



Town of Barnstable
Town Council
James H. Crocker Jr. Hearing Room
367 Main Street, 2nd floor,
Hyannis, MA 02601
Office 508.862.4738 • Fax 508.862.4770
E-mail : council@town.barnstable.ma.us

25 APR '25 AM 9:01
BARNSTABLE TOWN CLERK

TOWN COUNCIL MEETING

May 01, 2025

6:00 pm

Councillors:

Craig Tamash
President
Precinct 4

Kris Clark
Vice President
Precinct 11

Gordon Starr
Precinct 1

Dr. Kristin Terkelsen
Precinct 2

Betty Ludtke
Precinct 3

John Crow
Precinct 5

Paul C. Neary
Precinct 6

Seth Burdick
Precinct 7

Jeffrey Mendes
Precinct 8

Charles Bloom
Precinct 9

Matthew P. Levesque
Precinct 10

Paula Schnepf
Precinct 12

Felicia Penn
Precinct 13

Administrator:
Cynthia A. Lovell
Cynthia.Lovell@town.barnstable.ma.us

The May 01, 2025 Meeting of the Barnstable Town Council shall be conducted in person at 367 Main Street 2nd Floor James H. Crocker Jr. Hearing Room, Hyannis, MA. The public may attend in person or participate remotely in Public Comment or during a Public Hearing via the Zoom link listed below.

1. The meeting will be televised live via Xfinity Channel 8 or 1070 or High-Definition Channel 1072 or may be accessed via the Government Access Channel live stream on the Town of Barnstable's website:
<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

2. Written Comments may be submitted to: <https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/TownCouncil/Agenda-Comment.asp>

3. Remote Participation: The public may participate in Public Comment or Public Hearings by utilizing the Zoom video link or telephone number and access meeting code:

Join Zoom Meeting: <https://townofbarnstable-us.zoom.us/j/89372940737> Meeting ID: 893 7294 0737
US Toll-free 1-888- 475- 4499

PUBLIC SESSION

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF SILENCE

4. PUBLIC COMMENT

5. COUNCIL RESPONSE TO PUBLIC COMMENT

6. TOWN MANAGER COMMUNICATIONS (Pre-Recorded and available on Video on Demand on the Town website)

7. MINUTES

- ACT ON PUBLIC SESSION MINUTES: April 17, 2025

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

- District Attorney Robert Galibois update

9. ORDERS OF THE DAY

- A. Old Business
- B. New Business

10. ADJOURNMENT

NEXT REGULAR MEETING: May 15, 2025

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A.	OLD BUSINESS	
2025-151	Appointments to a Board/Committee/Commission: Historical Commission: Andrew Fisher, as a regular member to a term expiring 06/30/2027; Housing Committee: Joseph Taccogna, as a regular member, to a term expiring 06/30/2026; Human Services Committee: Patrick Downey, as a regular member to a term expiring 06/30/2026; Mid Cape Cultural Council: Mary Bianco, as a regular member, to a term expiring 06/2026 (May be acted upon) (Majority Vote) 4	4
2025-123	Appropriation and Loan Order in the amount of \$1,000,000 for the purpose of funding the Barnstable United Elementary School HVAC Equipment Replacement Design Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council) 5	5
2025-124	Appropriation and Loan Order in the amount of \$500,000 for the purpose of funding the Barnstable High School Gym Floor Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council) 6	6
2025-125	Appropriation and Loan Order in the amount of \$550,000 for the purpose of funding the Barnstable High School Culinary Kitchen Phase II Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council) 7	7
2025-126	Appropriation and Loan Order in the amount of \$3,000,000 for the purpose of funding the Barnstable High School Performing Arts Center Upgrade Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council) 8	8
2025-127	Appropriation Order in the amount of \$200,000 for the purpose of funding the Barnstable West Barnstable Elementary School Gymnasium Floor Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call Majority Vote Full Council) 9	9
2025-128	Appropriation and Loan Order in the amount of \$250,000 for the purpose of funding the Barnstable Public Schools District Wide Mechanical Upgrades Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council) 10	10
2025-129	Appropriation and Loan Order in the amount of \$350,000 for the purpose of funding the Barnstable Public Schools District Wide HVAC Repairs Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council) 11	11
2025-130	Appropriation and Loan Order in the amount of \$250,000 for the purpose of funding the Barnstable Intermediate School Gym Floor Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council) 12	12
2025-131	Appropriation Order in the amount of \$162,700 for the purpose of funding the Barnstable Intermediate School Library Floor Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call Majority Vote Full Council) 13	13
2025-132	Appropriation and Loan Order in the amount of \$2,100,000 for the purpose of funding the Barnstable Intermediate School Rooftop Unit Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council) 14	14

