



Town Council Meeting

April 30, 2026

A quorum being duly present, President Craig Tamash called the April 30, 2026, Town Council meeting to order at 6:03 P.M.

An announcement was made by President Tamash 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: Seth Burdick, Kristine Clark, William Crocker, Jr., Thomas Keane, Matthew Levesque, Betty Ludtke, Barry Sheingold, Gordon Starr, Craig Tamash

ZOOM: Charles Bloom, John Crow, Lisa DaLuz, Felicia Penn

Councilor Ludtke introduced and welcomed, veteran Dave Gilliland to lead the pledge of allegiance followed by President Tamash who asked all to remain standing for a Moment of Silence for the family of Marylou Fair.

PUBLIC COMMENT:

President Tamash asked all who would like to comment, to sign in, wait to be recognized by the presiding officer, and direct your three-minute comments to the Town Council. Written comments are always welcome please email at Council@barnstable.gov.

Chris Kuhn told the Council he met with Town Manager Ells, Brian Florence, Jim Kupfer, Betty Ludtke and Larry Morin regarding the lack of a buffer at some of the new buildings. He said he was confused why the buffer did not exist at the Cascade Motel project, and it made him ask more questions. He stated, Mr. Florence responded that the reason that buffer does not apply is because it is not a building due to the construction on the first floor is a podium. He then read the Massachusetts building code to the Councilors.

Larry Morin talked about the same meeting in Town Manager Ells office. He stated both Brian Florence and Jim Kupfer were trying to find a way to say that these are not buildings. Take action to get this done correctly. His next topic was regarding the group petition to preserve the property of Eugenia Fortes, the discussion on the merits was held, nothing was done.

Jacob Angelo spoke about the upcoming executive session regarding Baxter's. He read statistics about the fishing piers on the Cape. He asked the Council to please consider the acquisition of the Baxter property.

Beth Whalen talked about the Silent Springs study, about the importance of the study, appealing for state funds and hopes the Town Council will continue to support this study.

Eric Schwaab talked about missed opportunities, by not saving Eugenia Fortes house. The residents took out a petition, and nothing happened, the house was knocked down. The burden is on the residents. It is foolish that the residents come to you with a suggestion, and you ignore it. He stated the Council was supposed to bring the Housing Assistance Corporation in for a workshop.

Catherine Bean stated she is opposed to the relocation of the homeless shelter. It should not be across the street from Steve and Sue's and the Elementary School. It is a dangerous situation; it is a problem for retail stores. What plans do we have to stop the building of Main Street?

Doreen Leggett from Cape Cod Commercial Fishermen's Alliance in Chatham. She stated commercial fishing is important, wants to reinforce the fishing industry and how important it is to the Cape. Asked the Council to keep all this in mind when in executive session.

Christina Carrington opposes the relocation of the homeless shelter. I do not want this in my neighborhood; this is not a good choice. The Town must have a vote in this situation.

Tara Broadhurst opposes the regional homeless shelter being placed off West Main Street. There has to be a better location to support 50 beds. I hope you find a better solution.

Mia Walsh stated my house abuts 460 West Main Street; police were there again today. Serious problem, I would have moved decades ago, if I could have afforded it. There are some bad actors, at least three home invasions. Came home to find crime scene tape across my yard, and my house has been broken into twice. She is still waiting for the sidewalk around the rotary.

John Julius started by ringing a bell, he called it an alarm bell. Start with the shelter, this move is to the wrong location between four schools; move the shelter to the old Cape Cod Potato Chip Company building. What about the children that walk up and down West Main Street? (Exhibit A)

ZOOM:

Grove Harris commented that water rationing is to do the watering with a bucket of water not a power hose. Eco sanitation, keep in mind the commonsense options to separate our water. New construction should be using alternative solutions for the toilet.

Close public Comment

COUNCIL RESPONSE TO PUBLIC COMMENT:

(Ludtke) as a Hyannis Councilor found there is a coalition that has started to help neighbors in need. We ought to have an open discussion about homeless shelter. There will be a public session on the homeless shelter with the Zoning Board of Appeals (ZBA). Let's look forward to the two hearings. (Starr) said he has not seen anything from the Business Improvement District (BID) to move the homeless out of Hyannis. We have been trying to find a place for the Shelter for about 15 to 20 years now. (Clark) Attended two conferences, about coastal resilience, working waterfront, blue economy, and marine resources. She will support consideration for whatever we hear at the executive session. (Daluz) is at home, not feeling well, part of that is due to the knock down of the Fortes House, no one said it was going to be knocked down. Then you wonder why people don't trust the town. Illegal watering you are screwing the residents; I look out for my precinct. I don't care what the builders want. That was a plain old FU, we did not get a response, it is shameful and disgusting. Stop breaking the law, do the right thing and save us all money.

