



Town Council Meeting  
October 10, 2024



A quorum being duly present, Councilor Gordon Starr called the October 10, 2024, Town Council meeting to order at 6:00 PM.

An announcement was made by Councilor Starr 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 8 or Channel 1072.

**PRESENT:** Charles Bloom, Seth Burdick, Kristine Clark, John Crow, Matthew Levesque, Betty Ludtke, Paul Neary, Gordon Starr, Kristin Terkelsen **ABSENT:** Jeffrey Mendes, Felicia Penn, Paula Schnepf, Craig Tamash

Councilor Terkelsen invited veteran Jack Maher to the podium, to lead the Pledge of Allegiance, followed by a moment of silence.

Councilor Bloom presented a service dog proclamation noting that it was supposed to have been presented last month as September is National Service Dog month. He introduced Nadine Thomas representative from Canine Companion, Dawn O'Loughlin with her service dog Irving and Heather Hillary with her service dog Addy.

**PUBLIC COMMENT:**

**In-Person:**

Gilian Tusko spoke about mold issues at the Barnstable United Elementary School. She mentioned the mold and numerous water leaks that were making the teachers and students very sick. She urged Council to come up with a solution and a plan.

Carol Sim board member on the Indian Ponds Association thanked Town Council for the alum treatment funding. She urged the Town Council to approve the additional monies for full alum treatment. She explained this was an urgent request as December is when the alum treatment needs to happen to rid the lake of the bacteria.

Jessica Mendes discussed the mold issue in the school buildings which are causing sickness in our children. We cannot go back to remote learning. We need a new building.

Frank Frederickson introduced himself and explained he was running for the Delegate of Assembly seat.

Mia Walsh spoke about the dangers of not having a sidewalk at the West End rotary. She urged Town Council to please do not forget about the West End, get the sidewalks.

Grove Harris spoke about Hyannis as a learning community. She felt documents regarding or referenced at a Town Council meeting should be open and made available to the public. She suggested Town Council produce a brochure on frequently asked questions. She noted her

concerns about Per- and polyfluoroalkyl substances (PFAS) and urged the public to not utilize any products containing PFAS.

**Zoom:**

Lori Carpenter questioned the taking of easements for the new sewer project utilizing eminent domain. She mentioned there were no current easements for Sunny Road but wanted to know if there were any plans to widen the road.

Jane Ward spoke in support of the Indian Ponds Association alum treatment. She volunteered to be part of the discussion regarding mold in the Barnstable schools.

Close Public Comment.

**COUNCIL RESPONSE TO PUBLIC COMMENT:**

(Levesque) discussed the school building mold issue unfortunately it is up to the School Board to handle it. He said the idea of a new building is a long-term plan and not an immediate solution. (Clark) asked if Dan Santos, Director of Public Works, would address the road easement on Sunny Drive. (Santos) Yes, the easement was necessary for the sewer construction. He added once the construction is completed the sidewalk will be repaired. He noted the West End Rotary had new white stripes and the Town was currently designing the sidewalk at the West End to Stevens Street. (Terkelsen) Where can we go to access this information. (Santos) Please contact the Public Works Department. He added property owners may need to have their land surveyed or get a plot plan. (Ludtke) She noted sightlines were very important. (Santos) There is an ordinance related to fences. Please identify the home owners brush and tree areas and where the Town property is and remove the trees from the public property. If privately owned brush and trees, then the Town will ask the property owner to remove them.

**TOWN MANAGER'S COMMUNICATIONS: (Pre-Recorded)** The Town Manager's report has been pre-recorded and is available to the Town Council and the public. The report will be prepared in written form and posted on the Town Manager's website. The Town Manager and staff will be available to answer any questions regarding the report as presented. The Town Managers communication for the period of September 18 through October 8, 2024, included an update on:

1. Registering to vote at the Town Clerk's Office located at 367 Main Street Hyannis and in-person early voting at 200 Main Street.
2. Fiscal Year 2026 Budget Calendar
3. Fiscal Year 2025 Tax Classification Votes on November 21<sup>st</sup>, 2024, Town Council meeting
4. Public Works to deficit spend for snow and ice removal in Fiscal Year 2025
5. September 10, 2024, two letters were sent regarding the recent Vineyard Wind turbine blade failure.
6. September 26, 2024, Town Council Vice-President Craig Tamash and Town Manager meet with representative from Avangrid
7. Cape and Islands Bridges Coalition (CIBC) -update
8. Local Comprehensive Plan - update

**Discussion:**

(Ludtke) Regarding the open budget, can residents review the open budget. (Town Manager Mark Ells) Once the budget is approved it is available online. There is no public engagement with the budget.