2025-133	Appropriation Order in the amount of \$80,000 for the purpose of funding the Demolition of Old Portables Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call Majority Vote Full Council)	15
2025-134	Appropriation and Loan Order in the amount of \$507,600 for the purpose of funding the Barnstable High School Exhaust Fan Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council)	16
2025-135	Appropriation and Loan Order in the amount of \$900,000 for the purpose of funding the Barnstable United Elementary School Building Envelope Upgrade Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call 2/3 Full Council)	17
2025-136	Appropriation Order in the amount of \$50,000 for the purpose of funding the Barnstable High School Locker Room Renovations Project as outlined in Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call Majority Vote Full Council)	18
2025-137	Appropriation Order in the amount of \$160,000 for the purpose of funding the Barnstable Public School Network Infrastructure Replacement and Upgrade Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call Majority Vote Full Council)	19
2025-138	Appropriation Order in the amount of \$200,000 for the purpose of funding the Barnstable Public School Security Camera Upgrade Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan. (Public Hearing) (Roll Call Majority Vote Full Council)	20
2025-139	Appropriation and Loan Order in the amount of \$500,500 for the purpose of funding the Barnstable West Barnstable Elementary School Roof Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan (Public Hearing) (Roll Call 2/3 Full Council)	21

B. NEW BUSINESS

2025-152	Transfer Order in the amount of \$9,000 to fund repairs to the Police Department's Nauset Boat and purchase redaction software associated with body worn cameras (May be acted upon) (Majority Vote)	22-23
2025-153	Transfer Order in the amount of \$124,507 from the Fiscal Year 2025 Police Department Personnel Budget to the Fiscal Year 2025 Police Department Operating Capital Budget to fund the purchase of office furnishings and facility renovations (May be acted upon) (Majority Vote)	24-25
2025-154	Transfer Order in the amount of \$19,800 to fund the purchase of navigation equipment and boat trailer for the Marine and Environmental Affairs Department (May be acted upon) (Majority Vote)	26-27
2025-155	Authorization to contract for and expend a Fiscal Year 2025 grant in the amount of \$3,928 from Restore America's Estuaries for the purpose of funding the purchase of water quality equipment and plantings for stormwater swales (May be acted upon) (Majority Vote)	28-29
2025-156	Resolve approving an exemption under M.G.L. c. 268A, Section 20(d) (May be acted upon) (Majority Vote)	30-34

Please Note: The lists of matters are those reasonably anticipated by the Council President which may be discussed at the meeting. Nor all items listed may be discussed and other items not listed may be discussed to the extent permitted by law. It is possible that if it votes, the Council may go into executive session. The Council may also act on items in an order other than as they appear on this agenda. Persons interested are advised that in the event any matter taken up at the meeting remains unfinished at the close of the meeting, it may be continued to a future meeting, and with proper notice.

A. OLD BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-151
INTRO: 04/17/2025, 05/01/2025

2025-151 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Historical Commission:** Andrew Fisher, as a regular member to a term expiring 06/30/2027; **Housing Committee:** Joseph Taccogna, as a regular member, to a term expiring 06/30/2026; **Human Services Committee:** Patrick Downey, as a regular member to a term expiring 06/30/2026; **Mid Cape Cultural Council:** Mary Bianco, as a regular member, to a term expiring 06/2026

SPONSOR: Appointments Committee Members: Councilor Kristin Terkelsen, Chair; Councilor Jeffrey Mendes, Chair; Councilor John Crow, Councilor Charles Bloom; and Councilor Seth Burdick

DATE	ACTION TAKEN
<u>04/17/2025</u>	<u>Refer to Second Reading 05/01/2025</u>

- ____ Read Item
- ____ Rationale
- ____ Council Discussion
- ____ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-123

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-123 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE UNITED ELEMENTARY SCHOOL HVAC EQUIPMENT REPLACEMENT DESIGN PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$1,000,000** be appropriated for the purpose of funding the Barnstable United Elementary School HVAC Equipment Replacement Design Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,000,000** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-124

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-124 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$500,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL GYM FLOOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$500,000** be appropriated for the purpose of funding the Barnstable High School Gym Floor Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$500,000** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-125

