



Town Council Meeting

July 16, 2026

A quorum being duly present, President Craig Tamash called the July 16, 2026, Town Council meeting to order at 6:00 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: Charles Bloom, Seth Burdick, Kristine Clark, William Crocker, Jr., Lisa DaLuz, Thomas Keane, Matthew Levesque, Betty Ludtke, Barry Sheingold, Craig Tamash

ABSENT: Gordon Starr, John Crow

Councilor Ludtke introduced and welcomed, veteran John Schneeberger to lead the Pledge of Allegiance followed by President Tamash who asked all to remain standing for a Moment of Silence for recently deceased Town Councilor Felicia Penn.

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.

Sandy Jones explained why she did not support agenda item 2026-006. She felt the board did not seek out better applicants. She added this item should be tabled and readvertised for new applicants.

John Julius discussed the new Hyannis housing and its effect on the water shortage. He urged Town Council members to go to the upcoming meeting regarding the shelter move. He hoped Council would rescind the building permit.

Stan Drake explained he has a long-standing dispute with the Harbor Master. Nothing has been resolved. There is limited space between his boat and the piers. He discussed his business, the 10,000 passengers, summer patrons and how the safety margin with all participants was eroding due to the closeness of the piers.

Laura Shufelt spoke about the 2026-006 item which was confirming the reappointments and appointment to the Affordable Housing Trust Fund Board. She said the position was vacant for a while, and the applicant was a person who was kind and thoughtful. She noted her support for 2027-016 to reduce the size of the Town's Tax Increment Exemption (TIE).

Eric Schwaab urged Town Council to help the local pirate ship with its docking issue. He hoped that the Town Council will attend the July 22, 2026, meeting at the Barnstable High School regarding moving the homeless shelter to 460 West Main Street, Hyannis.

Bob Schulte urged Town Council to approve items 2027-007 and 2027-008 regarding building heights and setbacks in the Downtown Hyannis zoning areas. He wanted them to advance to the Planning Board.

Larry Morin urged Town Council to attend the July 22nd meeting at the high school to show your involvement and give your opinion. He felt the public comment section of public meetings were not utilized effectively. He noted the Town Council rule prohibits debate. He added there was no balance

between residents and Town Council.

Conrad Watson hoped the two-way streets would help the area. The traffic lights have not made a difference on Center Street or Main Street. He added South Street is a drag racing street.

Elizabeth Wurfbain, Executive Director of the Hyannis Main Street Business Improvement District supported the Great Streets projects and turning Main Street and South Street into two-way streets.

ZOOM: none

COUNCIL RESPONSE TO PUBLIC COMMENT:

(Daluz) did not support the two-way Main Street and South Street project. She stated we have been running out of water since 2019. No one has the right to deny me good water. The building of apartments has become insane. She asked about the citizen's petition. (Levesque) discussed the homeless shelter and the Fall River Diocese priests attending and supporting the project. (Ludtke) thanked Sandy Jones for her information and said she would be attending the July 22nd meeting. She urged the town to support family friendly businesses the pirate ship docking issue is a year long issue. (Crocker) Announce he could not attend the July 22nd meeting because his wife was having knee replacement surgery on that day.

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 A)**

President Tamash asked Town Manager Mark Ells to discuss the 367 Main Street Town Hall elevator issue. (Ells)the impact of not having a working elevator. He explained the elevator has reached its end of useful life. He said there did not seem to be a good time to do this project as it would take three months and it would start September 8, 2026. He spoke about upcoming meetings and the impact on them with possible zoom meetings. He noted that business in the Town Hall will continue.

MINUTES:

Upon a motion duly made and seconded, it was voted to accept the minutes of June 25, 2026, as presented.

VOTE: PASSES 8 YES 1 NO (DALUZ) 1 ABSTAIN (LEVESQUE)

ROLL CALL: BLOOM, BURDICK, CLARK, CROCKER, JR., KEANE, LUDTKE, SHEINGOLD, TAMASH

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

- **Great Streets Final Presentation: Daniel W. Santos, P.E., Director, Department of Public Works; James Kupfer, Director, Planning and Development**

Jim Kupfer, Director of Planning and Development, gave an overview of his PowerPoint presentation.