(Terkelsen) Avangrid did not attend our Town Council meeting. (Levesque) Leadership has invited Avangrid. If we put it on the agenda they will show up. (Ludtke) Who do we need to talk to regarding our concerns. (Ells) We sent two letters for federal government and the state government focusing on blade issue information, notifications, etc.

#### **ACT ON PUBLIC SESSION MINUTES:**

Upon a motion duly made and seconded, it was voted to accept the minutes of September 5, 2024, as presented.

#### **VOTE: PASSES UNANIMOUS**

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

- Joint Base Cape Cod (JBCC) Joint Oversight Group Brief to Town of Barnstable  
Brig. Gen. (RET) Chris Faux: JBCC Executive Director  
Col. Wendy Armijo: 102d IW Commander  
Col. Matt Porter: Camp Edwards Base Operations Manager  
Capt. Bowen Spievack: CG BCC CO  
Capt. Michael Lachowicz: CG ASCC CO  
Lt. Col. Bryan Becker: US Space Force 6SWS Commander

Brigadier General (RET) Chris Faux: JBCC Executive Director introduced the staff. They discussed the importance of Joint Base Cape Cod research and protection capabilities.

Break back at 8:01 pm – 8:12 pm

- Presentation by the Massachusetts Institute of Technology (MIT) Department of Urban Studies and Planning (DUSP) Renewable Energy Clinic

**Teaching Team:** Jungwoo Chun, Sanjana Paul, Web Farabow, Colin Larsen

**Student Team:** Archer Thomas, Shubhi Goyal, Makenzie Wenninghof, Martin Staadecker

Councilor Terkelsen invited the DUSP group after hearing about them at a conference. Sanjana Paul discussed the groups training in conflict resolution and their desire to help communities understand and work with renewable energy companies. (Ludtke) is there any cost? (Paul) No cost to Town. (Ludtke) What you offer is excellent and supportive. (Clark) What is the timeline. (Paul) We will be finished by December. (Terkelsen) use the breadth of knowledge as engagement is most important. We need robust community engagement.

#### **COUNCILOR COMMUNICATIONS**

(Clark) Please pick up nomination papers for Old King's Highway (OKH) by October 28<sup>th</sup>, 2024. The OKH election is November 26<sup>th</sup>, 2024. They are looking for an architect for this board, but you do not have to live in OKH just have to be a resident of Barnstable. She mentioned the walking weekend brochures – thank you Lynne Poyant they look great.

The Town of Barnstable recognizes Ann Canedy for her dedicated contribution to the Open Space community in our Town. Last month, Ann stepped down as chair of the Open Space Committee and has resigned from the Committee. Ann spearheaded the creation of the Land Acquisition and Preservation Committee in 2005, doing so to support open space preservation and targeted land acquisitions after the Land Bank was sunsetted and the Community Preservation Act was adopted. Ann had also served on the Sandy Neck Board as well. We appreciate Ann's decades of volunteer service to preserve and promote the treasured open spaces of the Town of Barnstable.

The Town of Barnstable would like to recognize Stuart Rapp of Cotuit for his decades serving as the chair of the Shellfish Committee. Appointed to the Shellfish Task Force in 1991, Stuart served as chair of that committee and then onto serving as chair of the Shellfish Committee for 33 years, stepping down as chair last month. As a life-long recreational shellfisher, he contributed to the management and conservation of our shellfisheries, recreational and commercial as Barnstable has grown to be the top producer of farmed oysters and second highest producer of farmed quahogs in the Commonwealth.

**2025-017 DESIGNATION OF THE HYANNIS DISTRICT IMPROVEMENT FINANCING DEVELOPMENT DISTRICT TO BE LOCATED IN DOWNTOWN HYANNIS AND APPROVAL AND ADOPTION OF THE DEVELOPMENT PROGRAM INTRO: 08/15/2024, 09/05/2024, 10/10/2024**

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to M.G.L Chapter 40Q (District Improvement Financing), the Town Council hereby designates the Hyannis District Improvement Financing Development District (the "Development District"), to be located in Downtown Hyannis with an area of 973.64 acres, as further identified in Appendix C of the "Hyannis District Improvement Financing District: District Improvement Financing Master Plan" (the "Master Plan"), prepared by Camoin Associates and dated July 1, 2024, which is attached hereto and incorporated herein, and that the Town Council hereby approves and adopts the Development Program, as set forth in the Master Plan, such that the area where revenue is being generated through new growth is the same area in which the funds can be spent. The Town Council hereby finds that the designation of the Development District is consistent with the requirements of Section 2 of said Chapter 40Q and will further the public purpose of encouraging increased residential, industrial and commercial activity in the Commonwealth.

