



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

17 OCT '25 AM 10:21
BARNSTABLE TOWN CLERK

TOWN COUNCIL MEETING

October 23, 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

The October 23, 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 that will be distributed to the entire Town Council may be submitted to: <https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/Town Council/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/85267520613> Meeting ID: 852 6752 0613
US Toll-free • 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: October 09, 2025

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

- Presentation on the Allocation of the Fiscal Year 2026 Tax Levy -- Adoption of a Residential Exemption and Residential Factor, Mark Milne, Director of Finance, and John Curran, Director of Assessing

9. ORDERS OF THE DAY

- A. Old Business
- B. New Business

10. ADJOURNMENT

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

NEXT REGULAR MEETING: November 06, 2025

ITEM NO.	INDEX TITLE	PAGE
A.	OLD BUSINESS	
2026-037	Appointments to a Board/Committee/Commission: Council on Aging: Larry Morin as an alternate member to a term expiring 06/30/2027; Conservation Commission: Rob Demelo, as a regular member to a term expiring 06/30/2028; Recreation Commission: Christina Carrington, as a regular member to a term expiring 06/30/2028; Youth Commission: Nina Wang, as a student member to a term expiring 06/30/2026; Zoning Board of Appeals: Manny Alves from an associate member to a full member to a term expiring 06/30/2026; Debra Dworkis, as an associate member to a term expiring 06/30/2027 (May be acted upon) (Majority Vote).....	4
2026-038	Reappointments to a Board/Committee/Commission: Conservation Commission: F.P. Tom Lee, as a regular member to a term expiring 06/30/2028; Peter Sampou as a regular member to a term expiring 06/30/2028; Open Space Committee: Catherine Gulliver, as a regular member to a term expiring 06/30/2028; Farley Lewis, as a regular member to a term expiring 06/30/2028 (May be acted upon) (Majority Vote)	5
2026-039	Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 37, Boards, Committees and Commissions to revise the Appointments Committee and to add a new Zoning and Regulatory Committee of the Town Council (Public Hearing) (Roll Call Majority Vote).....	6-8
B.	NEW BUSINESS	
2026-040	Authorization to contract for and expend a Fiscal Year 2026 Grant in the amount of \$1,770,000 from the Commonwealth of Massachusetts Coastal Zone Management Office for construction of the Sandy Neck Beach Facility Coastal Resiliency Project (May be acted upon) (Majority Vote)	9-10
2026-041	Transfer Order in the amount of \$1,716,000 for the purpose of replacing the borrowing authorized for the design and construction of aircraft hardstands on the terminal apron (May be acted upon) (Majority Vote).....	11-12
2026-042	Appropriation Order in the amount of \$300,000 for the installation of fourteen (14) Rectangular Rapid Flashing Beacons (RRFBs) and the acceptance of an equipment grant having an estimated value of approximately \$300,000 from the Commonwealth of Massachusetts Department of Transportation (MassDOT) for fourteen (14) RRFBs (Refer to Public Hearing 11/06/2025)	13-14
2026-043	Appropriation Order in the amount of \$307,500 in Community Preservation Funds for the purpose of the Town acquiring a Conservation Restriction on a 25.74± acre retired cranberry bog located at 301 Parker Road in West Barnstable (Refer to Public Hearing 11/06/2025).....	15-16
2026-044	Authorization to contract for and expend a Fiscal Year 2026 Housing Choice Grant in the amount of \$72,700 from the Commonwealth of Massachusetts, Executive Office of Housing and Livable Communities for the purpose of funding an Economic Feasibility Study regarding the Town's Inclusionary Affordable Housing Requirements (May be acted upon) (Majority Vote).....	17-18
2026-045	Authorization to contract for and expend a Fiscal Year 2026 Complete Streets grant from the Commonwealth of Massachusetts, Department of Transportation in the amount of \$500,000 for ADA-compliant and multi-modal improvements along North Street and Old Colony Road, Hyannis (May be acted upon) (Majority Vote)	19-20
2026-046	Amending the Code of the Town Of Barnstable, Part I General Ordinances, Chapter 48 Stretch Energy Code, to Change the Effective Date (Refer to Public Hearing 11/06/2025)	21-22