Discussion:

(Keane) Said he was excited about this project as it would make the area more livable downtown. (Levesque) was supportive of this project and hoped it would help make this area a destination place. (Daluz) questioned the delivery trucks and the timing on how supplies would be delivered. (Kupfer) explained they had proposed signage detailing delivery hours and that the businesses would need to work with their delivery services. (Ludtke) brought up her concerns with American with Disabilities Act (ADA) on North Street and Old Colony Road. She

wanted clarity regarding ADA on Main Street. (Beaudoin) explained there were some locations on Main Street that were ADA compliant but not all intersections. (Ludtke) felt they should take down the curbs on Main Street it was a mistake. (Beaudoin) said there were some locations with the lower curbs. He said he had walked Main Street with Paul Logan, Disability Commission Chair. He said there were some places that they did not remove the curb due to a lack of space and they had a shared use path in the easement. (Bloom) asked about pedestrian crossings and waiting for traffic. (Kupfer) said he looked at the peak times and stressed the need to work together. (Beaudoin) added there were push button activated lights on all crosswalks. (Daluz) said the sidewalk on Stevens Street near the Senior Housing Authority building was bad. (Ludtke) Asked about the street lighting. (Beaudoin) said the proposed lights are the same as on Old Colony Road. (Sheingold) suggested adding sustainable native plants instead of grass.

Karen Nober, Town Attorney, provided an update on the energy bill that is currently pending in the State Legislature. She explained that in the Senate version of the bill, the Senate included permit extension language that would extend all “approvals” for offshore renewable wind projects for 4 years. She noted that permit extension language has been used by the Legislature for other projects in other pieces of legislation, but this time, for the first time ever, the Legislature included in the definition of “approvals” the word “easement.” She explained that an easement is not a permit and it is not an approval; it is a property right. She further explained that in June of 2024, the Town negotiated with Park City Wind in good faith and agreed upon and executed a Side Agreement to the Town’s Host Community Agreement with Park City Wind. The Town only agreed to grant the easements that PCW needs from the Town to bring its cables ashore under Craigville Beach and under the Town’s public way in return for the right to terminate the easements if PCW does not commence construction on its project by December 15, 2026, as well as for the other benefits negotiated and agreed upon in the Side Agreement. She noted that PCW has declined to make the \$2.4 million payment at this time to the Town that it agreed to make in the Side Agreement even though the Town has incurred those costs in reliance on PCW’s promise to pay. Attorney Nober explained that including the word “easement” in this provision of the bill is an unprecedented attempt by the Senate to provide an unwarranted benefit to a for-profit developer – PCW – to relieve that developer of its contractual obligations to the Town. She further stated that if PCW is seeking a contract modification, they should deal directly with the Town and negotiate in good faith. She said what the Senate is doing is “bad government” and they should remove the word “easement” from the bill. The matter will now be addressed in conference committee.

- **Fiscal Policy and Revenue Strategy: Mark Ells, Town Manager; Mark Milne, Director, Finance**

Mark Milne Director of Finance explained the fiscal challenge for the next few years. He wanted to reduce the dependence on the reserves. He felt at the current rate the town could burn through the reserves by 2030.

Discussion:

(Keane) Questioned debt exclusion/ debt override felt it was dicey and wondered what the plan was if it is not approved by the public. (Milne) Yes, it is hard to convince the public to raise taxes if unsuccessful there will be a large reduction to town services. (Levesque) We could look at assets and what we don’t need. (Sheingold) What are the consequences for not moving forward with the Wastewater Management

