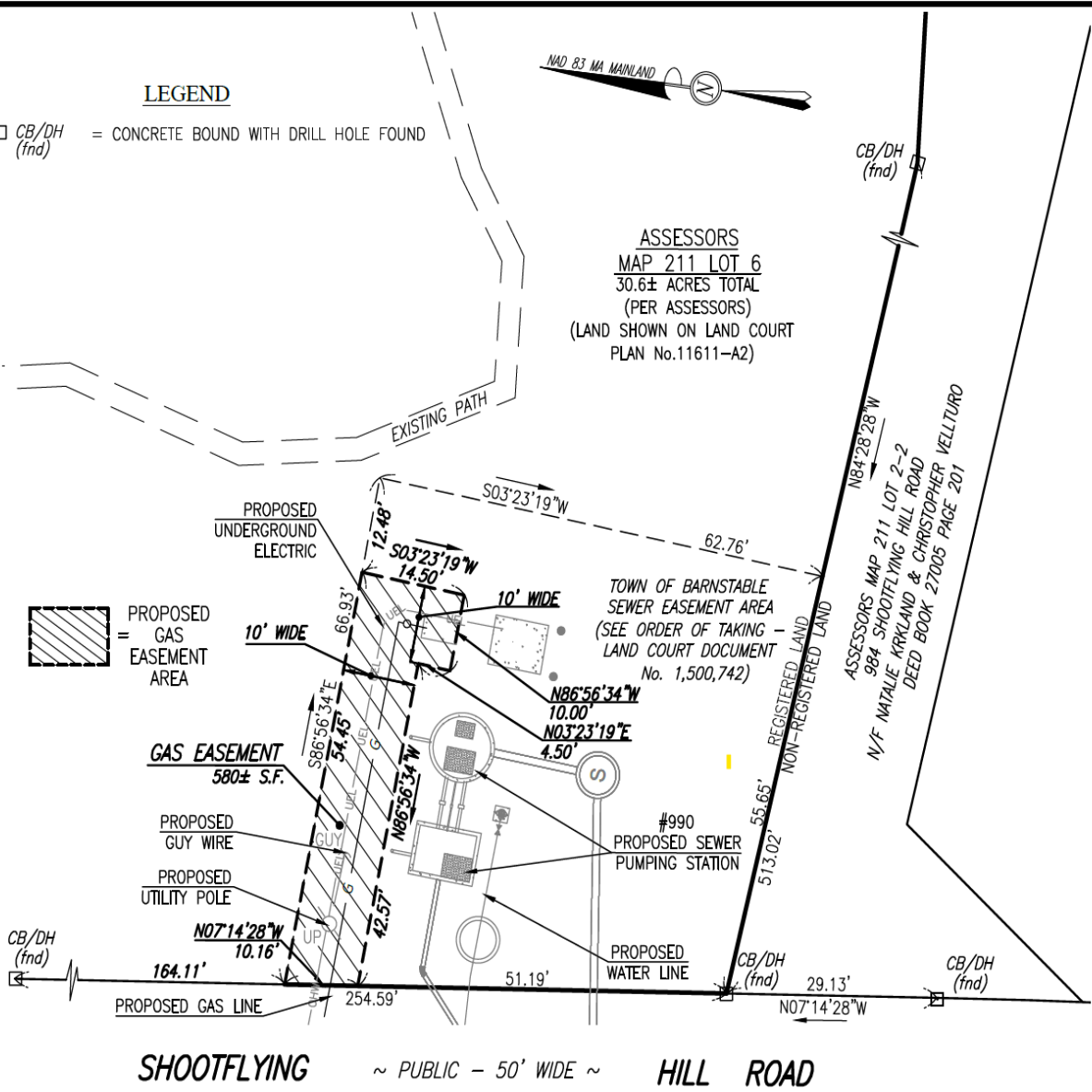
EXHIBIT A
EASEMENT EXHIBIT PLANS

GAS EASEMENT EXHIBIT PLAN

LEGEND
 □ CB/DH (fnd) = CONCRETE BOUND WITH DRILL HOLE FOUND

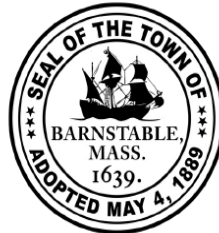


ASSESSORS
 MAP 211 LOT 6
 30.6± ACRES TOTAL
 (PER ASSESSORS)
 (LAND SHOWN ON LAND COURT
 PLAN No.11611-A2)