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-125 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$550,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL CULINARY KITCHEN PHASE II PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$550,000** be appropriated for the purpose of funding the Barnstable High School Culinary Kitchen Phase II Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$550,000** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

- ☐ Read Item
- ☐ Rationale
- ☐ Public Hearing
- ☐ Close Public Hearing
- ☐ Council Discussion
- ☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-126

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-126 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$3,000,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL PERFORMING ARTS CENTER UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$3,000,000** be appropriated for the purpose of funding the Barnstable High School Performing Arts Center Upgrade Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$3,000,000** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

- ☐ Read Item
- ☐ Rationale
- ☐ Public Hearing
- ☐ Close Public Hearing
- ☐ Council Discussion
- ☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-127

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-127 APPROPRIATION ORDER IN THAT THE AMOUNT OF \$200,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE WEST BARNSTABLE ELEMENTARY SCHOOL GYMNASIUM FLOOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$200,000** be appropriated for the purpose of funding the Barnstable West Barnstable Elementary School Gymnasium Floor Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$200,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-128

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-128 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOLS DISTRICT WIDE MECHANICAL UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$250,000** be appropriated for the purpose of funding the Barnstable Public Schools District Wide Mechanical Upgrades Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-129

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-129 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$350,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOLS DISTRICT WIDE HVAC REPAIRS PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$350,000** be appropriated for the purpose of funding the Barnstable Public Schools District Wide HVAC Repairs Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$350,000** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-130

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-130 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE INTERMEDIATE SCHOOL GYM FLOOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$250,000** be appropriated for the purpose of funding the Barnstable Intermediate School Gym Floor Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-131

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-131 APPROPRIATION ORDER IN THE AMOUNT OF \$162,700 FOR THE PURPOSE OF FUNDING THE BARNSTABLE INTERMEDIATE SCHOOL LIBRARY FLOOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$162,700** be appropriated for the purpose of funding the Barnstable Intermediate School Library Floor Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$162,700** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-132

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-132 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,100,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE INTERMEDIATE SCHOOL ROOFTOP UNIT REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$2,100,000** be appropriated for the purpose of funding the Barnstable Intermediate School Rooftop Unit Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$2,100,000** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

____ Read Item
____ Rationale
____ Public Hearing
____ Close Public Hearing
____ Council Discussion
____ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-133

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-133 APPROPRIATION ORDER IN THE AMOUNT OF \$80,000 FOR THE PURPOSE OF FUNDING THE DEMOLITION OF OLD PORTABLES PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$80,000** be appropriated for the purpose of funding the Demolition of Old Portables Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$80,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-134

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-134 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$507,600 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL EXHAUST FAN REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of \$507,600 be appropriated for the purpose of funding the Barnstable High School Exhaust Fan Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$507,600 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-135

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-135 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$900,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE UNITED ELEMENTARY SCHOOL BUILDING ENVELOPE UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$900,000** be appropriated for the purpose of funding the Barnstable United Elementary School Building Envelope Upgrade Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$900,000** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-136

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-136 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL LOCKER ROOM RENOVATIONS PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$50,000** be appropriated for the purpose of funding the Barnstable High School Locker Room Renovations Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$50,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

- ☐ Read Item
- ☐ Rationale
- ☐ Public Hearing
- ☐ Close Public Hearing
- ☐ Council Discussion
- ☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-137

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-137 APPROPRIATION ORDER IN THE AMOUNT OF \$160,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL NETWORK INFRASTRUCTURE REPLACEMENT AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$160,000** be appropriated for the purpose of funding the Barnstable Public School Network Infrastructure Replacement and Upgrade Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$160,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Vote Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-138

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-138 APPROPRIATION ORDER IN THE AMOUNT OF \$200,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL SECURITY CAMERA UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$200,000** be appropriated for the purpose of funding the Barnstable Public School Security Camera Upgrade Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$200,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-139

INTRO: 04/03/2025, 04/17/2025, 05/01/2025

2025-139 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$500,500 FOR THE PURPOSE OF FUNDING THE BARNSTABLE WEST BARNSTABLE ELEMENTARY SCHOOL ROOF REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2026 – FISCAL YEAR 2030 CAPITAL IMPROVEMENT PLAN

ORDERED: That the amount of **\$500,500** be appropriated for the purpose of funding the Barnstable West Barnstable Elementary School Roof Replacement Project as outlined in the Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$500,500** 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/03/2025</u>	<u>Refer to Public Hearing 04/17/2025</u>
<u>04/17/2025</u>	<u>Open and continue to 05/01/2025</u>