Plan. (Ells) We have regulatory requirements for the next 30 years. (Burdick) in the event of no debt exclusion what level could we cover 3 percent tax or 4.5 million dollars in loan payments. (Milne) Could adjust fees but without a debt exclusion we are bust. Schools are part of this overall budget and state aid is flat. (Burdick) Is a Water Infrastructure Investment Fund (WIIF) more appropriate than a debit exclusion. (Tamash) Please explain WIIF and Debit exclusion. (Milne) WIIF will be on tax bills beginning immediately on the year it was voted and approved. WIIF does not apply to personal property, it is commercial. Debit exclusion gets spread out to every taxpayer. (Levesque) WIIF route never goes away. (Ludtke) needs more strategy with private public aspect. (Crocker) need to think about the schools built in 1950's they may need a financial debt exclusion. (Tamash) School Committee must come up with the plan to coordinate. (Sheingold) Are there other ways to add to the tax revenue. (Ells) We need direction to lay out a plan for Town Council. (Tamash) You have to move forward with debt exclusion and WIIF when we could get it on the ballot. (Nober) Place it on the agenda for next month. (Tamash) Need to put together the specifics to pass a resolve with all the things we will have to do if it fails. (Tamash) move forward with plan and keep all options open, come back with specific information, dollars, cost, etc. (Nober) I think based on the discussion we can come back next month. (Tamash) Move it forward. (Clark) If we get debit exclusion, we are looking at May 2027 and with WIIF November 2027. (Milne) Debit exclusion Fiscal year 32-33 with WIIF would be the date the Town Council chooses to implement possibly Fiscal Year 28.

Break 8:51 PM – 9:03 PM

CONSENT AGENDA:

Proposed Vote: To refer Items 2027-007, 2027-008, 2027-009 to the Planning Board as written.

VOTE: REFER ITEM TO THE PLANNING BOARD AS WRITTEN - PASSES UNANIMOUS

2027-007 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III DISTRICT REGULATIONS, TO REVISE THE DEFINITION OF BUILDING HEIGHT FOR THE DOWNTOWN HYANNIS ZONING DISTRICTS AND CREATE BUILDING HEIGHT STANDARDS FOR THE DOWNTOWN NEIGHBORHOOD ZONING DISTRICT INTRO: 07/16/2026

Upon a motion duly made and seconded it was

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

SECTION 1

By amending Section 240-24-1.5.A(4) by striking subsections (a) and (b) and inserting in place thereof the following subsection (a):

- (a) Building height shall be defined as the vertical distance between the elevations of the natural mean grade and the highest point of the roof. The natural mean grade is calculated by taking the average of the existing grade at the proposed building footprint corners.

SECTION 2

By amending Section 240-24.1.8 by deleting from subsection C(2)(a) the word “third” and replacing it with the words “half story”.

SECTION 3

By amending Section 240-24.1.8 by striking the following from Table 5 under the heading “Building Form”:

E-Number of Stories	3 maximum ¹
F- Ground Story Height	10 feet minimum

G - Upper Story Height	10 feet minimum
------------------------	-----------------

¹See 240-24.1.8.C.2(a)

SECTION 4

By further amending Section 240-24.1.8 by inserting into Table 5 a new heading entitled “Building Height” containing the following rows:

E. Number of Stories	2.5 maximum ¹
F. Building Height	40’ maximum

¹See 240-24.1.8.C.2(a)

VOTE: REFER ITEM TO THE PLANNING BOARD AS WRITTEN - PASSES UNANIMOUS

2027-008 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III DISTRICT REGULATIONS, TO REVISE PRIMARY AND SECONDARY FRONT SETBACK REQUIREMENTS IN THE DOWNTOWN MAIN STREET AND DOWNTOWN VILLAGE ZONING DISTRICTS INTRO: 07/16/2026

Upon a motion duly made and seconded it was

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

SECTION 1

By amending Section 240-24.1.6 by striking the following from Table 3 under the heading “Setbacks – Principal Buildings”

A – Primary Front Setback	0 foot minimum 15 feet maximum
B – Secondary Front Setback	0 foot minimum 15 feet maximum

SECTION 2

By amending Section 240-24.1.6 by inserting the following into Table 3 under the heading “Setbacks – Principal Buildings”

A – Primary Front Setback	
i. Buildings not exceeding two stories	5 feet minimum; 15 feet maximum
ii. Buildings exceeding two stories	10 feet minimum; 15 feet maximum
B – Secondary Front Setback	
i. Buildings not exceeding two stories	5 feet minimum; 15 feet maximum
ii. Buildings exceeding two stories	10 feet minimum; 15 feet maximum

SECTION 3

By amending Section 240-24.1.7 by striking from Table 4 the following under the heading “Setbacks – Principal Buildings”

A – Primary Front Setback	0 foot minimum 15 feet maximum
B – Secondary Front Setback	0 foot minimum 15 feet maximum

SECTION 4

By amending Section 240-24.1.7 by inserting the following into Table 4 under the heading “Setbacks – Principal Buildings”