990 SHOOTFLYING HILL ROAD (CENTERVILLE VILLAGE) BARNSTABLE, MASSACHUSETTS

TOWN OF BARNSTABLE
 Department of Public Works
 Administration & Technical Support
 382 Falmouth Road, Hyannis, MA 02601
 Phone: (508) 790-6400
<https://townofbarnstable.us>

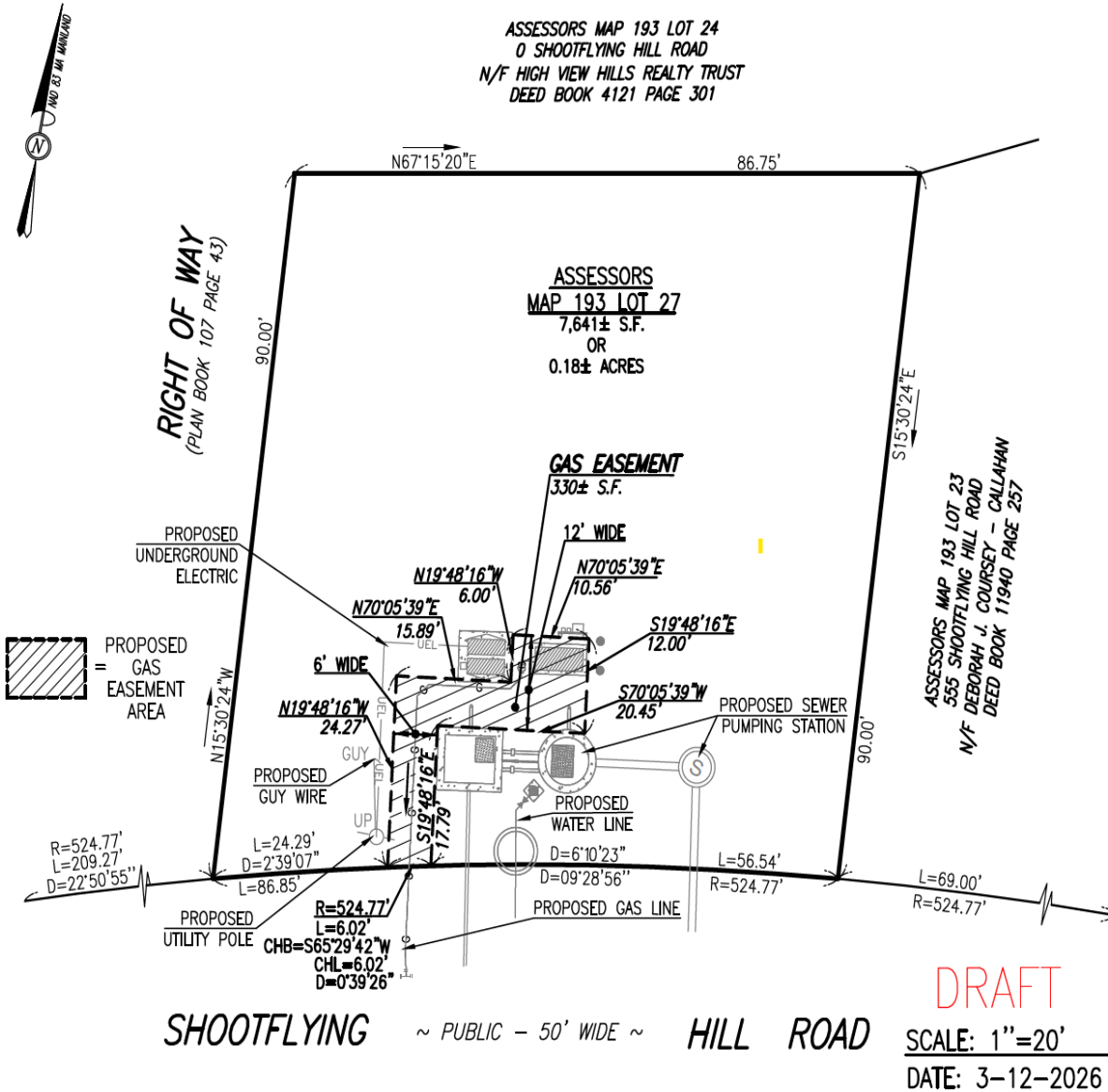


DRAFT

SCALE: 1"=20'
DATE: 3-27-2026
JOB No: 23-009

GAS EASEMENT EXHIBIT PLAN

ASSESSORS MAP 193 LOT 24
 0 SHOOTFLYING HILL ROAD
 N/F HIGH VIEW HILLS REALTY TRUST
 DEED BOOK 4121 PAGE 301



567 SHOOTFLYING HILL ROAD (CENTERVILLE VILLAGE)
 BARNSTABLE, MASSACHUSETTS

TOWN OF BARNSTABLE

Department of Public Works
 Administration & Technical Support
 382 Falmouth Road, Hyannis, MA 02601
 Phone: (508) 790-6400
<https://townofbarnstable.us>

