



Town Council Meeting
December 19, 2019



A quorum being duly present, President Paul Hebert called the December 19, 2019, Town Council meeting to order at 7:00 p.m. in the James H. Crocker, Jr. Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

An announcement was made by President Hebert regarding the meeting being televised live and questioning if anyone was actively taping the session to please make their presence known. This session is recorded and broadcast on Channel 18.

PRESENT: Britt Beedenbender, David Bogan, Kristine Clark, Debra Dagwan, Jessica Rapp Grassetti, Paul Hebert, Matthew Levesque, Paul Neary, Paula Schnepf, Tracey Shaughnessy, Gordon Starr, Eric Steinhilber **ABSENT:** Jennifer Cullum

The Pledge of Allegiance was led by President Hebert; he asked for people to remember the Battle of the Bulge, the two Bourne brothers who were involved in a car crash, and those that have lost loved ones, it was followed with a moment of silence.

- **18-U Tier II National Bound Massachusetts State Hockey 2019 Champions**
Councilors Levesque and Neary presented the hockey team and coaches with certificates of achievement from the Town.

2020-029 AMENDMENT OF THE ZONING MAP OF THE TOWN OF BARNSTABLE MASSACHUSETTS TO AMEND AND EXPAND THE GROUND-MOUNTED SOLAR PHOTOVOLTAIC OVERLAY DISTRICT TO INCLUDE PARCELS 013004, 013005, AND 013052 INTRO: 09/19/19, 12/19/19

President Hebert explained at the last council meeting the private proponent of agenda item 2020-029 has requested through their attorney Michael Ford that this matter be withdrawn from Council's consideration. Council was also informed at that time Councilor Beedenbender was withdrawing her support of this item. In light of these developments I would entertain a motion to approve the request to withdraw item 2020-029 from consideration and Council's agenda for old business. Assistant Town Attorney Charles McLaughlin submitted Michael Ford's Letter for the record. (Exhibit A) Charles McLaughlin suggested since this item was being withdrawn Council should not open it as a public hearing as it will not be necessary to do so. The submitted letter from the Ford and Ford Law Firm was signed by Michael Ford which states that T.J.A. Solar would like to withdraw the 2020-029 item and noted they would be preparing a new zoning amendment which will include changes to the map amendment.

Upon a motion duly made and seconded it was to withdraw agenda item 2020-029 from consideration and Council's agenda for old business

ORDERED: That Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning be amended as follows:

SECTION 1

That Chapter 240, Article II, Section 6, The Zoning Map of the Town of Barnstable Massachusetts is hereby amended to expand the Ground-Mounted Solar Photovoltaic Overlay District as shown on maps entitled;

- "Proposed Amendment to the Town Zoning Map Expanding the Ground Mounted Solar Photovoltaic Overlay District In Marstons Mills"
- "Proposed Amendment to the Marstons Mills Zoning Map expanding the Ground Mounted Solar Photovoltaic Overlay District In Marstons Mills"

Dated July 10, 2019 as prepared by the Town of Barnstable GIS (Geographical Information System) Unit.

VOTE: WITHDRAW AGENDA ITEM 2020-029 FROM CONSIDERATION AND COUNCIL'S AGENDA – PASSES UNANIMOUS

PUBLIC COMMENT: none

Close public comment

COUNCIL RESPONSE TO PUBLIC COMMENT: none

TOWN MANAGER COMMUNICATIONS: (Exhibit B)

Dan Santos, Public Works Director, gave an update on the Comprehensive Waste Water Management Plan (CWMP). He discussed the regulatory meetings with Cape Cod Commission, Department of Environmental Protection and Massachusetts Emergency Management Agency (MERA). He added that the draft CWMP would be sent to MERA in January. He explained any changes the Town would be notified but it would not require a new plan. He spoke about public outreach with the Board of Health and mentioned his department would be reaching out to others for public participation. He discussed Phase II and all projects within the plan.

Councilor questions and comments:

Is the Vineyard Wind project still on track for fall construction? [Yes hoping permit will be approved] please email the Council the update [yes] The modeling with Dartmouth School of Marine Service and Technology how does it work with the Town's ideas? [It works with the Town and it does allow for growth]

Update period December 6, 2019 through December 19, 2019.

Will have Vineyard Wind come in to update Council in the first quarter of 2020.

Ann Quirk, Town Clerk updated Council about the 2020 Town Census. She mentioned Congress enacted the National Voter Registration Act of 1993 to enhance voting opportunities for every American. She discussed the Town's census which will help clean up the voter list and it would be sent out on December 31, 2019. This would ensure our voter list was accurate. She noted the Federal Census 2020 was different from the Town's census.

