

I move to amend Item No. 2023-139, as written, by striking the language in that Item in its entirety and substituting the following in its place (new language is in bold):

“That the Town Council does hereby authorize the Town Manager to negotiate and execute an Amendment to the July 16, 1992 Agreement, the February 27, 1995 Memorandum of Understanding Relative to the Agreement dated as of July 16, 1992, and the November 6, 1997 Amendment to the Agreements Dated July 16, 1992 and February 27, 1995, between the Woods Hole, Martha’s Vineyard and Nantucket Steamship Authority (the “SSA”) and the Town of Barnstable (“Town”) (collectively, the “Agreements”), to increase the permitted maximum overall length of any of the SSA’s vessels to two hundred forty-five feet (245’); provided that the execution of such Amendment shall be contingent on said Amendment expressly including language in which the Town and the SSA agree to:

(1) work collaboratively to consolidate the Agreements and the Amendment authorized herein into one new agreement which would supersede and replace those separate agreements (the "Superseding Agreement"). Such consolidation would be for administrative convenience only to reflect in one document the current terms and conditions of those individual agreements and to remove outdated, expired, and/or superseded language, **and would include provisions for periodic review of the Superseding Agreement by the Town and the SSA; and**

(2) enter into good faith negotiations to attempt to reach agreement on the following:
The relinquishment by the SSA of its right of first refusal regarding the property located at 200 Main Street, Hyannis, as more particularly set forth in a certain deed recorded in the Barnstable County Registry of Deeds in Book 9729, Page 167; and
The granting of an easement from the SSA to the Town across SSA-owned property to allow and accommodate trailer truck access to vessels, including providing adequate turning radii for such vehicles, at the Pleasant Street Town dock in Hyannis;

provided, further, that the Town Manager is hereby authorized to negotiate and execute the Superseding Agreement as described herein, **and is further authorized to negotiate an agreement with respect to Item (2) above, provided that any agreement with respect to Item (2) shall require the approval of the Town Council."**