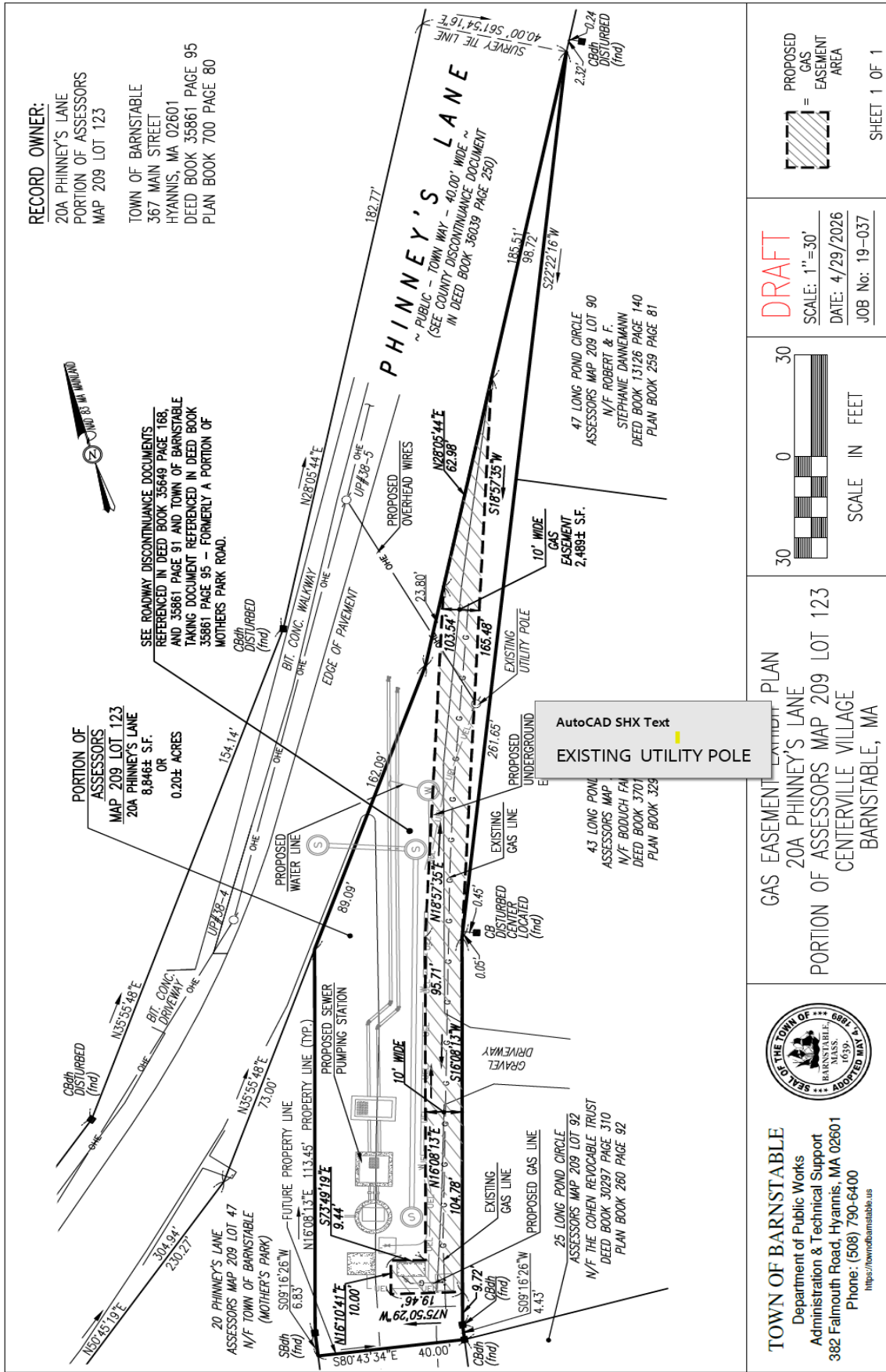


RECORD OWNER:

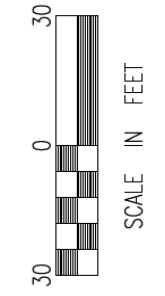
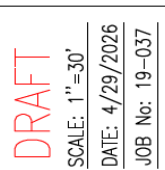
ASSESSORS MAP 193 LOT 27
 567 SHOOTFLYING HILL ROAD
 CENTERVILLE VILLAGE
 BARNSTABLE, MA 02632
 TOWN OF BARNSTABLE
 DEED BOOK 17994 PAGE 303
 LOT 2 PLAN BOOK 107 PAGE 43