**VOTE: CONTINUED TO 10/24/2024**

**2025-022 ORDER AMENDING THE GENERAL ORDINANCES OF THE CODE OF THE TOWN OF BARNSTABLE, CHAPTER 220 TOWN COUNCIL, ARTICLE I, SECTION 220-4 INTRO: 09/05/2024, 10/10/2024**

Open Public Comment

Seeing no one and no one on zoom, close Public Comment

Karen Nober, Town Attorney, gave the rationale.

Upon a motion it was duly made and seconded it was

**ORDERED:** That the General Ordinances of the Code of the Town of Barnstable, Chapter 220 Town Council, Article I, Section 220-4 be amended by deleting "7:00" and inserting "6:00" in its place.

**VOTE: PASSES 9 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, STARR, TERKELSEN**

**2025-025      APPROPRIATION ORDER IN THE AMOUNT OF \$75,000 FOR THE PURPOSE OF ALUM TREATMENT FOR MYSTIC LAKE INTRO: 09/05/2024, 10/10/2024**

Amber Unruh, Public Works Special Projects Manager gave the rationale. She discussed the alum treatment.

Open Public Comment

**Discussion:**

(Neary) asked about the process of the alum treatment. (Unruh) said it was brought in on a barge with a spraying rig which injects the alum treatment into the water below the system. (Terkelsen) Are the levels of phosphorus being monitored. (Unruh) yes, we are collecting water samples.

Seeing no one and no one on zoom close Public Comment

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$75,000** be appropriated and added to the amount appropriated under Town Council Order 2023-104 for the purpose of funding the Mystic Lake Alum Treatment Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that \$75,000 be provided from the Capital Trust Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: PASSES 9 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, STARR, TERKELSEN**

**2025-026      ORDER AMENDING ARTICLE II, SEWER ASSESSMENTS, CHAPTER 184 SEWERS AND WATER OF THE GENERAL ORDINANCES OF THE TOWN OF BARNSTABLE INTRO: 09/05/2024, 10/10/2024**

Open Public Comment

Karen Nober, Town Attorney, gave the rationale.

Seeing no one and no one on zoom close Public Comment

Upon a motion duly made and seconded it was

**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 as follows:

**SECTION 1:** § 184-9.2. Definitions shall be amended as follows:

- A. By amending the definition of “Commercial Use” by deleting “premises” and inserting “property” in its place;
- B. By amending subsection (a) of the definition of “Compensatory Sewer Privilege Fee” by inserting “equal to One (1) Sewer Unit” after “sewer assessment” and by deleting “based on the number of potential Sewer Units” after “undeveloped property”;
- C. By amending the definition of “Dwelling Unit” by deleting “provided that, solely for the purposes of this Article II, such complete living facilities that contain one bedroom or

fewer shall be a Half Dwelling Unit” and by inserting in their place “, unless such complete living facilities are a Half Dwelling Unit as defined herein”;

- D. By amending the definition of “General Benefit Facilities” to insert after “Improvements,” the following: “including but not limited to,”;
- E. By inserting after the definition of “General Benefit Facilities” the following new definition:  
“Half Dwelling Unit  
Solely for the purposes of this Article II, one or more rooms providing complete living facilities for one family, including equipment for cooking, or provisions for the same, and including room or rooms for living, sleeping and eating, and which contain one bedroom or fewer.”
- F. By amending the definition of “Lateral Line” to delete it in its entirety and to insert the following in its place: “Sewer conduit from a building to a main.”
- G. By amending the definition of “Residential Sewer Units” by deleting “assessed as” from the last clause so that it reads: “provided further, that a Half Dwelling Unit shall be one half of one Sewer Unit.”;
- H. By amending the definition of “Semi-Public Use” by deleting “premises” and inserting “property” in its place;
- I. By amending the definition of “Sewer Main” by deleting “sewerage” and inserting “sewage” in its place;
- J. By inserting after the definition of “Sewer Main” the following new definition:  
“Sewer Unit  
A Residential Sewer Unit or a Commercial Sewer Unit shall equal one Sewer Unit.”;
- K. By amending the definition of “Special Benefit Facilities” to insert “Improvements, including but not limited to,” at the beginning of the definition; and
- L. By amending the definition of “Trunk Main” by deleting “sewerage” and inserting “sewage” in its place.