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. **(Exhibit B)**

MINUTES:

Upon a motion duly made and seconded, it was voted to accept the minutes of April 16, 2026, as presented.

VOTE: PASSES 13 YES

ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH

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

Silent Springs Institute: Dr. Laurel Schaidler, Senior Scientist, Environmental Chemistry and Engineering; Cheryl Osimo, Cape Cod Coordinator, gave an update of the ongoing work on Breast Cancer risk in conjunction with the exposure to perfluorooctane sulfonate (PFOS).

Discussion:

(Keane) is there anything tangible that we as a Town Council can do? (Schaidler) the local support will be helpful (Osimo) we are concerned that our representative in Ayer obtained the money, but the Cape delegation could not get the money. We need a million dollars a year, these are hard times there is no money to be found. Counting on the Town Council to influence the Representatives, and Senators, to help us. (Schaidler) Hyannis water system is now clean (Crocker) one question, this earmark is not dead, Massachusetts House passed the budget, now it goes to the Senate. Is there a correlation and data that how much PFOS was used in a certain area versus the concentration not just in Hyannis? (Schaidler) Many different applications, firefighting foams, military bases, widely used in consumer products like Teflon pans and Gore-Tex jackets. Highest level in industrial areas, unfortunately per- and polyfluoroalkyl substances (PFAS) does not disintegrate. They will be with us for generations (Daluz) participated in the first study and will participate again in the study if you have one. Forever chemicals can be reduced with carbon filters. (Schaidler) very difficult to break down, the PFAS sticks to the carbon and then the water is clear, once ingested slowly can be excreted from our bodies (Ells) has reached out to Senator Cyr and Representative Diggs, will be happy to write a letter. What is the timeline (Crocker) the Senators will take this up in two weeks, they will add their earmarks to discuss the funding. (Ludtke) Let's do this immediately to notify the legislature, kudos the Town of Barnstable for incinerating the sludge, lets write the letter immediately. (Tamash) cannot take a vote on that tonight as it is not on the agenda, but can I take a sense of the council to co-author a letter with the Town Manager (Clark) suggested an opportunity to check with the Cape Cod Foundation, they might be an avenue of support, (Osimo) we have pursued that avenue in the past but have reached a dead end.

Workshop discussion regarding Automated License Plate Readers (ALPRs) - Kevin Connolly, Detective Sergeant, Barnstable Police Department, District Attorney Rob Galibois, Chief Jean Challies

Police Chief Jean Challies introduced Detective Sergeant Kevin Connolly and District Attorney Rob Galibois.

- Captures license plate, make, model, color and body type of vehicle.
- Stationary cannot follow or track people
- Capturing the plate not the people
- Do not use facial recognition
- Not blanket surveillance is a point in time.

Discussion:

(Burdick) appreciate presentation, one thing, in viewing the contract with Flock we don't have a physical contract, it is a term of service. Flock can just change their website, so there are no guarantees. Very specific to the tech industry. This company could affect the privacy and civil liberties of the individuals of our community. I don't think the case law is set with how many cameras are too many. What is the plan? (Connolly) in Massachusetts we need a warrant to get cell tower data. I think the Supreme Judicial Court (SJC) has it right in Massachusetts and are more strict than the Federal Government. (Burdick) how many more are you going to put up (LaRosa) the terms and conditions we are looking at them; it seems tighter in terms of the footage, destroy dates, but looking over Flocks website, they are updating the terms and conditions, they could change, we can't agree to be bound by the State of Georgia. (Ludtke) School bus cameras, love the speeding cameras and the redlight cameras. What sent me through the roof was the Reproductive Care Searches, that is absolutely disgusting, do we want to work with a company that has that ability. (Connolly) They took this out of Flock, it is an option. (Ludtke) This is a slippery slope; I don't support it. I don't want these in Barnstable. (Keane) Completely agree with Councilor Ludtke, a system that could track people looking for reproductive care,

this is a horrible slippery slope, that is not a criminal violation. Use of Flock is for a legitimate law enforcement purpose who makes that decision? (Connolly) the investigator (Keane) Who tells that investigator no? (Connolly) Tough to address. (Keane) I am disturbed by how this can go, this needs to be a warrant. (Ludtke) when are we going to have further discussion? (Tamash) we can have it on another agenda. (Tamash) It would be to authorize or continue the use of Flock cameras.