2026-047	Order authorizing the grant of an easement to the Wianno Club for private sewer lines and the grant of an easement to NSTAR Electric Company for related electric service within certain town public ways in Osterville (First Reading) (Refer to Second Reading 11/06/2025)	23-32
2026-048	Appropriation and Transfer order in the amount of \$704,155 for the Osterville Playground Project located at 93 West Bay Road in Osterville (Refer to Public Hearing 11/06/2025)	33-34
2026-049	Appropriation order in the amount of \$94,966 for the purpose of funding the costs associated with hiring 7 new patrol officers in the Barnstable Police Department (Refer to Public Hearing 11/06/2025)	35-37
2026-050	Allocation of Tax Levy Fiscal Year 2026 – Tax Factor (Refer to Public Hearing 11/06/2025)	38-40
2026-051	Allocation of Tax Levy Fiscal Year 2026 – Residential Exemption (First Reading) (Refer to Second Reading 11/06/2025)	41-42

Please Note: The lists of matters are those reasonably anticipated by the Council President which may be discussed at the meeting. Not 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# 2026-037

INTRO: 10/09/2025, 10/23/2025

2026-037 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Council on Aging:** Larry Morin as an alternate member to a term expiring 06/30/2027; **Conservation Commission:** Rob Demelo, as a regular member to a term expiring 06/30/2028; **Recreation Commission:** Christina Carrington, as a regular member to a term expiring 06/30/2028; **Youth Commission:** Nina Wang, as a student member to a term expiring 06/30/2026; **Zoning Board of Appeals:** Manny Alves from an associate position to a full member position to a term expiring 06/30/2026; Debra Dworkis, as an associate position to a term expiring 06/30/2027

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

DATE	ACTION TAKEN
<u>10/09/2025</u>	<u>Refer to Second Reading 10/23/2025</u>

_____	_____
-------	-------

_____	Read Item
_____	Rationale
_____	Council Discussion
_____	Vote

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-038

INTRO: 10/09/2025, 10/23/2025

2026-038 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member Board/Committee/Commission: **Conservation Commission:** F.P. Tom Lee, as a regular member to a term expiring 06/30/2028; Peter Sampou as a regular member to a term expiring 06/30/2028; **Open Space Committee:** Catherine Gulliver, as a regular member to a term expiring 06/30/2028; Farley Lewis, as a regular member to a term expiring 06/30/2028

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

DATE	ACTION TAKEN
<u>10/09/2025</u>	<u>Refer to Second Reading 10/23/2025</u>

_____	_____
-------	-------

_____	Read Item
_____	Rationale
_____	Council Discussion
_____	Vote

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-039

INTRO: 10/09/2025, 10/23/2025

**2026-039 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 37, BOARDS, COMMITTEES AND
COMMISSIONS TO REVISE THE APPOINTMENTS COMMITTEE AND TO
ADD A NEW ZONING AND REGULATORY COMMITTEE OF THE TOWN
COUNCIL**

ORDERED: That the Code of the Town of Barnstable, Part I General Ordinances, Chapter 37 Boards, Committees and Commissions, is hereby amended as follows:

SECTION 1. By repealing Article I, Appointments Committee, in its entirety and inserting the following new Article I, Standing Committees of the Council, in its place:

“Article I. Standing Committees of the Town Council

§ 37-1 Standing Committees of the Town Council.

The following committees shall be Standing Committees of the Town Council:

A. An Appointments Committee of the Town Council

B. A Zoning and Regulatory Committee of the Town Council.

§ 37-2 Membership.

Each Standing Committee of the Town Council shall consist of five Town Councilors.

§ 37-3 Term of office.

The members of the Appointments Committee of the Town Council shall serve for one year commencing after the annual reorganization of the Town Council. The members of the Zoning and Regulatory Committee of the Town Council shall serve for two years commencing after the reorganization of the Town Council following a regular Town election.