**SECTION 2:** § 184-9.4. shall be amended by deleting the heading in its entirety and inserting the following new heading in its place: “Determination of number of sewer units in a pumping district and assessment of properties.”

**SECTION 3:** § 184-9.4 shall be further amended by deleting Subsections A through E in their entirety and inserting the following new Subsections A through E in their place:

“A. Each parcel of land in a Pumping District shall be converted into permanent Residential or Commercial Sewer Units, as defined herein, by the Town Manager or his designee for the purpose of proportionally dividing the construction costs equitably among such parcels of land. Each Sewer Unit shall be equal to a single family residence. Potential Sewer Units shall be calculated on the basis of zoning then in effect. Existing and potential multifamily, commercial, industrial and semipublic uses shall be converted into Sewer Units on the basis of residential equivalents.

B. Developed residential lots. A residential lot that contains one Dwelling Unit shall be one Residential Sewer Unit and assessed as one Sewer Unit. If such residential lot contains more than one Dwelling Unit, the number of Residential Sewer Units shall equal the number of Dwelling Units, and the property shall be assessed based on said number of Residential Sewer Units. Single family dwellings shall comprise one Residential Sewer Unit; single family dwellings which have an Accessory Dwelling Unit, affordable accessory apartment or family apartment as

defined by the Zoning Ordinance within the single family residence or in a detached building on the same lot shall comprise two Residential Sewer Units; duplex dwellings shall comprise two Residential Sewer Units; three-family dwellings shall comprise three Residential Sewer Units; four-family dwellings shall comprise four Residential Sewer Units; and multiple family dwellings (in excess of four dwelling units) shall comprise one Residential Sewer Unit for each apartment in a rental property and one Residential Sewer Unit for each dwelling unit in a condominium complex; provided that the number of Residential Sewer Units in the foregoing list shall be adjusted accordingly for Half Dwelling Units. A Dwelling Unit that occupies two residential lots in such a way that only one Dwelling Unit is allowed shall be one Residential Sewer Unit and shall be assessed as one Sewer Unit.

C. Lots capable of division or subdivision.

(1) Residential lots capable of division or subdivision. The number of Residential Sewer Units for residentially zoned land which is capable of being divided or subdivided according to the Zoning Ordinance shall be determined based on the current use plus one additional Residential Sewer Unit for each lot which could be created in accordance with the Zoning Ordinance. The assessment shall be based on the current use of the property. For example, property which contains one Dwelling Unit, but which could be divided or subdivided to include three additional Dwelling Units, shall be determined to be one (1) Residential Sewer Unit and three (3) potential Residential Sewer Units for a total of four (4) Sewer Units for the purposes of calculating the amount of the sewer assessment, but the property shall be assessed as one Sewer Unit. In accordance with G.L. c. 83, § 19, if the property is undeveloped, it shall be assessed as one Sewer Unit, but, at the property owner's request, the time for payment of such assessment may be extended until such time as the land is built upon, provided that interest at the annual rate of 4% shall be paid annually upon the assessment from the time it was made, and the assessment shall be paid in full within three months after such land is built upon. If the property is subsequently developed to contain more than one Dwelling Unit, a Compensatory Sewer Fee shall be assessed for each additional Sewer Unit in accordance with § 184-9.4 (F) below.

(2) Commercial, industrial, business and semi-public lots capable of division or subdivision. The number of Commercial Sewer Units for commercial, industrial, business, and semi-public lots which could be divided or subdivided according to the Zoning Ordinance shall be determined based on the current use, as set forth in Section § 184-9.4 (D) below, plus one additional Commercial Sewer Unit for each additional 330 gallons of reasonably anticipated daily sewage volume which could be generated from the use in accordance with the Zoning Ordinance. The assessment shall be based on the current use of the property. In accordance with G.L. c. 83, § 19, if the property is undeveloped, it shall be assessed as one (1) Commercial Sewer Unit, but, at the property owner's request, the time for payment of such assessment may be extended until such time as the land is built upon, provided that interest at the annual rate of 4% shall be paid annually upon the assessment from the time it was made, and the assessment shall be paid in full within three months after such land is built upon. If the property is subsequently developed to contain more than one Commercial Sewer Unit, a Compensatory Sewer Fee shall be assessed for each additional Commercial Sewer Unit in accordance with § 184-9.4 (F) below.