RECORD OWNER:
 20A PHINNEY'S LANE
 PORTION OF ASSESSORS
 MAP 209 LOT 123

TOWN OF BARNSTABLE
 367 MAIN STREET
 HYANNIS, MA 02601
 DEED BOOK 35861 PAGE 95
 PLAN BOOK 700 PAGE 80



DRAFT
 SCALE: 1"=30'
 DATE: 4/29/2026
 JOB No: 19-037



GAS EASEMENT LOCATION PLAN
 20A PHINNEY'S LANE
 PORTION OF ASSESSORS MAP 209 LOT 123
 CENTERVILLE VILLAGE
 BARNSTABLE, MA



TOWN OF BARNSTABLE
 Department of Public Works
 Administration & Technical Support
 382 Falmouth Road, Hyannis, MA 02601
 Phone: (508) 790-6400
<https://www.townofbarnstable.us>

BARNSTABLE TOWN COUNCIL

ITEM# 2026-217
INTRO: 06/25/2026

SUMMARY

TO: Town Council
FROM: Thomas J. LaRosa, First Assistant Town Attorney
THROUGH: Mark S. Ells, Town Manager
DATE: June 25, 2026
SUBJECT: Order authorizing grants of easements for gas facilities to serve three sewer pump stations on town-owned land

BACKGROUND: As part of the construction of three new sewer pump stations in Centerville under the Town's Comprehensive Wastewater Management Plan, the Town's Department of Public Works ("DPW") requires the installation of a new gas service to power each sewer pump station's back-up electric generator. Prior to installing the gas service, the Boston Gas Company, doing business as National Grid, requires that their customer grant an easement to Boston Gas Company, which would provide them with the right to install and maintain their gas service on the customer's property. The authorization requested from the Town Council would allow the Town to grant such an easement to Boston Gas Company or one of their related entities.

The new pump stations are located in Centerville at 990 Shootflying Hill Road, 567 Shootflying Hill Road, and 20A Phinney's Lane on a former portion of Mother's Park Road. The easement areas, as described in the vote, are shown on the easement plans attached as Exhibit A. The Council's vote would authorize the Town Manager to make minor changes to the plan and easement areas, which could be needed based on the final requirements of National Grid, and to negotiate, finalize and execute any instruments necessary to complete the easement transactions.

After the easements are finalized, the DPW would coordinate with National Grid on the installation of the gas services.

FINANCIAL IMPACT: The Town would receive nominal monetary consideration (\$1.00) for granting the easements.

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

STAFF ASSISTANCE: Thomas J. LaRosa, First Assistant Town Attorney; Griffin Beaudoin, P.E., Town Engineer; Shane Brenner, Town Surveyor

**B. NEW BUSINESS (First Reading) (Refer to Second Reading
07/16/2026)**

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-218
INTRO: 06/25/2026**

**2026-218 ORDER AUTHORIZING GRANTS OF EASEMENTS FOR ELECTRIC
FACILITIES TO SERVE THREE SEWER PUMP STATIONS ON TOWN-
OWNED LAND**

ORDERED: That the Town Council hereby authorizes the Town Manager, on behalf of the Town, as part of a negotiated transaction and for nominal monetary consideration, to grant perpetual easements to NSTAR Electric Company, doing business as Eversource Energy, or one of its related entities for the installation and operation of an overhead line, utility pole and underground line for the distribution of electricity, related lines for control, relay and communication purposes, and associated at-grade appurtenances, including manholes, and associated parking areas, as applicable, to serve the following Town-owned land within the easement areas described as follows:

- Upon a portion of the land located at 990 Shootflying Road in Centerville, shown as Assessor Parcel 211-006, and described in an order of taking recorded at the Barnstable Land Registration Office of the Land Court as Document No. 1,500,742, an easement area comprised of an electric easement consisting of 745± square feet and a parking easement consisting of 786± square feet as shown on a plan captioned “Electric and Parking Easement Exhibit Plan” “990 Shootflying Road (Centerville Village) Barnstable, Massachusetts”, prepared by the Town of Barnstable, Department of Public Works, dated April 14, 2026, and attached hereto as Exhibit A.
- Upon a portion of the land located at 567 Shootflying Road in Centerville, shown as Assessor Parcel 193-027, referred to in an instrument recorded at the Barnstable County Registry of Deeds (the “Registry”) in Book 17994, Page 303, being described as Parcel III in a deed recorded at the Registry in Book 4121, Page 301, and shown as Lot 2 on a plan recorded at the Registry in Plan Book 107, Page 43, an easement area comprised of an electric easement consisting of 764± square feet and a parking easement consisting of 547± square feet as shown on a plan captioned “Electric and Parking Easement Exhibit Plan” “567 Shootflying Road (Centerville Village) Barnstable, Massachusetts”, prepared by the Town of Barnstable, Department of Public Works, dated April 13, 2026, and attached hereto as Exhibit A.
- Upon a portion of the land referred to as 20A Phinney’s Lane in Centerville, shown as Assessor Parcel 209-123, described in an order of taking recorded at the Registry in Book 35861, Page 95, and shown on a plan recorded at the Registry in Plan Book 700, Page 80, an electric easement area consisting of 4,171± square feet as shown on a plan captioned “Electric Easement Exhibit Plan” “Portion of Assessors Map 209 Lot 123 Centerville Village, Barnstable, MA”, prepared by the Town of Barnstable, Department of Public Works, dated April 28, 2026, and attached hereto as Exhibit A.

The Town Manager is authorized to negotiate, accept, sign, deliver and record any documents, and may make minor modifications to the easement areas and the plans as necessary to effectuate this Order and complete the easement transactions.

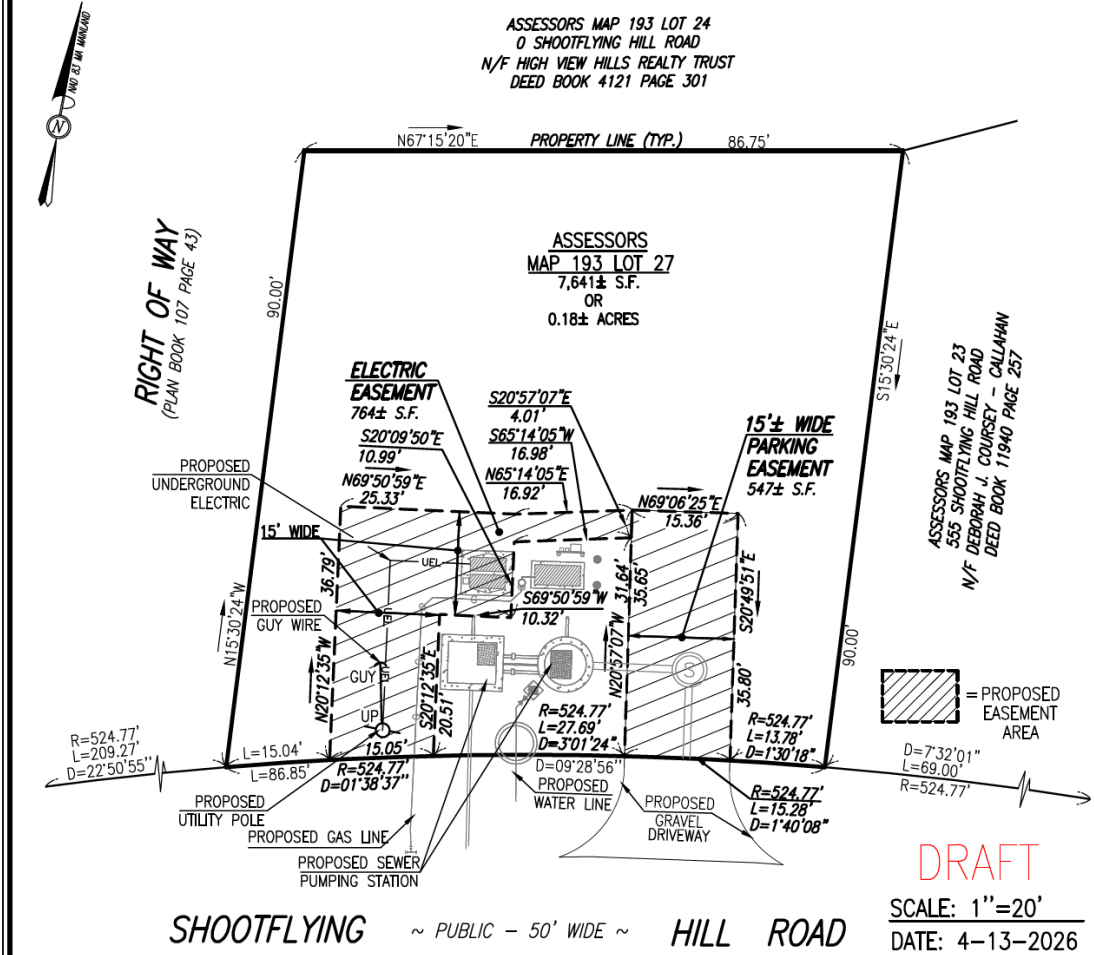
SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Rationale
- _____ Council Discussion
- _____ Vote