☐ Read Item
☐ Rationale
☐ Public Hearing
☐ Close Public Hearing
☐ Council Discussion
☐ Vote

B. NEW BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-152
INTRO: 05/01/2025

2025-152 TRANSFER ORDER IN THE AMOUNT OF \$9,000 TO FUND REPAIRS TO THE POLICE DEPARTMENT’S NAUSET BOAT AND PURCHASE REDACTION SOFTWARE ASSOCIATED WITH BODY WORN CAMERAS

RESOLVED: That the amount of **\$9,000** be transferred from the Fiscal Year 2025 Police Department Personnel Budget to the Fiscal Year 2025 Police Department Operating Expense Budget for the purpose of funding repairs to the flooring in the Nauset Police Boat and purchasing a license for redaction software necessary to enable the Department to properly respond to public records requests related to Body Worn Cameras.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION

- ☐ Read item
- ☐ Rationale
- ☐ Council discussion
- ☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2025-152
INTRO: 05/01/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Jean B. Challies, Chief of Police
DATE: May 01, 2025
SUBJECT: Transfer Order in the amount of **\$9,000** to fund repairs to the Police Department's Nauset Boat and purchase redaction software associated with body worn cameras

BACKGROUND: Since the Department launched the Axon Bodycam Program in May of 2024, the Records Department has reviewed upwards of 200 bodycam videos relevant to FOIA and Public Records requests. During that time Axon allowed the Department to briefly test their Redaction Assistant Software Program to assist in the legally required redaction of bodycam videos that are requested and then disseminated to the requesting party. The assistance of this Artificial Intelligence (AI) redaction tool has enabled the Department's Records Access Officer and her designee to redact requested bodycam videos in a timely manner, which would otherwise be completed manually requiring hours to complete and overtime expense. For example, this AI tool can return redaction results of bodycam videos up to 2 hours long within 10 minutes, whereas it would take upwards of 4 hours or more to complete this task manually and is extremely burdensome. This software has proven to be so helpful that the Department has continued to use this software beyond the testing period. The annual cost of the Axon Evidence Redaction User License is \$12,473 and will be added in the subsequent fiscal year's operating budgets. For Fiscal Year 2025 Axon is charging the Police Department a prorated amount of \$7,295 for this software license beyond the testing period and is part of this request.

Additionally, the Police Marine Unit personnel have determined that there is rot starting on the deck in the stern area of E-602, our 21' Nauset police boat. The unit consulted with experts at Millway Marine in Barnstable and the recommendation was to reinforce the deck by epoxying plywood over and beyond the damaged area and then sealing it with a layer of fiberglass. The deck will then be resurfaced and a new deck coating/sealant applied. There will be two new access hatches installed to replace the two that were leaking causing the damage. The work will be completed internally by the Police Marine Unit and there will be no overtime costs associated with these repairs. This boat will be ready for the opening of the season. The cost of the materials needed to repair the Nauset police boat is \$1,705 and is also part of this request.

ANALYSIS: The acceptance of this request will allow the Barnstable Police Department to proceed with these purchases.

FISCAL IMPACT: The available funds in the Police Department personnel budget are due to several vacant positions throughout the first three quarters of the fiscal year resulting in vacancy savings. The total Fiscal Year 2025 operating budget appropriation for the Police Department is not changing.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this transfer order request.

STAFF ASSISTANCE: Jean B Challies, Chief of Police; Anne Spillane, Director of Finance and Support Services, Barnstable Police Department

B. NEW BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-153
INTRO: 05/01/2025

**2025-153 TRANSFER ORDER IN THE AMOUNT OF \$124,507 TO FUND THE
PURCHASE OF OFFICE FURNISHINGS AND THE REDESIGN OF OFFICE
SPACE AT THE POLICE DEPARTMENT FACILITY**

RESOLVED: That the amount of **\$124,507** be transferred from the Fiscal Year 2025 Police Department Personnel Budget to the Fiscal Year 2025 Police Department Operating Capital Budget for the purpose of funding the purchase of office furnishings and the redesign of office space at the Police Department facility located at 1200 Phinney’s Lane, Hyannis.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION

- ☐ Read item
- ☐ Rationale
- ☐ Council discussion
- ☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2025-153
INTRO: 05/01/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Jean B Challies, Chief of Police
DATE: May 01, 2025
SUBJECT: Transfer Order in the amount of **\$124,507** from the Fiscal Year 2025 Police Department Personnel Budget to the Fiscal Year 2025 Police Department Operating Capital Budget to fund the purchase of office furnishings and facility renovations

BACKGROUND: The Barnstable Police Department to fund the update and modernization of office space and furniture within the Barnstable Police Department facility located at 1200 Phinney's Lane. Much of the existing office setups are original from when the police facility was built in 1981. The need for space has significantly changed over the years with an increase in personnel, specialty units and general growth and the working space is now significantly inadequate in both the use of space and in the functionality of the existing furniture. In several instances there are 2-3 people working in a space that is the size of a large closet. This request seeks to refurbish and rethink the existing building usage by replacing bulky office furniture and redesigning offices in order to maximize the efficient use of space to accommodate a growing workforce, new functions and operations now and into the future.

ANALYSIS: The police department has conferred with WB Mason, the Department of Public Works Structures & Grounds Division; and Ockers to develop a plan and a budget for these needed updates. The offices that will be impacted are the Sergeants Office; Report Writing; Traffic; Dispatch Supervisor Office; Clinician Office; and Police Administration.

FISCAL IMPACT: This one-time funding request of \$124,507 includes the redo of office space, office furnishings, and wiring, and will be funded via a transfer of monies from the Police Department personnel budget which has accumulated enough savings from vacancies in positions throughout the year.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends acceptance of this grant.

STAFF ASSISTANCE: Jean B Challies, Chief of Police; Jennifer Ellis, Deputy Chief; Anne Spillane, Director of Finance and Support Services, Barnstable Police Department

B. NEW BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-154
INTRO: 05/01/2025

2025-154 TRANSFER ORDER IN THE AMOUNT OF \$19,800 TO FUND THE PURCHASE OF NAVIGATION EQUIPMENT AND BOAT TRAILER FOR THE MARINE AND ENVIRONMENTAL AFFAIRS DEPARTMENT

RESOLVED: That the amount of **\$19,800** be transferred from the Fiscal Year 2025 Marine and Environmental Affairs Department Personnel Budget to the Fiscal Year 2025 Marine and Environmental Affairs Department Operating Expense Budget for the purpose of funding the replacement of navigation equipment and boat trailer.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION

- ☐ Read item
- ☐ Rationale
- ☐ Council discussion
- ☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2025-154
INTRO: 05/01/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Derek Lawson, Director, Marine and Environmental Affairs
DATE: May 01, 2025
SUBJECT: Transfer Order in the amount of **\$19,800** to fund the purchase of navigation equipment and boat trailer for the Marine and Environmental Affairs Department.

BACKGROUND: Requesting one-time funding to replace outdated navigational equipment on the division's 25-foot Parker as well as one-time funding to replace an outdated and deteriorating boat trailer. This trailer is essential for the Harbormaster Division operations, and it transports the division's 25-foot Parker. This replacement will ensure operational safety.

ANALYSIS: The current vessel is operating with the original navigational equipment purchased in 2007. Reliable and modern navigation systems are critical to ensure safe, efficient operations. This existing vessel services as a backup patrol vessel and is also the town's Aid to Navigation (ATON) vessel. Replacing the aging navigation will help to ensure the towns ATON's are on location providing safe navigation for recreational and commercial vessel traffic. The existing navigation equipment is no longer working on this vessel. The estimated cost is \$7,800.

The current boat trailer purchased in 2007 has reached the end of its useful life for hauling vessels. Over time, this trailer has been repaired, and parts have been replaced. It has suffered significant wear and tear leading to safety concerns and operational disruptions. This is a one-time funding request to replace this trailer. If the division is not provided with the funding to replace the existing trailer, the vessel it services may not be able to operate, impacting operations. The estimated cost is \$12,000.

FISCAL IMPACT: This one-time funding request of \$19,800 for navigation equipment and trailer will be funded via a transfer from the Marine and Environmental Affairs Department personnel budget which has accumulated enough savings from vacancies in positions throughout the year.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this item.