D. Improved commercial, industrial, business, and semi-public lots and uses.

Improved commercial, industrial, business, and semi-public lots and uses shall be assessed based on the current sewage volume generated from the use of the property, and shall be assessed as one Commercial Sewer Unit for each 330 gallons of actual daily sewage volume.

E. Unbuildable lots. An Unbuildable Lot shall not be determined to contain any Sewer Units and shall not be assessed any Sewer Units, provided that upon the issuance of a building permit, said lot shall be assessed a Compensatory Sewer Privilege Fee in accordance with Section § 184-9.4 (F) below.”

**VOTE: PASSES 9 YES**

**ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, NEARY, STARR, TERKELSEN**

**2025-027 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$3,826,327 AND AUTHORIZATION TO CONTRACT FOR AND EXPEND A GRANT IN THE AMOUNT OF \$2,833,849 FROM THE COMMONWEALTH’S EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE SANDY NECK BEACH FACILITY COASTAL RESILIENCY PROJECT INTRO: 09/05/2024, 10/10/2024**

Open Public Comment

Nina Coleman, Director of Natural Resources/Sandy Neck Beach Park Manager gave the rationale. She discussed the coastal resiliency timeline and the need for the money to ensure the area is sustainable for 50 years. The important thing is we need to secure the money to be compliant with the grant, Tom O’Neill Clerk Planning Board spoke about this item being on the agenda for eight years and it is ready to go. Next step is the money component. He emphasized coastal resiliency and noted the Board was supportive of this project.

**Discussion:**

(Levesque) The bathhouse was just redone in 2010. (Coleman) Yes, but the 50-year loss line limit the bathhouse is not part of the area. (Near) Any reserve dollars utilized. (Coleman) Yes reserve 1.5 million. Ludtke supported this project as it needed to be done, and it deserve to be done.

(Clark) Upon a motion, it is duly made to move and continue this agenda item 2025-027 to 10/24/2024 Public Hearing.

Upon a motion, it was duly made and seconded it was

**ORDERED:** That the amount of **\$3,826,327** be appropriated for the purpose of funding Sandy Neck Beach Facility Coastal Resiliency Project, including the payment of costs incidental or related thereto; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$3,826,327** under and pursuant to M.G.L. c. 44, §7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and is further authorized to contract for and expend a Fiscal Year 2025 Municipal Vulnerability Preparedness Program Action Grant in the amount of **\$2,833,849** from the Commonwealth’s Executive Office of Energy and Environmental Affairs for the Sandy Neck Beach Facility Coastal Resiliency Project, for a total project cost of **\$6,660,176**.

**VOTE: OPEN AND CONTINUE THIS AGENDA ITEM TO 10/24/2024 - PASSES 8 YES 1 NO (LUDTKE)**

**2025-028 ORDER AUTHORIZING THE TAKING OF ROAD EASEMENTS BY EMINENT DOMAIN FOR SEWER AND WATER PURPOSES OVER CERTAIN PRIVATE ROADS KNOWN AS: BEECHWOOD ROAD, COTTONWOOD LANE, SAIL-A-WAY, MILLSTONE WAY, TELLEGEN TRAIL, AND WHIDAH WAY IN CENTERVILLE; SUNNY-WOOD DRIVE, CENTERBOARD LANE AND NEWSPAPER ROAD IN HYANNIS; GOOSE POINT ROAD IN CENTERVILLE AND HYANNIS; MARQUAND DRIVE IN MARSTONS MILLS; AND OLD EAST OSTERVILLE ROAD IN OSTERVILLE INTRO: 09/05/2024, 10/10/2024**



Thomas LaRosa, First Assistant Town Attorney, gave the rationale.