§ 37-4 Appointment of members.

The Councilors serving on Standing Committees of the Town Council shall be appointed by the President of the Council from a list of names of those Councilors who have indicated that they wish to serve on such committees. The total Council will be apprised of the names of those Councilors who are willing to serve. The full Council will have the final vote on all appointments to the Standing Committees of the Council.

§ 37-5 Appointments Committee.

- A. Purpose. In accordance with Council rules, the Appointments Committee recommends to the Town Council a slate of persons to be reappointed or appointed to volunteer boards.
- B. The Appointments Committee will advertise on the Town website and on digital and social channels as needed throughout the year, inviting Town residents to submit letters of interest to the Town Council Administrator indicating the areas in which they would like to serve and requesting letters of interest for openings on specific multi-member boards, committees and commissions.
- C. Resumes will be gathered along with letters of interest from each candidate, and interviews will be conducted with new candidates as well as with candidates for reappointment whenever there are other applicants for the position for which a candidate is seeking reappointment. At the discretion of the Committee, interviews may be conducted with candidates for reappointment when they are the only applicants for the position for which they are seeking reappointment.

§ 37-6 Zoning and Regulatory Committee.

- A. Purpose. The Zoning and Regulatory Committee will review and make recommendations to the Council regarding proposed zoning amendments and other proposed regulatory ordinances and amendments submitted to the committee by the Town Manager or by one or more Councilors. The Zoning and Regulatory Committee, on its own initiative, may submit to the Council proposed zoning amendments and other proposed regulatory amendments and ordinances.
- B. All meetings of the Zoning and Regulatory Committee shall include a period for public comment.”

SECTION 2. Article II, Absentee Members, is hereby amended by renumbering § 37-8 as § 37-7.

SPONSOR: Craig A. Tamash, Town Council President, Precinct 4

DATE	ACTION TAKEN
------	--------------

<u>10/09/2025</u>	<u>Refer to Public Hearing 10/23/2025</u>
-------------------	---

☐	Read Item
☐	Motion to Open Public Hearing
☐	Rationale
☐	Public Hearing
☐	Close Public Hearing
☐	Council Discussion
☐	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-039

INTRO: 10/09/2025, 10/23/2025

SUMMARY

TO: Town Council
FROM: Craig A. Tamash, Town Council President
THROUGH: Karen L. Nober, Town Attorney
SUBJECT: Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 37, Boards, Committees and Commissions to revise the Appointments Committee and to add a new Zoning and Regulatory Committee of the Town Council
DATE: October 09, 2025

RATIONALE: This proposed amendment to Chapter 37 of the Town Code revises the standing Appointments Committee of the Town Council to require that its members consist solely of Town Councilors, as appointing the members of the Town's boards, committees and commissions is a core responsibility of the Council and one that should be performed by Councilors. This proposed amendment also creates a new standing Zoning and Regulatory Committee of the Town Council to provide a more robust process and public process for considering proposed zoning and other regulatory ordinances and amendments.

FISCAL IMPACT: N/A

STAFF SUPPORT: Karen L. Nober, Town Attorney; James Kupfer, Director of Planning and Development

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-040
INTRO: 10/23/2025

2026-040 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2026 GRANT IN THE AMOUNT OF \$1,770,000 FROM THE COMMONWEALTH OF MASSACHUSETTS, COASTAL ZONE MANAGEMENT OFFICE FOR CONSTRUCTION OF THE SANDY NECK BEACH FACILITY COASTAL RESILIENCY PROJECT

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2026 Grant from the Commonwealth of Massachusetts, Coastal Zone Management Office in the amount of **\$1,770,000** for construction of the Sandy Neck Beach Facility Coastal Resiliency Project.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

____ Read Item
____ Rationale
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-040
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: October 23, 2025
SUBJECT: Authorization to contract for and expend a Fiscal Year 2026 grant in the amount of **\$1,770,000** from the Commonwealth of Massachusetts Coastal Zone Management Office for construction of the Sandy Neck Beach Facility Coastal Resiliency Project

BACKGROUND: The Town of Barnstable was awarded a **\$1,770,000** grant from the Commonwealth of Massachusetts Coastal Zone Management Fiscal Year 2026 Coastal Resiliency Grant. This grant will offset a portion of the construction cost of the project for managing coastal resiliency at the Sandy Neck Public Beach Facility.