STAFF SUPPORT: Derek Lawson, Director Marine and Environmental Affairs; Brian Taylor, Harbormaster

B. NEW BUSINESS (May be acted upon)(Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-155
INTRO: 05/01/2025

2025-155 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2025 GRANT IN THE AMOUNT OF \$3,928 FROM RESTORE AMERICA’S ESTUARIES FOR THE PURPOSE OF FUNDING THE PURCHASE OF WATER QUALITY EQUIPMENT AND PLANTINGS FOR STORMWATER SWALES

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2025 Grant from Restore America’s Estuaries, a non-profit organization, in the amount of **\$3,928** for the purpose of purchasing water quality equipment for the Town’s estuaries and ponds monitoring programs and plantings for stormwater swales.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rational
- ___ Council Discussion
- ___ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2025-155
INTRO: 05/01/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: May 01, 2025
SUBJECT: Authorization to contract for and expend a Fiscal Year 2025 grant in the amount of **\$3,928** from Restore America's Estuaries for the purpose of funding the purchase of water quality equipment and plantings for stormwater swales

BACKGROUND: Restore America's Estuaries (RAE) is providing a grant opportunity for communities in the Southeast New England Program (SNEP) region that have projects aimed at restoring clean water, healthy ecosystems, and sustainable communities. The purpose of this grant program is to assist stakeholders in funding purchases of equipment and supplies to advance these types of projects.

ANALYSIS: The Town of Barnstable has been awarded a \$3,928 grant to purchase equipment for the Town's estuaries and ponds monitoring programs and plantings for stormwater swales.

FISCAL IMPACT: This is a reimbursement grant in the amount of \$3,928. The Town must expend and request reimbursement of the costs. All costs associated with this grant must be expended prior to May 31, 2025.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this item.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public Works

B. NEW BUSINESS (May be acted upon) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2025-156
INTRO: 05/01/2025

2025-156 RESOLVE APPROVING AN EXEMPTION UNDER M.G.L. CHAPTER 268A, SECTION 20(d)

RESOLVED:That the Town Council does hereby approve an exemption of Gregory Egan’s financial interest in a municipal contract under M.G.L. c. 268A, section 20(d), as further described in the attached disclosure filed by Mr. Egan with the Town Council and authorizes the Town Council President to sign the Ethics Commission form approving such exemption on behalf of the Town Council.

SPONSOR: Councilor Paul Neary, Precinct 6, Liaison to the Waterways Committee

DATE	ACTION

- ☐ Read item
- ☐ Rationale
- ☐ Council discussion
- ☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2025-156
INTRO: 05/01/2025

SUMMARY

TO: Town Council
FROM: Karen L. Nober, Town Attorney
DATE: May 01, 2025
SUBJECT: Resolve approving an exemption under M.G.L. c. 268A, Section 20(d)

BACKGROUND: Section 20 of M.G.L. c. 268A, the state conflict of interest law, prohibits municipal employees from having a financial interest in a municipal contract. However, that section of the law contains a number of exemptions for municipal employees and for special municipal employees. Section 20(d) provides an exemption for a special municipal employee who files with the Town Clerk a disclosure of the employee's financial interest and the interests of the employee's immediate family in the contract, if the Town Council approves the exemption.

Gregory Egan is an unpaid member of the Town's Waterways Committee, and that position has been designated by the Town Council as a "special municipal employee" position for purposes of the conflict-of-interest law. As set forth in the attached disclosure, Mr. Egan's company, Crosby Yacht Yard, Inc., seeks to rent a seasonal boat slip at a discounted rate to support community safety to the Town's Marine and Environmental Affairs (MEA) Department for use by the Harbormaster. As President of Crosby Yacht Yard, Mr. Egan has a financial interest in this contract. In accordance with the conflict-of-interest law, Mr. Egan seeks Town Council approval of an exemption of his financial interest pursuant to Section 20(b). If the Council approves the exemption, Mr. Egan will file the attached disclosure with the Town Clerk, along with a copy of the Town Council vote. If the Council chooses not to approve the exemption, Mr. Egan will not enter into this contract with MEA.

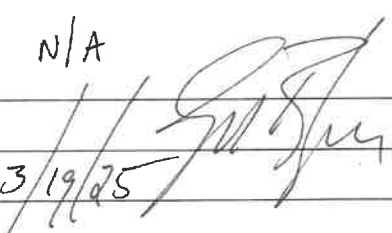
FISCAL IMPACT: The cost of the slip is currently \$5,351.94. This will be paid for through the Harbormaster Division operating budget. An increase of \$5,000 is being requested in Fiscal Year 2026 for the Harbormaster Division operating budget; the remaining funds can be covered by the existing budget.