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Council hereby authorizes the Town Manager, on behalf of the Town, to purchase, take by eminent domain under Chapter 79 of the Massachusetts General Laws or otherwise acquire for sewer and water purposes a perpetual easement through, under, across, and on the following described roads for the installation, operation, maintenance, repair, relocation, and replacement of sewer and water lines and infrastructure for the same and for all purposes for which such easements are commonly used in the Town of Barnstable:

BEECHWOOD ROAD, lying between Connors Road and Cottonwood Lane and the 20-foot-wide Way running from BEACHWOOD ROAD to LOT 210, as shown on Land Court Plan No. 20239C (sheets 8 and 9); and

COTTONWOOD LANE, as shown on Land Court Plan No. 20239-C (sheets 8 and 9), including the 40-FT WAY, running from Huckins Neck Road to land of Alfred Crocker, as shown on said Land Court Plan;

SUNNY-WOOD DRIVE, as shown on Land Court Plan No. 32849B (sheets 1 and 2);

CENTERBOARD LANE (formerly MARINER LANE), as shown in Plan Book 425, Page 29 and in Plan Book 459, Page 83;

GOOSE POINT ROAD, as shown in Plan Book 249, Page 121;

MILLSTONE WAY, as shown in Plan Book 228, Page 79;

NEWSPAPER ROAD, as shown in Plan Book 231, Page 17;

SAIL-A-WAY, as shown in Plan Book 140, Page 79;

TELLEGEN TRAIL, as shown in Plan Book 254, Page 52;

WHIDAH WAY, as shown in Plan Book 395, Pages 89 and 91;

MARQUAND DRIVE, including the areas labelled "driveway" and "emergency 40' wide access" as shown in Land Court Plans 23111-B, 23111-C, 23111-D; and,

OLD EAST OSTERVILLE ROAD, as shown in Plan Book 290, Page 55, Plan Book 262, Page 58, and Plan Book 262, Page 59, and on Land Court Plans 34608-B and 34625-D.

Any trees, buildings, and other structures located within said roads are not included in this Order and the owners of the same may have a period of up to sixty (60) days after the recording of the Order of Taking to remove the same.

The Town Manager is authorized to negotiate, accept, sign, deliver and record any documents or plans for the purposes necessary to effectuate this Order.

Betterments will be assessed for the associated sewer and water improvements made by the Town of Barnstable.

The parcel numbers, names and addresses of the owners of said interests to be taken or acquired, as far as can be ascertained by the Town, are as set forth on Exhibit A attached hereto, along with awards for damages, if any, sustained by said owners.

**VOTE: VOTE: PASSES UNANIMOUS**

**Proposed Vote:** a motion was made and duly seconded to refer Items **2025-029, 2025-030, 2025-037** as written, individual public hearings to be held on each item at the Town Council meeting on October 24, 2024

**VOTE: PASSES UNANIMOUS**

**2025-029 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO:  
10/10/2024**

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Licensing Authority:** John Murphy, as an associate member to a term expiring 06/30/2027

**VOTE: REFER TO INDIVIDUAL PUBLIC HEARINGS TO BE HELD ON EACH ITEM AT THE TOWN COUNCIL MEETING ON OCTOBER 24, 2024 – PASSES UNANIMOUS**

**2025-030 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION  
INTRO: 10/10/2024**

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Board of Health:** Dan Luczkow, MD. as a regular member, to a term expiring 06/30/2027; Paul Canniff, as a regular member to a term expiring 06/30/2027.

**VOTE: REFER TO INDIVIDUAL PUBLIC HEARINGS TO BE HELD ON EACH ITEM AT THE TOWN COUNCIL MEETING ON OCTOBER 24, 2024 – PASSES UNANIMOUS**

**2025-037 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION  
INTRO: 10/10/2024**

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Airport Commission:** Margarete Maillho, as a regular member to a term expiring 06/30/2027; **Board of Health:** Christine Beer, as a regular member to a term expiring 06/30/2027; **Human Services Committee:** Kevin Matthews, as a regular member to a term expiring 06/30/2027; **Mid Cape Cultural Council:** Beverly Parke, as a regular member to a term expiring 12/31/2026; **Steamship Authority Port Council:** Greg Egan, as a representative member from Barnstable to a term expiring 12/31/2025; **Waterways Committee:** Jacob Angelo, as a regular member to a term expiring 06/30/2025; **Zoning Board of Appeals:** Rodney Tavano, as an associate member to a term expiring 06/30/2027

**VOTE: REFER TO INDIVIDUAL PUBLIC HEARINGS TO BE HELD ON EACH ITEM AT THE TOWN COUNCIL MEETING ON OCTOBER 24, 2024 – PASSES UNANIMOUS**

**2025 - 031 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FEDERAL FISCAL YEAR 2024 EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE AMOUNT OF \$15,500 FROM THE MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY INTRO:  
10/10/2024**

Lena Bevilacqua, Police Grant Coordinator, gave the rationale.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council does hereby authorize the Town Manager to contract for and expend a Federal Fiscal Year 2024 Emergency Management Performance Grant in the amount of **\$15,500** from the Massachusetts Emergency Management Agency for the purpose of funding the purchase of emergency tower lighting, a thermal monocular, and custom vinyl maps prepared for the Town of Barnstable.