Budget Fiscal Year 2021
Rehabilitation of Mary Dunn well # 4 and installation of test wells
Hyannis Water systems
Comprehensive Statewide Master Plan for Solid Waste Management
Director of Communication
Cotuit Elementary School – 140 Old Oyster Road
\$1,000,000 grant in support of the Expedition

Wendy Northcross, Chief Executive Officer of the Cape Cod Chamber of Commerce, discussed the Blue Economy Project. She spoke about the tourism industry on Cape Cod which spent approximately 1.3 billion dollars. She noted there were ongoing initiatives. She mentioned the Chamber of Commerce is partnering with the Town of Barnstable to build the Blue Economy installations. She explained the design project for the installations. The installations would have different designs which would examine the blue economy. The launch point would be to learn about each site and region and tell the story of that area.

Councilor questions and comments:

Would the installations have the history of some of the families? [Yes there is unlimited story telling due to the digital design] What was the public input? [Worked with Planning Department, there is a public portal and reached out to different committees] Looking on the north side of Barnstable for installations? [Utilized list of criteria to determine installation areas which included municipal property, access for public, best choice was Hyannis Harbor]

ACT ON MINUTES:

Upon a motion duly made and seconded it was voted to approve the minutes of the December 5, 2019 as written.

VOTE: PASSES UNANIMOUS

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

Massachusetts Wildlife bans coyote killing contests
Federation Church Service – memorial service for 35 homeless people who have died in 2019
Reports on committees – keeping the public informed

2020-068 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$2.5 MILLION IN COMMUNITY PRESERVATION FUNDS TO INCREASE THE NUMBER AND AVAILABILITY OF COMMUNITY HOUSING UNITS IN THE TOWN OF BARNSTABLE INTRO: 12/19 /2019

Upon a motion duly made and seconded it was to refer to Public Hearing on 01/23/2020
ORDERED: That, pursuant to the provisions of the Community Preservation Act, G. L. c 44B, the sum of One Million Five Hundred Thousand (**\$1,500,000**) Dollars be appropriated and transferred from the set-aside for Community Housing Funds within the Community Preservation Fund and the sum of One Million (\$1,000,000) Dollars be appropriated and transferred from the undesignated amount in the Community Preservation Fund to the Affordable Housing/Growth & Development Trust Fund, and that the Affordable Housing/Growth & Development Trust Fund Board is authorized to contract for and

expend the appropriation to increase the number and availability of community housing units within the Town of Barnstable by both funding and initiating projects and programs for that purpose, subject to oversight by the Community Preservation Committee.

VOTE: REFER TO PUBLIC HEARING ON 01/23/2020- PASSES

2020-069 AUTHORIZATION TO ACCEPT, CONTRACT FOR AND EXPEND A GRANT IN THE AMOUNT OF \$23,570.00 FROM MASSWILDLIFE'S HABITAT MANAGEMENT GRANT PROGRAM INTRO: 12/19/19

Darcy Karle, Conservation Administrator gave the rationale. She explained the prescribed burn of the acreage. She added last year 63 acres were burned to improve the habitat.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby authorizes the Town Manager to accept, contract for and expend a grant in the amount of **\$23,570.00** from the MassWildlife Habitat Management Grant Program by the State of Massachusetts to conduct prescribed burning in an effort to improve pitch pine/oak woodland habitat at West Barnstable Conservation Area, located at #875 Service Road, West Barnstable (Map 086 Parcel 001).

VOTE: PASSES UNANIMOUS

2020-070 AUTHORIZATION TO ACCEPT, CONTRACT FOR AND EXPEND A GRANT IN THE AMOUNT OF \$14,300 FROM THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF ENHANCING WASTE REDUCTION PROGRAMS INTRO: 12/19/19

Dan Santos, Public Works Director gave the rationale. He noted there would not be any impact on the budget and no matching fund requirement.

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby authorizes the Town Manager to accept, contract for and expend a grant award in the amount of **\$14,300** from the Massachusetts Department of Environmental Protection for the purpose of enhancing its waste reduction programs through the acquisition of recycling containers, recycling carts and recycling bins, waste reduction and/or recycling outreach and education materials, and other related expenses authorized in the Recycling Dividends Program (RDP) contract.