A – Primary Front Setback

- i. Buildings not exceeding two stories 5 feet minimum; 15 feet maximum
- ii. Buildings exceeding two stories 10 feet minimum; 15 feet maximum

B – Secondary Front Setback

- i. Buildings not exceeding two stories 5 feet minimum; 15 feet maximum
- ii. Buildings exceeding two stories 10 feet minimum; 15 feet maximum

VOTE: REFER ITEM TO THE PLANNING BOARD AS WRITTEN - PASSES UNANIMOUS

**2027-009 AMENDING THE CODE OF TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 TO AMEND THE ZONING MAP TO REVISE THE BOUNDARIES OF THE DOWNTOWN MAIN STREET AND DOWNTOWN NEIGHBORHOOD ZONING DISTRICTS
INTRO: 07/16/2026**

Upon a motion duly made and seconded it was

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

SECTION 1

By amending the Zoning Map of Barnstable, Mass. dated September 1, 1998, as previously amended, as referenced in Article II, Section 240-6, to amend the “Downtown Main Street District” and “Downtown Neighborhood District” as shown on the draft map dated June 03, 2026, prepared by the Town of Barnstable Geographical Information System Unit, entitled “Downtown Hyannis Zoning Districts - Proposed Map Amendment Downtown Main Street to Downtown Neighborhood”.

VOTE: REFER ITEM TO THE PLANNING BOARD AS WRITTEN - PASSES UNANIMOUS

Proposed Vote: To refer Items 2027-001, 2027-011 and 2027-014 to a Second Reading to be held on each item at the Town Council meeting on August 20, 2026

VOTE: REFER TO SECOND READING ON AUGUST 20, 2026 - PASSES UNANIMOUS

2027-001 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 07/16/2026

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 Assessors:** James O'Neill, as a regular member to a term expiring 06/30/2029; **District Improvement Financing Program Advisory Committee (DIF):** Jen Villa, as a business representative member outside the Business Improvement District (BID); **Open Space Committee:** Sharon Harrison, as a regular member to a term expiring 06/30/2029; **Zoning Board of Appeals:** John Carey, as an associate member to a term expiring 06/30/2027

VOTE: REFER TO SECOND READING ON AUGUST 20, 2026 - PASSES UNANIMOUS

**2027-011 ORDER AUTHORIZING THE TAKING OF ROAD EASEMENTS BY EMINENT DOMAIN FOR SEWER AND WATER PURPOSES OVER CERTAIN PRIVATE ROADS IN CENTERVILLE VILLAGE IN CONNECTION WITH THE LONG POND AREA SEWER EXPANSION PROJECT
INTRO: 07/16/2026**

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 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 all or any portion of the following described private 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:

CEDAR POINT CIRCLE
EVELYN CIRCLE
FERNBROOK LANE
40' WIDE RIGHT OF WAY, OFF OLD POST ROAD
COTTAGE LANE
SCOTTSDALE ROAD
HORATIO LANE
HEADWATERS ROAD
HARVEST LANE
WILTON DRIVE
BLANTYRE AVENUE
DUNASKIN ROAD
ARGYLE AVENUE
HOLLY LANE
QUIET WAY
LONG POND CIRCLE
PARK AVENUE
ORCHARD ROAD

The above-referenced private roads and easement areas are shown on a 13-sheet plan set captioned "Long Pond Sewer Expansion Project – Private Roadway Sewer and Water Easement Taking Exhibit Plan", dated July 7, 2026, prepared by the Town of Barnstable, Department of Public Works, and attached hereto as Exhibit A.

Any trees, buildings, and other structures located within said roads are not included in this Order, and the order of taking adopted by the Town Manager will provide that 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, adopt, sign, deliver and record any plans, documents or orders of taking, which may include, without limitation, the owner names, properties, interest holders, and awards of damages, if any, and may make minor modifications to the easement areas and plans for the purposes necessary to effectuate this Order and to secure the necessary easements in the above referenced private roads.