ANALYSIS: In 2022, 2023, and 2024, the Town was awarded Coastal Zone Management Coastal Resiliency grants to support design, permitting, and public outreach for the Sandy Neck Coastal Resiliency project. Through these grants and the Town appropriations, the project team has worked with the public to develop and permit 100% design plans. This Fiscal Year 2026 grant will fund a portion of the construction of this project, which is currently underway until May 2026. This funding supplements capital projects 19-120, 21-00, 23-073, 25-027 outlined in the Capital Improvement Project Plans Fiscal Years 20-24, Fiscal Years 22-26, Fiscal Years 24-28, and Fiscal Years 25-29.

FINANCIAL IMPACT: The Town will provide a 10% local match in the amount of \$200,000. Matching funds for this project will be provided through the Fiscal Year 2025 CIP which included a \$1 million contribution from the enterprise fund reserves. This grant will reduce the amount of the loan the Town will need to finance this project from \$2,826,327 to \$1,056,327. The total project cost is \$6,660,176 will be financed as follows:

Municipal Vulnerability Preparedness Grant	\$2,833,849
CZM Grant	\$1,770,000
Enterprise Fund reserves	\$1,000,000
General Obligation Bond	<u>\$1,056,327</u>
Total financing sources	\$6,660,176

The loan payments on the bond will be included in future Sandy Neck Enterprise Fund operating budgets. The annual loan payments are estimated to be \$77,000 if amortized over a 20-year term. Additionally, it should be noted that the loan issued to build the new bathhouse at this location will be paid off in Fiscal Year 31 and has a similar operating budget impact of \$77,000 yearly.

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

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

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

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-041
INTRO: 10/23/2025**

2026-041 TRANSFER ORDER IN THE AMOUNT OF \$1,716,000 FOR THE PURPOSE OF REPLACING THE BORROWING AUTHORIZED UNDER TOWN COUNCIL ORDER 2026-019 TO FINANCE THE HARDSTAND PROJECT AT THE CAPE COD GATEWAY AIRPORT

ORDERED: That the amount of \$1,716,000 be transferred from the Airport Enterprise Fund Reserves to finance the design and construction of aircraft hardstands on the terminal apron at the Cape Cod Gateway Airport, and that the borrowing authorization under Town Council order 2026-019 for \$1,716,000 is hereby rescinded.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

____ Read Item
____ Rationale
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-041
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Michael Nelson, Manager, Cape Cod Gateway Airport; Mark A. Milne, Director of Finance
DATE: October 23, 2025
SUBJECT: Transfer Order in the amount of **\$1,716,000** for the purpose of replacing the borrowing authorized for the design and construction of aircraft hardstands on the terminal apron

BACKGROUND: At the September 4, 2025 Town Council meeting the Town Council approved an appropriation and loan order for \$1,716,000 to fund design and construction of hardstands on the airport apron. This action allowed the airport to go forward with contracting for this time sensitive work. On September 30, 2025 I need the Town received its free cash certification from the state Department of Revenue which included the amount available in the Airport Enterprise Fund. The Airport Enterprise Fund's reserves were certified at \$15.6 million. Airport officials have requested that the funding source for this project be changed from a borrowing authorization to its cash reserves. No additional spending authorization is created by this action. The project appropriation remains at \$1,716,000.

FISCAL IMPACT: The Airport Enterprise Fund reserves will be used to finance this project. This will reduce the reserve balance from \$15.6 million to \$13.9 million. We currently do not anticipate any federal grant reimbursements to offset the project's cost. State grant funding may become available and any grant funding received will add back the enterprise fund's reserve balance. There is no operating budget impact as a result of this action on the Airport Enterprise Fund.