VOTE: PASSES UNANIMOUS

2020-071 AUTHORIZATION TO ACCEPT, CONTRACT FOR AND EXPEND A GRANT IN THE AMOUNT OF \$154,140 TO THE BARNSTABLE COUNCIL ON AGING DIVISION FROM THE EXECUTIVE OFFICE OF ELDER AFFAIRS TO SUPPORT STAFF SALARIES AND PROGRAMS OF THE BARNSTABLE ADULT COMMUNITY CENTER INTRO: 12/19/19

Lynne Poyant, Community Services Director gave the rationale. She explained the grant dollars were based on the 2010 Federal Census number of residents.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby authorizes the Town Manager to accept, contract for and expend a grant in the amount of **\$154,140** received from the State Executive Office of Elder Affairs for the purpose of funding support staff salaries and elder programs at the Barnstable Adult Community Center.

VOTE: PASSES UNANIMOUS

2020-072 AUTHORIZATION TO ACCEPT, CONTRACT FOR AND EXPEND A FISCAL YEAR 2020 TRAFFIC ENFORCEMENT GRANT FROM THE EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY, OFFICE OF GRANT AND RESEARCH, HIGHWAY SAFETY DIVISION IN THE AMOUNT OF \$16,000 FOR THE PURPOSE OF CONDUCTING SPECIFIC TYPES OF TRAFFIC ENFORCEMENT MOBILIZATIONS INTRO:12/19/19

Matthew Sonnabend, Police Chief gave the rationale.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby authorizes the Town Manager to accept, contract for and expend a Traffic Enforcement Grant in the amount of **\$16,000** from the Executive Office of Public Safety and Security, Highway Safety Division for the purpose of traffic enforcement mobilizations.

VOTE: PASSES UNANIMOUS

2020 – 073 APPOINTMENTS TO A BOARD/ COMMITTEE/ COMMISSION: AIRPORT COMMISSION: JOHN G.FLORES. 83 KEVENEY LANE, CUMMAQUID AS A REGULAR MEMBER TO A TERM EXPIRING 06/2021: LAND ACQUISITION AND PRESERVATION COMMITTEE: DOUGLAS PAYSON, 110 COMMERCE ROAD, BARNSTABLE, MA AS A REGULAR MEMBER TO A TERM EXPIRING 06/2020; PLANNINGBOARD: AIMEE GUTHINGER, 27 HOLLY HILL ROAD, CENTERVILLE, MA AS A REGULAR MEMBER TO A TERM EXPIRING 06/2021; RECREATION COMMISSION:NICKOLAS ATSALIS, 290 ELLIOT ROAD, CENTERVILLE, MA AS A REGULAR MEMBER TO A TERM EXPIRING 06/2022 INTRO:12/12/12

Upon a motion duly made and seconded it was to bifurcate Nickolas Atsalis, 290 Elliot Road, Centerville, MA after the First Reading due to quorum issues

VOTE: PASSES UNANIMOUS

Upon a motion duly made and seconded it was to move forward to appoint Nickolas Atsalis, 290 Elliot Road, Centerville, MA to the Recreation Board

VOTE: PASSES UNANIMOUS

Upon a motion duly made and seconded to suspend the rules to vote on the appointment of Nickolas Atsalis, 290 Elliot Road, Centerville, MA as a regular member to a term expiring 06/2022

VOTE: PASSES UNANIMOUS

Upon a motion duly made and seconded it was to accept Nickolas Atsalis, 290 Elliot Road, Centerville, MA to the Recreation Board

VOTE: PASSES UNANIMOUS

Upon a motion duly made and seconded it

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/ committee/ commission: **Airport Commission:** John G. Flores. 83 Keveney Lane, Cummaquid, MA as a regular member to a term expiring 06/2021: **Land Acquisition and Preservation Committee:** Douglas Payson, 110 commerce road, Barnstable, MA as a regular member to a term expiring 06/2020; **Planning Board:** Aimee Guthinger, 27 Holly Hill Road, Centerville, MA as a regular member to a term expiring 06/2021

VOTE: REFER TO SECOND READING TO 01/23/2020 – PASSES

Town Council Meeting Dates 2020

Upon a motion duly made and seconded it was to accept the 2020 Town Council Meeting Calendar dates as described in the packet.

VOTE: PASSES UNANIMOUS

President Hebert discussed Town Council's liaison role with the Boards, Committees and Commissions. He reminded Council of their big commitment.

Vice President Jessica Rapp Grassetti thanked Ruth Weil, Town Attorney for her years of service. She wished Ruth happiness and success in her future endeavors.

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED TO ADJOURN:

Adjourned at 8:44 P.M.

Respectfully submitted,

Janet E. Murphy
Assistant Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: January 9, 2020

EXHIBITS:

- A. Michael Ford Letter
- B. Town Manager's Update for period December 6, 2019 through December 19, 2019