Betterments will be assessed for the associated sewer improvements made by the Town of Barnstable.
VOTE: REFER TO SECOND READING ON AUGUST 20, 2026 - PASSES UNANIMOUS

2026-014 AUTHORIZATION OF A HOUSING DEVELOPMENT INCENTIVE PROGRAM TAX INCREMENT EXEMPTION AGREEMENT BETWEEN THE TOWN OF BARNSTABLE AND 91 LOUIS LLC FOR FOUR (4) NEW MARKET RATE RESIDENTIAL RENTAL UNITS LOCATED AT 91 LOUIS STREET IN HYANNIS INTRO: 07/16/2026

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 91 Louis LLC pursuant to the Housing Development Incentive Program, M.G.L. c. 40V, and the regulations promulgated thereunder at 760 CMR 66.00, for four (4)

market rate residential units located at 91 Louis Street, Hyannis, substantially in the form presented to the Town Council at this meeting, and further authorizes the Town Manager to execute the TIE Agreement and submit it to the Massachusetts Executive Office of Housing and Livable Communities for approval.

VOTE: REFER TO SECOND READING ON AUGUST 20, 2026 - PASSES UNANIMOUS

2026-212 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 06/25/2026, 07/16/2026

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: **District Improvement Financing Advisory Committee:** Satchel Douglas, as a resident representing Precinct 9; Elizabeth Young, as a resident representing Precinct 13.

VOTE: PASSES UNANIMOUS

2026-213 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 06/25/2026, 07/16/2026

Upon a motion duly made and seconded it was

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

VOTE: PASSES UNANIMOUS

2026-217 ORDER AUTHORIZING GRANTS OF EASEMENTS FOR GAS FACILITIES TO SERVE THREE SEWER PUMP STATIONS ON TOWN-OWNED LAND INTRO: 06/25/2026, 07/16/2026

Tom 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, 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.

VOTE: PASSES 9 YES 1 NO (DALUZ)

2026-218 ORDER AUTHORIZING GRANTS OF EASEMENTS FOR ELECTRIC FACILITIES TO SERVE THREE SEWER PUMP STATIONS ON TOWN-OWNED LAND INTRO: 06/25/2026, 07/16/2026
--

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

Discussion:

(Clark) Asked about the reference to allow other entities. (LaRosa) Explained this was standard language adding it could be other Eversource companies.

Upon a motion duly made and seconded it was

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.

VOTE: PASSES UNANIMOUS

2026-219 ORDER AUTHORIZING THE ACQUISITION OF AN EASEMENT FOR SEWER PURPOSES ON LAND AT 272 SOUTH MAIN STREET IN CENTERVILLE INTRO: 06/25/2026, 07/16/2026

Tom LaRosa, Fist 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, 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.

VOTE: PASSES UNANIMOUS

2027-002 RESOLVE TO SCHEDULE A SPECIAL ELECTION TO BE HELD ON OCTOBER 13, 2026 TO FILL A VACANCY ON THE TOWN COUNCIL INTRO: 07/16/2026

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby declares that a vacancy currently exists in the office of Town Councilor, Precinct 13; and further, the Town Council requests that the Town Clerk begin planning a special election to be held on October 13, 2026, to fill said seat for the balance of the unexpired term.

VOTE: PASSES UNANIMOUS

2027-003 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2027 MUNICIPAL AND TRIBAL TECHNICAL ASSISTANCE GRANT IN THE AMOUNT OF \$50,000 FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE TO UPDATE THE TOWN’S HAZARD MITIGATION PLAN INTRO: 07/16/2026

Jim Kupfer, Director of Planning and Development, 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 Fiscal Year 2027 Municipal and Tribal Technical Assistance grant in the amount of **\$50,000** from the Commonwealth of Massachusetts, Executive Office for Administration and Finance for the purpose of updating the Town's Hazard Mitigation Plan.

VOTE: PASSES UNANIMOUS

2027-004 APPROVAL AND RATIFICATION OF TOWN MANAGER'S DECISION TO ACT ON BEHALF OF THE TOWN TO JOIN THE STATEWIDE PUBLIC SAFETY MUTUAL AID AGREEMENT ESTABLISHED PURSUANT TO SECTION 4J OF CHAPTER 40 OF THE GENERAL LAWS INTRO: 07/16/2026

Police Chief Jean Challies, gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby approve and ratify the decision of the Town Manager to act on behalf of the Town of Barnstable to join the statewide public safety mutual aid agreement established pursuant to section 4J of Chapter 40 of the General Laws