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

STAFF ASSISTANCE: Michael Nelson, Manager, Cape Cod Gateway Airport; Mark A. Milne, Director of Finance

BARNSTABLE TOWN COUNCIL

ITEM# 2026-042
INTRO: 10/23/2025

**2026-042 APPROPRIATION ORDER IN THE AMOUNT OF \$300,000 FOR THE
INSTALLATION OF RECTANGULAR RAPID FLASHING BEACONS
(RRFBs) AND THE CONSTRUCTION OF ASSOCIATED CURB RAMPS
AND AUTHORIZATION TO ACCEPT A FISCAL YEAR 2026
EQUIPMENT GRANT IN THE AMOUNT OF \$300,000 FROM THE
COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF
TRANSPORTATION FOR FOURTEEN (14) RRFBs**

ORDERED: That the amount of **\$300,000** be appropriated from the General Fund Reserves for the purpose of funding the installation of fourteen (14) Rectangular Rapid Flashing Beacons (RRFBs) and the construction of associated curb ramps to comply with federal and state accessibility requirements and guidelines, and that the Town Manager is authorized to accept a Fiscal Year 2026 equipment grant for fourteen (14) RRFBs with an estimated value of **\$300,000** from the Commonwealth of Massachusetts, Department of Transportation.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN

- ☐ Read Item
- ☐ Motion to Open Public Hearing
- ☐ Rationale
- ☐ Public Hearing
- ☐ Close Public Hearing
- ☐ Council Discussion
- ☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-042
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director, Department of Public Works
DATE: October 14, 2025
SUBJECT: Appropriation Order in the amount of **\$300,000** for the installation of fourteen (14) Rectangular Rapid Flashing Beacons (RRFBs) and the acceptance of an equipment grant having an estimated value of approximately **\$300,000** from the Commonwealth of Massachusetts Department of Transportation (MassDOT) for fourteen (14) RRFBs

BACKGROUND: MassDOT has offered the Town of Barnstable an equipment grant having an estimated value of \$300,000, in which MassDOT will supply and deliver rectangular rapid flashing beacons (RRFBs) for 14 locations in Town where traffic studies determined beacons are warranted. The Town will be responsible for installing the beacons and improving curb ramps; this work is estimated to cost the Town approximately \$300,000.

ANALYSIS: MassDOT and its consultant, Bowman, reviewed locations in the Town of Barnstable and determined that RRFBs are warranted at 14 locations in Town not already served by flashing beacons. These beacons are typically push-button activated. When a pedestrian presses the push button, a voice message provides instructions (“wait” and “yellow lights are flashing”), and flashing yellow strobes are activated for a period of time (typically about 20 to 30 seconds) to provide extra conspicuity for pedestrians and additional alert for drivers. We have a number of existing RRFBs in Town, which have been generally well received by members of the public.

FISCAL IMPACT: As noted above, the cost to the Town for installation is estimated to be approximately \$300,000, which will be offset by equipment delivered by MassDOT having an estimated value of approximately \$300,000. Funding will be provided from the General Fund reserves which were certified as of July 1, 2025 at \$36.2 million. The impact to the operating budget is de minimis and can be absorbed within the Department of Public Work’s current operating budget.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, supports this item.

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

B. NEW BUSINESS (Refer to Public Hearing on 11/06/2025)

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-043
INTRO: 10/23/2025**

2026-043 APROPRIATION ORDER IN THE AMOUNT OF \$307,500 IN COMMUNITY PRESERVATION FUNDS FOR THE PURPOSE OF THE TOWN ACQUIRING A CONSERVATION RESTRICTION ON A 25.74± ACRE RETIRED CRANBERRY BOG LOCATED AT 301 PARKER ROAD IN WEST BARNSTABLE