**VOTE: PASSES UNANIMOUS**

**2025-032 APPROPRIATION ORDER IN THE AMOUNT OF \$33,000 IN COMMUNITY PRESERVATION HISTORIC PRESERVATION FUNDS FOR PHASE II OF RESTORATION AND PRESERVATION OF THE DOTTRIDGE HOMESTEAD, LOCATED AT 1148 MAIN ST, COTUIT INTRO: 09/19/2024, 10/10/2024**

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the amount of **Thirty-Three Thousand Dollars (\$33,000)**, representing a portion of the total project cost of Five Hundred Thousand Dollars (\$500,000), be appropriated from the amount set aside for Historic Preservation within the Community Preservation Fund and granted to the Historical Society of Santuit and Cotuit for Phase II restoration and preservation work on the historic resource Dottridge Homestead located at 1148 Main Street, Cotuit, as shown on Assessor's Map 034, Parcel 051. The property has an existing Preservation Restriction held by the Town of Barnstable. It is further ordered that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, subject to oversight by the Community Preservation Committee.

**VOTE: REFER TO PUBLIC HEARING ON 10/24/2024 - PASSES UNANIMOUS**

**2025-033 DETERMINATION UNDER SECTION 19 OF THE STATE CONFLICT OF INTEREST LAW REGARDING PARTICIPATION IN MATTERS RELATING TO A POTENTIAL INCREASE IN THE TOWN'S PERCENTAGE CONTRIBUTION TO THE HEALTH INSURANCE COSTS OF ITS RETIREES INTRO: 10/10/2024**

Karen Nober, Town Attorney, gave the rationale.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council does hereby authorize Town Manager Mark Ells to participate in matters relating to a potential increase in the percentage amount of the Town's contributions to the total monthly cost of contracts of health insurance for its retirees, and determines that the financial interest of Mark Ells in such matters, as described in Mr. Ells' disclosure form presented to the Town Council at this meeting in accordance with M.G.L. c. 268A, § 19, is not so substantial as to be deemed likely to affect the integrity of the services which the Town may expect from Mr. Ells in his role as Town Manager; and further authorizes and directs the Town Council President to make such determination on Mr. Ells' disclosure form on behalf of the Town Council.

**VOTE: PASSES UNANIMOUS**

**2025-035 APPROPRIATION ORDER IN THE AMOUNT OF \$80,000 FOR THE PURPOSE OF FUNDING THE SOLID WASTE FACILITY LANDFILL INFILTRATION BASIN NUMBER 1 SWALE REPAIRS PROJECT INTRO: 10/10/2024**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$80,000** be appropriated from the Solid Waste Enterprise Fund reserves for the purpose of funding the Solid Waste Facility Landfill Infiltration Basin Number 1

Swale Repairs Project and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: REFER TO PUBLIC HEARING ON 10/24/2024 - PASSES UNANIMOUS**

**2025-036 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2025 LOCAL BOTTLENECK REDUCTION PROGRAM GRANT FROM THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$500,000 FOR CONSTRUCTION OF INTERSECTION IMPROVEMENTS IN THE VILLAGE OF HYANNIS  
INTRO: 10/10/2024**

Dan Santos, Director of Public Works, gave the rationale. This will help reduce the traffic congestion in the intersection of Main/Center and Old Colony.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2025 Massachusetts Department of Transportation Local Bottleneck Reduction Program Grant for the purpose of constructing intersection improvements at Main Street and Center Street/Old Colony Road and at Main Street and Camp Street/Lewis Bay Road in the Town of Barnstable, Village of Hyannis.

**VOTE: PASSES UNANIMOUS**

**VOTED TO ADJOURN:**

**VOTE: PASSES UNANIMOUS**

**Adjourned at 10:03 PM**

Respectfully submitted,

Janet E. Murphy  
Assistant Town Clerk

**NEXT MEETING: October 24,2024**

Exhibits:

- A. Town Managers update