VOTE: PASSES UNANIMOUS

2027-005 ACQUISITION OF AN AFFORDABLE HOUSING RESTRICTION ON LAND LOCATED IN HYANNIS AT 55 WILKENS LANE INTRO: 07/16/2026

Jim Kupfer, Director of Planning and Development gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby authorizes the Town Manager, on behalf of the Town, as part of a negotiated transaction for no monetary consideration, to acquire a perpetual Affordable Housing Restriction pursuant to M.G.L. c. 184, §§ 31-32 from Hyannis II MF Owner LLC for the creation of permanently deed restricted Affordable Housing Units in accordance with Chapter 9, Article 1, of the Town Code, on a 14.98± acre parcel of land with an address of 55 Wilkens Lane in Hyannis and being described in a deed recorded in the Barnstable County Registry of Deeds at Book 37341, Page 216. The Town Manager is further authorized to negotiate, accept, sign, deliver, and record any documents necessary to effectuate this Resolve and complete the transaction.

VOTE: PASSES UNANIMOUS

2027-006 CONFIRMING REAPPOINTMENTS AND APPOINTMENT TO THE AFFORDABLE HOUSING/GROWTH & DEVELOPMENT TRUST FUND BOARD INTRO: 07/16/2026

Mark Ells, Town Manager gave the rationale.

Discussion: (Ludtke) Explained she could not support the slate as the qualifications were not on this slate.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby confirms the Town Manager's reappointment and appointment of the following individuals as Trustees of the Affordable Housing/Growth and Development Trust Fund Board (the "Board"), pursuant to the provisions of M.G.L. c. 44 § 55C, and in accordance with the Amended Declaration of Trust, as approved by the Board at its September 25, 2020 meeting:

Reappointment of Michael Andrew Clyburn, Assistant Town Manager, to a term expiring June 30, 2027

Reappointment of Mark Milne, Town Finance Director, to a term expiring June 30, 2028

Reappointment of Laura Shufelt, a resident of West Barnstable, MA, to a term expiring June 30, 2028; and

Appointment of Seth Etienne, a resident of Hyannis, MA, to a term expiring June 30, 2027.

VOTE: PASSES MAJORITY

2027-010 ACQUISITION OF AN AFFORDABLE HOUSING RESTRICTION ON LAND LOCATED AT 235 BARNSTABLE ROAD IN HYANNIS INTRO: 07/16/2026

Jim Kupfer, Director of Planning and Development gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby authorizes the Town Manager, on behalf of the Town, as part of a negotiated transaction for no monetary consideration, to acquire a perpetual Affordable Housing Restriction pursuant to M.G.L. c. 184, §§ 31-32, from Ronald D. Bourgeois, as Trustee of the 235 Barnstable Road Realty Trust, for the creation of permanently deed restricted Affordable Housing Units in accordance with Chapter 9, Article 1, of the Town Code, on land located at 235 Barnstable Road in Hyannis, described in a Quitclaim Deed filed in the Barnstable Land Registration Office of the Land Court as Document No. 1,536,045, with Certificate of Title No. 241092. The Town Manager is further authorized to negotiate, accept, sign, deliver, and record any documents necessary to effectuate this Resolve and complete the transaction.

VOTE: PASSES UNANIMOUS

2027- 012 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2027 VICTIM AND SURVIVOR SERVICES GRANT IN THE AMOUNT OF \$64,722 FROM THE MASSACHUSETTS OFFICE FOR VICTIM ASSISTANCE INTRO: 07/16/2026

Police Chief Jean Challies 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 State Fiscal Year 2027 Victim and Survivor Services grant in the amount of **\$64,722** from the Massachusetts Office for Victim Assistance.

VOTE: UNANIMOUS

2027-013 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2027 REGIONAL PUBLIC SAFETY ANSWERING POINT AND REGIONAL EMERGENCY COMMUNICATIONS CENTER DEVELOPMENT GRANT IN THE AMOUNT OF \$525,500 FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY INTRO: 07/16/2026

Police Chief Jean Challies 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 Fiscal Year 2027 State 911 Department Regional Public Safety Answering Point and Regional Emergency Communications Center Development grant in the amount of **\$525,500** from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security to be used to fund the costs and planning associated with the construction phase and closeout services, professional services and transition expenses for salary costs needed in connection with the creation of a Regional Emergency Communications Center in the Town of Barnstable, which will include 911 services covering the Towns of Barnstable, Yarmouth and Sandwich.