EXHIBIT A
EASEMENT EXHIBIT PLANS

ELECTRIC AND PARKING EASEMENT EXHIBIT PLAN



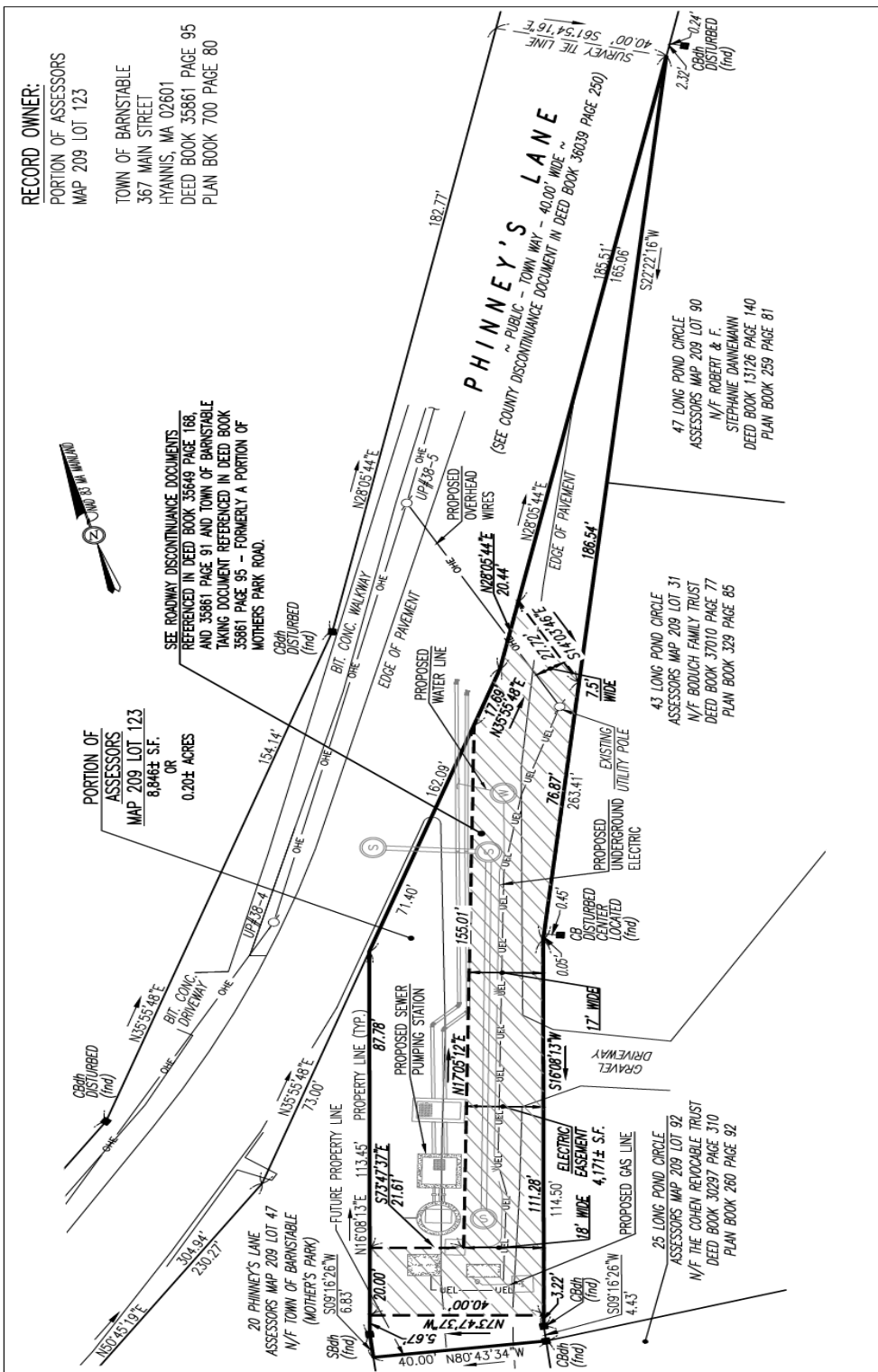
567 SHOOTFLYING HILL ROAD (CENTERVILLE VILLAGE)
BARNSTABLE, MASSACHUSETTS

TOWN OF BARNSTABLE
Department of Public Works
Administration & Technical Support
382 Falmouth Road, Hyannis, MA 02601
Phone: (508) 790-6400
<https://townofbarnstable.us>