STAFF ASSISTANCE: Karen L. Nober, Town Attorney

**DISCLOSURE BY SPECIAL MUNICIPAL EMPLOYEE
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
AS REQUIRED BY G. L. c. 268A, § 20(d)**

SPECIAL MUNICIPAL EMPLOYEE INFORMATION	
Name of special municipal employee:	Gregory Egan
Put an X beside one statement.	I am a special municipal employee because: ☐ I am a selectman in a town with a population of 10,000 or fewer people; ☐ I am not a mayor, alderman or city councilor, and ☒ I serve in a municipal position for which no compensation is provided, or ☐ I earned compensation for fewer than 800 hours in the preceding 365-day period, or ☐ By the classification of my position by my municipal agency or by the terms of a contract or my conditions of employment, I am permitted to have personal or private employment during normal business hours. ☐ I work for a company or organization which has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular, and the contract states that I am a special municipal employee or indicates that I meet one of the three requirements listed above.
Title/ Position	Waterways Committee Member
Fill in this box if it applies to you.	If you are a special municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Municipal Agency/ Department:	This is "my Municipal Agency." Waterways Committee
Agency Address:	Barnstable Town Hall 367 Main St. Hyannis, MA
Office phone:	
Office e-mail:	
	Check one: ☐ Elected or ☒ Non-elected
Starting date as a special municipal employee.	Appointed July 15, 2021; reappointed Sept. 5, 2024

BOX # 1 Select either STATEMENT #1 or STATEMENT #2. Write an X by your financial interest.	ELECTED SPECIAL MUNICIPAL EMPLOYEE I am an elected special municipal employee. ☐ STATEMENT #1: I had a financial interest in a contract made by a municipal agency before I was elected to a compensated special municipal employee position. I will continue to have this financial interest in a municipal contract. ☐ STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency. My financial interest in a contract made by a municipal agency is: ☐ A compensated, non-elected position with a municipal agency. ☐ A contract between a municipal agency and myself. ☐ A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization. ☐ Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.
BOX #2 Select either STATEMENT #1 or STATEMENT #2. Write an X by your financial interest.	NON-ELECTED SPECIAL MUNICIPAL EMPLOYEE I am a non-elected special municipal employee (compensated or uncompensated). ☐ STATEMENT #1: I had a financial interest in a contract made by a municipal agency, other than an employment contract, before I took a non-elected, compensated special municipal employee position. I will continue to have this financial interest in a municipal contract. My financial interest in a contract made by a municipal agency is: ☐ A contract between a municipal agency and myself, but not an employment contract. ☐ A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization. OR ☒ STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency. My financial interest in a contract made by a municipal agency is: ☐ A compensated, non-elected position with a municipal agency. ☐ A contract between a municipal agency and myself. ☒ A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization. ☐ Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.
Name and address of municipal agency that made the contract	FINANCIAL INTEREST IN A MUNICIPAL CONTRACT This is the "contracting agency." Town of Barnstable, Marine & Environmental Affairs Dept. (Harbormaster) Hyannis, MA (MEA)
Write an X to confirm this statement.	☒ In my work as a special municipal employee for my Municipal Agency, I participate in or have official responsibility for activities of the contracting agency.

FILL IN THIS BOX OR THE NEXT BOX	ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND YOU. - Please explain what the contract is for. The contract would be for the rental of a seasonal boat slip to MEA for use by the Harbormaster.
	ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND ANOTHER PERSON OR ENTITY - Please identify the person or entity that has the contract with the municipal agency. - What is your relationship to the person or entity? - What is the contract for? Crosby Yacht Yard, Inc. (CYY, Inc.) is the contracting entity. I am Pres. of CYY, Inc. Rental of a seasonal boat slip.
What is your financial interest in the municipal contract?	- Please explain the financial interest and include the dollar amount if you know it. Proposed contract amount is \$5,351.94 for rental of a seasonal boat slip. If entered into, the contract may be subject to renewal on an annual basis.
Date when you acquired the financial interest	Contract has not yet been executed - execution subject to approval by the Town Council.
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it. N/A
Date when your immediate family acquired the financial interest	N/A
Employee signature:	
Date:	3/19/25

SEE NEXT PAGE FOR APPROVAL
BY CITY COUNCIL, BOARD OF ALDERMEN,
BOARD OF SELECTMEN, TOWN COUNCIL,
OR DISTRICT PRUDENTIAL COMMITTEE