Break 10 minutes- return 8:38 PM

(Sheingold) Marstons Mills Mill Billy breakfast for scholarships

2026-164 APPROPRIATION ORDER IN THE AMOUNT OF \$400,000 FOR THE HYANNIS WEST ELEMENTARY SCHOOL HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) DESIGN PROJECT INTRO: 04/16/2026, 04/30/2026

School Superintendent Sara Ahern gave the rationale and invited Doug Belanger Facilities Supervisor to answer any questions.

Open Public Hearing seeing no one, no one online close public hearing

Discussion:

(Sheingold) What technology (Belanger) hot water system (Sheingold) Gas hot water (Belanger) Yes (Sheingold) would you look at heat pumps (Belanger) right now it is at the design phase, it could be an option (Sheingold) if the town becomes a green community we could be getting funding (Belanger) we are looking at that in other schools (Daluz) how old is that school (Belanger) built in the mid to late 50's. (Daluz) can we move the students (Ahern) the School Committee is looking at the opportunity, no plans yet, it is a really old system in the school. (Daluz) /It should remain, would not want to see that closed.

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$400,000** be appropriated from the General Fund reserves for the Hyannis West Elementary School Heating, Ventilation, and Air Conditioning (HVAC) Design Project, including the payment of costs incidental or related thereto, and that the School Committee is authorized to contract for and expend the funds made available for these purposes and be authorized to accept any gifts or grants in relation thereto.

VOTE: PASSES 13 YES

ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH

2026-165 APPROPRIATION ORDER IN THE AMOUNT OF \$200,000 FOR THE BARNSTABLE UNITED ELEMENTARY SCHOOL PIPE WRAPPING PROJECT INTRO: 04/16/2026, 04/30/2026

School Superintendent Sara Ahern gave the rationale and invited Doug Belanger Facilities Supervisor to answer any questions.

Open Public Hearing seeing no one, no one online close public hearing

Discussion:

(Sheingold) the \$200,00 seems high for pipe wrapping (Belanger) adding additional areas that are compromised, so the school can survive the next couple of years. (Sheingold) would you be surprised if it was more than that. (Daluz) what about putting in an additional heating source. (Belanger) the heat is not the problem, it is the chiller, no cross ventilation. Cold water runs through the pipes.

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$200,000** be appropriated from the General Fund Reserves for the Barnstable United Elementary Pipe Wrapping Project, including the payment of costs incidental or related thereto, and that the School Committee is authorized to contract for and expend the funds made available for these purposes and be authorized to accept any gifts or grants in relation thereto

VOTE: PASSES 13 YES

ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH

2026-166 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2026 AND (INFRASTRUCTURE OFFICE IN THE AMOUNT OF \$75,000 FOR THE UPPER MARSTONS MILLS FISH PASSAGE IMPROVEMENT PROJECT INTRO: 04/30/2026

Dr. Dan Santos Director of Public Works (DPW) gave the rationale

Discussion:

(Levesque) thank you for keeping this going, it is valuable to the village. (Starr) is this on Rosa lane (Santos) This is Mill Pond right at Route 28.

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 2026 and 2027 Grant from the Commonwealth of Massachusetts Federal Funds and Infrastructure Office in the amount of **\$75,000** for the purpose of offsetting permitting costs for the Upper Marstons Mills Fish Passage Improvement Project.

VOTE: PASSES 12 YES, 1 NO (DALUZ)

ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH

President Tamash made a motion to move Items 2026-167 and 2026-168 to individual public hearings on 5-14-2026 and 2026-169 to a 2nd reading on 5-14-2026

VOTE: PASSES 13 YES

ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH

2026-167 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$786,488 FOR FEASIBILITY STUDY AND SCHEMATIC DESIGN AND ASSOCIATED PROJECT MANAGEMENT FOR THE ROOF REPLACEMENT PROJECTS AT THE BARNSTABLE HIGH SCHOOL AND BARNSTABLE INTERMEDIATE SCHOOL INTRO: 04/30/2026