RECORD OWNER:
ASSESSORS MAP 193 LOT 27
567 SHOOTFLYING HILL ROAD
CENTERVILLE VILLAGE
BARNSTABLE, MA 02632
TOWN OF BARNSTABLE
DEED BOOK 17994 PAGE 303
LOT 2 PLAN BOOK 107 PAGE 43

RECORD OWNER:
 PORTION OF ASSESSORS
 MAP 209 LOT 123
 TOWN OF BARNSTABLE
 367 MAIN STREET
 HYANNIS, MA 02601
 DEED BOOK 35861 PAGE 95
 PLAN BOOK 700 PAGE 80



PORTION OF
 ASSESSORS
 MAP 209 LOT 123
 8,846± SF.
 OR
 0.20± ACRES

SEE ROADWAY DISCONTINUANCE DOCUMENTS
 REFERENCED IN DEED BOOK 35646 PAGE 168
 AND 35861 PAGE 91 AND TOWN OF BARNSTABLE
 TAKING DOCUMENT REFERENCED IN DEED BOOK
 35861 PAGE 95 - FORMERLY A PORTION OF
 MOTHERS PARK ROAD.

PHINNEY'S LANE
 ~ PUBLIC - TOWN WAY - 40.00' WIDE ~
 (SEE COUNTY DISCONTINUANCE DOCUMENT IN DEED BOOK 38039 PAGE 250)

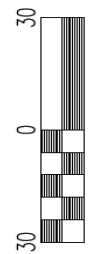
47 LONG POND CIRCLE
 ASSESSORS MAP 209 LOT 90
 N/F ROBERT & F.
 STEPHANIE DANNEMANN
 DEED BOOK 13126 PAGE 140
 PLAN BOOK 259 PAGE 81

43 LONG POND CIRCLE
 ASSESSORS MAP 209 LOT 31
 N/F BODUCH FAMILY TRUST
 DEED BOOK 37010 PAGE 77
 PLAN BOOK 329 PAGE 85

25 LONG POND CIRCLE
 ASSESSORS MAP 209 LOT 92
 N/F THE COHEN REVOCABLE TRUST
 DEED BOOK 30297 PAGE 310
 PLAN BOOK 260 PAGE 92



DRAFT
 SCALE: 1" = 30'
 DATE: 4/28/2026
 JOB No: 19-037



SCALE IN FEET

ELECTRIC EASEMENT EXHIBIT PLAN
 PORTION OF ASSESSORS MAP 209 LOT 123
 CENTERVILLE VILLAGE
 BARNSTABLE, MA



TOWN OF BARNSTABLE
 Department of Public Works
 Administration & Technical Support
 382 Falmouth Road, Hyannis, MA 02601
 Phone: (508) 790-6400
<https://townofbarnstable.us>

SHEET 1 OF 1

BARNSTABLE TOWN COUNCIL

ITEM # 2026-218
INTRO: 06/25/2026

SUMMARY

TO: Town Council
FROM: Thomas J. LaRosa, First Assistant Town Attorney
THROUGH: Mark S. Ells, Town Manager
DATE: June 25, 2026
SUBJECT: Order authorizing grants of easements for electric facilities to serve three sewer pump stations on town-owned land

BACKGROUND: As part of the construction of three new sewer pump stations in Centerville under the Town's Comprehensive Wastewater Management Plan, the Town's Department of Public Works ("DPW") requires the installation of a new electric service to power each sewer pump station. Prior to installing an electric service, NSTAR Electric Company, doing business as Eversource Energy, requires that their customer grant an easement to NSTAR Electric Company, which would provide them with the right to install and maintain their electric service on the customer's property. The authorization requested from the Town Council would allow the Town to grant such an easement to NSTAR Electric Company or one of their related entities.

The new pump stations are located in Centerville at 990 Shootflying Hill Road, 567 Shootflying Hill Road, and 20A Phinney's Lane on a former portion of Mother's Park Road. The easement areas, as described in the vote, are shown on the easement plans attached as Exhibit A. The proposed easements at 990 and 567 Shootflying Hill Road also include parking easements that would be used by NSTAR Electric Company in connection with their installation and maintenance, as needed, of the electric services. The Council's vote would authorize the Town Manager to make minor changes to the plan and easement areas, which could be needed based on the final requirements of Eversource, and to negotiate, finalize and execute any instruments necessary to complete the easement transactions.