VOTE: UNANIMOUS

2027-015 ESTABLISHING TOWN POLICY REGARDING THE TOWN COUNCIL'S CONSIDERATION OF THE ACCEPTANCE AND LAYOUT OF NEW PRIVATE WAYS AS PUBLIC WAYS INTRO: 07/16/2026

Jim Kupfer, Director of Planning and Development gave the rationale

Discussion:

(Ludtke) This does not have enough teeth not changing at all (Kupfer) Explained Town Council could make directive, more standards in subdivision. (Crocker) builder built substandard roads (Kupfer) We are trying to get away from substandard private way roads.

Upon a motion duly made and seconded it was

RESOLVED: That it shall be the policy of the Town to prioritize for consideration the acceptance and layout as public ways, pursuant to G.L. c. 82, § 21, of new private ways within the Town in subdivisions approved by the Planning Board under the Subdivision Control Law; provided that the Town Council may consider the acceptance and layout of new private ways that have been granted waivers by the Planning Board during the Definitive Subdivision process, after the Town Council has received a recommendation from the Director of the Department of Public Works or his designee.

VOTE: PASSES UNANIMOUS

2027-016 RESOLVE DISSOLVING AND DISCONTINUING THE TAX INCREMENT EXEMPTION (TIE) COMMITTEE OF THE TOWN COUNCIL AND REQUIRING THAT APPROVALS OF NEW TIE APPLICATIONS BY THE TOWN COUNCIL SHALL NOT EXCEED THE MINIMUM STANDARDS SET FORTH IN SECTION 5M OF CHAPTER 59 OF THE GENERAL LAWS INTRO: 07/16/2026

Jim Kupfer, Director of Planning and Development, gave the rationale

Discussion:

(Sheingold) Good idea supports most benefit comes from state tax credit not the town. Developers are focusing on the state tax credit.

(Nober) Discussed the amendment language.

Upon a motion duly made and seconded it was to amend this item to substitute the redraft version.

VOTE: PASSES UNANIMOUS

Upon a motion duly made and seconded it was as amended

WHEREAS, by vote of the Town Council, the Town may authorize, pursuant to G.L. c. 59, sec. 5M and G.L. c. 40V, a property tax exemption for a “certified housing development project”, as defined by G.L. c. 40V, sec.1 (the “Property Tax Exemption”), provided that the Property Tax Exemption established by such municipality is not less than 10% of the incremental value of the market rate units contained in the certified housing development project for a period of not less than five years (the “Minimum Standards”);

WHEREAS, the Commonwealth’s Executive Office of Housing and Livable Communities may award tax credits to a sponsor of a certified housing development project for which a gateway municipality has authorized a Property Tax Exemption;

WHEREAS, to minimize the financial impact to the Town but to preserve the ability of the sponsor of a certified housing development project to receive tax credits from the state, the Town Council seeks to limit, for new applications, any Property Tax Exemption authorized by the Town to the Minimum Standards;

RESOLVED: That the Town Council does hereby direct the Tax Increment Exemption (TIE) Committee of the Town Council to complete its review of any applications for a Property Tax Exemption currently pending before the committee and submit its recommendations regarding said application(s) to the Town Council, which recommendations may meet or exceed the Minimum Standards; and further directs that any new applications be submitted directly to the Town Council through the Town’s Director of Planning and Development; provided that, upon submission of the TIE Committee’s recommendations regarding all currently pending applications, the Chair of the TIE Committee shall notify the Town Council President in writing that its work has been completed, and the TIE Committee

shall be dissolved and discontinued as of the date of such notification; and, provided further, that all new applications for Property Tax Exemptions shall be reviewed by the Town Council, which shall approve or reject such applications; provided that the Property Tax Exemptions for all applications that are approved shall not exceed the Minimum Standards.

VOTE: PASSES UNANIMOUS

VOTED TO ADJOURN:

VOTE: PASSES UNANIMOUS

Adjourn at 10:01 PM

Respectfully submitted,

Janet E. Murphy
Assistant Town Clerk

NEXT MEETING: August 20, 2026

Exhibits:

A Town Manager Update