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$786,488** be appropriated for the purpose of paying feasibility study and schematic design costs and associated project management for the potential roof replacement projects at the Barnstable High School (**\$588,874**), located at 744 West Main Street, Hyannis, MA, and the Barnstable Intermediate School (**\$197,614**), located at 895 Falmouth Road, Hyannis, MA, including the payment of all costs incidental or related thereto (the "Projects"), which proposed repair Projects would materially extend the useful life of the schools and preserve assets that otherwise are capable of supporting the required educational programs, and for which the Town of Barnstable, through the Barnstable School Committee, has applied for grants from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Barnstable School Committee. To meet this appropriation the Town Treasurer, with the approval of the Town Council, is authorized to borrow **\$786,488** under and pursuant to M.G.L. Chapter 44, Section 7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. The Town of Barnstable acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on the proposed repair Projects, any project costs the Town of Barnstable incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town of Barnstable; and that, if invited to collaborate with the MSBA on the proposed repair Projects, the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement(s) that may be executed between the Town of Barnstable, through the Barnstable School Committee, and the MSBA. It is further Ordered

that the appropriation and loan order under Town Council agenda item 2026-068 for **\$350,000** for the purpose of paying feasibility study and schematic design costs and associated project management for the potential roof replacement project at the Barnstable High School, located at 744 West Main Street, Hyannis, MA, be rescinded, and the appropriation and loan order under Town Council agenda item 2026-069 for **\$350,000** for the purpose of paying feasibility study and schematic design costs and associated project management for the potential roof replacement project at the Barnstable Intermediate School, located at 895 Falmouth Road, Hyannis, MA, be rescinded.

VOTE: TO A PUBLIC HEARING ON 5/14/2026

ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH

2026-168 APPROPRIATION ORDER IN THE AMOUNT OF \$320,000 FOR THE PURPOSE OF FUNDING OUTSIDE COUNSEL EXPENSES OF THE LEGAL DEPARTMENT INTRO: 04/30/2026

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$320,000** be appropriated from the General Fund Reserves for the purpose of paying operating expenses of the Legal Department for the services of the law firm of Anderson & Kreiger LLP, which is serving as outside counsel to the Town with respect to the lawsuit filed against the Town in July 2024 by the Conservation Law Foundation (CLF), as amended to add certain claims under state law.

VOTE: TO A PUBLIC HEARING ON 5/14/2026

ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH

2026-169 AUTHORIZATION OF A HOUSING DEVELOPMENT INCENTIVE PROGRAM TAX INCREMENT EXEMPTION AGREEMENT BETWEEN THE TOWN OF BARNSTABLE AND SEASHORE HOMES, INC. FOR SIXTEEN (16) NEW MARKET RATE RESIDENTIAL RENTAL UNITS AND TWO (2) AFFORDABLE RENTAL UNITS LOCATED AT 83 MAIN STREET, HYANNIS, MA INTRO: 04/30/2026

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby authorizes a Tax Increment Exemption (TIE) Agreement between the Town of Barnstable and Seashore Homes, Inc. pursuant to the Housing Development Incentive Program, M.G.L. c. 40V, and the regulations promulgated thereunder at 760 CMR 66.00, for the development of sixteen (16) new market rate residential rental units and two (2) deed-restricted affordable rental units located at 83 Main Street, Hyannis, substantially in the form presented to the Town Council at this meeting, and further authorizes the Town Manager to execute said TIE Agreement, with any additional minor non-material edits approved by the Town Attorney's Office, and submit it to the Massachusetts Executive Office of Housing and Livable Communities for approval.

VOTE: TO A 2nd READING ON 05/14/2026

ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, CROW, DALUZ, KEANE, LEVESQUE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH

President Tamash congratulated Councilor Crocker on his retirement from the legislature.

Upon a motion duly made and seconded it was

The Town Council will enter Executive Session pursuant to G.L. c. 30A, sec. 21(a)(6) to consider the purchase, exchange, lease or value of real property, specifically, the property located at 0, 167 and 177 Pleasant Street in Hyannis, since a discussion in open session may have a detrimental effect on the negotiating position of the Town and Town Council.

(Crocker and Levesque recused)

VOTE: PASSES 11 YES

ROLL CALL: BLOOM, BURDICK, CLARK, CROW, DALUZ, KEANE, LUDTKE, PENN, SHEINGOLD, STARR, TAMASH

Ann M. Quirk
Town Clerk

NEXT MEETING: May 14, 2026

Exhibits:

- A John Julius
- B Town Manager Update