After the easements are finalized, the DPW would coordinate with Eversource on the installation of the electric services.

FINANCIAL IMPACT: The Town would receive nominal monetary consideration (\$1.00) for granting the easements.

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

STAFF ASSISTANCE: Thomas J. LaRosa, First Assistant Town Attorney; Griffin Beaudoin, P.E., Town Engineer; Shane Brenner, Town Surveyor

B. NEW BUSINESS (First Reading) (Refer to Second Reading on 07/16/2026)

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-219
INTRO: 06/25/2026**

2026-219 ORDER AUTHORIZING THE ACQUISITION OF AN EASEMENT FOR SEWER PURPOSES ON LAND AT 272 SOUTH MAIN STREET IN CENTERVILLE

ORDERED: That the Town Council hereby authorizes the Town Manager, on behalf of the Town, for monetary consideration of **\$35,000**, using funds previously appropriated under Item No. 2026-108, passed March 26, 2026, to purchase or take by eminent domain pursuant to Chapter 79 of the General Laws, as part of a negotiated transaction, for sewer purposes, including the construction and operation of sewer lines, infrastructure and a sewer pump station, a perpetual, exclusive easement under, across and on a portion of the land located at 272 South Main Street in Centerville and being a portion of Assessor Parcel 207-109. The easement area consists of 4,641± square feet as shown on a “Sewer Easement Exhibit Plan”, dated October 30, 2025, prepared by the JC Engineering Inc, and attached hereto as Exhibit A. The Town Manager may make minor changes to the easement area, as shown on the plan, to effectuate this Order.

It is further ordered that, following the Town’s purchase or taking of the above-referenced easement, the Town Manager, on behalf of the Town, for nominal or no monetary consideration, is hereby authorized to grant easements to and otherwise authorize utility providers to access and install services in the easement area, as determined necessary by the Town for the exercise of the rights acquired or taken for sewer purposes, including connections for water, sewer, electric, telephone and intelligence services. The Town Manager is hereby further authorized, on behalf of the Town, to negotiate, accept, sign, deliver and record any instruments or plans as necessary to effectuate this Order and complete the transactions authorized herein.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ____ Read Item
- ____ Rationale
- ____ Council Discussion
- ____ Vote

Exhibit A

Sewer Easement Exhibit Plan

BARNSTABLE TOWN COUNCIL

ITEM#2026-219
INTRO: 06/25/2026

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Thomas J. LaRosa, First Assistant Town Attorney
DATE: June 25, 2026
SUBJECT: Order authorizing the acquisition of an easement for sewer purposes on land at 272 South Main Street in Centerville

BACKGROUND The Department of Public Works (DPW) continues to advance implementation of the Comprehensive Wastewater Management Plan and, in particular, the Long Pond area sewer expansion project. As part of this work, the Town needs to site a sewer pump station. DPW vetted possible properties where a sewer pump station would be technically achievable and desirable. This review identified land along South Main Street and Church Hill Road, with an address of 272 South Main Street in Centerville, as the preferred location for a sewer pump station. The land is owned by the Roman Catholic Bishop of Fall River.

The vote would authorize the Town Manager, on behalf of the Town, to purchase or take by eminent domain, as part of a negotiated transaction, a perpetual, exclusive easement for the sewer pump station and related purposes on a portion of this land located at 272 South Main Street and being part of Assessor Parcel 207-109. The easement area consists of 4,641± square feet as shown on a “Sewer Easement Exhibit Plan”, dated October 30, 2025, prepared by JC Engineering Inc, and attached hereto as Exhibit A. The Town would purchase the easement for \$35,000, which is the appraised value of the easement, using funds previously appropriated under Item No. 2026-108, passed March 26, 2026.

The Town Manager would be authorized to make minor changes to the easement area as shown on the plan, as may be necessary to effectuate the Order. The vote would also authorize the Town Manager, for nominal (\$1.00) or no monetary consideration, to grant easements and other rights to public utility providers, such as NSTAR Electric Company (doing business as Eversource Energy) and National Grid (doing business as Boston Gas Company) to install utility services to serve the sewer uses on the easement. These utility services are necessary, for example, because the pump station would require electricity to function and the station’s backup generator would rely on natural gas. The Order would authorize the Town Manager to negotiate, accept, sign, deliver and record any instruments or plans as necessary to effectuate this Order and complete the transactions authorized therein.

FISCAL IMPACT: None

STAFF ASSISTANCE: Thomas J. LaRosa, First Assistant Town Attorney; Griffin Beaudoin, P.E., Town Engineer; Shane Brenner, Town Surveyor