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G. L. c. 44B, the amount of Three Hundred Seven Thousand and Five Hundred Dollars (**\$307,500**) be appropriated first from the amount set-aside for Open Space and Recreation within the Community Preservation Fund and secondly from the Community Preservation Undesignated Fund for the purpose of the Town, acting by and through its Town Manager, acquiring a perpetual Conservation Restriction (CR) from Barnstable Land Trust, Inc. on a 25.74± acre retired cranberry bog located at 301 Parker Road, West Barnstable, shown as Assessors Map 176, Parcel 019, for open space, conservation and passive recreation purposes pursuant to G.L. c. 184, sections 31-32. The Town Council authorizes the Town Manager to negotiate the terms of the CR subject to minor changes to be made by the Secretary of Energy and Environmental Affairs. It is further ordered that the Town Manager is authorized to expend the amount appropriated on behalf of the Town for the acquisition of the CR, subject to oversight by the Community Preservation Committee, and to negotiate, accept, approve, execute, receive, deliver and record any written instruments to effectuate this Order and complete this transaction.

SPONSOR: Mark S. Ells, Town Manager, upon recommendation of the Community Preservation Committee.

DATE ACTION TAKEN

____ Read Item
____ Motion to Open Public Hearing
____ Rationale
____ Public Hearing
____ Close Public Hearing
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-043
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lindsey Counsell, Chair, Community Preservation Committee on Behalf of Community Preservation Committee
DATE: October 7, 2025
SUBJECT: Appropriation Order in the amount of **\$307,500** in Community Preservation Funds for the purpose of the Town acquiring a Conservation Restriction on a 25.74± acre retired cranberry bog located at 301 Parker Road in West Barnstable

BACKGROUND: At the September 16, 2025, Community Preservation Committee meeting, the six members present voted unanimously to recommend to the Town Council, through the Town Manager, Barnstable Land Trust Inc.'s (BLT) application for \$307,500 in Open Space/Recreation Community Preservation Funds to preserve, under a CR to be held by the Town, an ecologically important retired cranberry bog property. The property consists of 25.74± acres within the Great Marsh and Barnstable Harbor watershed, is located at 301 Parker Road in West Barnstable, and is shown as Assessors Map 176, Parcel 019. BLT's total purchase price of the property is \$615,000 with the Town providing \$307,500 at BLT's closing on the property for the Town's purchase of the CR. Under the CR that will be granted to the Town, the property will be preserved in perpetuity for open space, conservation and passive recreation purposes, including public access. The CR will allow BLT to fund and undertake restoration activities in the retired cranberry bog, subject to BLT having secured all required permits and the Town's reasonable approval.

ANALYSIS: The appraised value of the CR on this property is \$480,000 making the acquisition for \$307,500 cost-effective. Permanently protecting this key parcel will connect two extensive open space areas: Spruce Pond Conservation area and Bridge Creek Conservation area. Existing bog paths will provide excellent opportunities for passive recreation and enjoyment of panoramic scenic vistas.

FISCAL IMPACT: This appropriation has no impact on the General Fund since the entire amount would be appropriated from the Community Preservation Fund.

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

STAFF ASSISTANCE: Mark A. Milne, Director of Finance; Thomas J. LaRosa, First Assistant Town Attorney

VOLUNTEER ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-044
INTRO: 10/23/2025

2026-044 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2026 HOUSING CHOICE GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES IN THE AMOUNT OF \$72,700 FOR THE PURPOSE OF FUNDING AN ECONOMIC FEASIBILITY STUDY REGARDING THE TOWN'S INCLUSIONARY AFFORDABLE HOUSING REQUIREMENTS

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2026 Housing Choice grant in the amount of **\$72,700** from the Commonwealth of Massachusetts, Executive Office of Housing and Livable Communities to fund an economic feasibility study regarding the Town's Inclusionary Affordable Housing requirements.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
------	--------------

_____	Read Item
_____	Rationale
_____	Council Discussion
_____	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-044
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Jim Kupfer, Director of Planning and Development
THROUGH: Mark S. Ells, Town Manager
DATE: October 23, 2025
SUBJECT: Authorization to contract for and expend a Fiscal Year 2026 Housing Choice Grant in the amount of **\$72,700** from the Commonwealth of Massachusetts, Executive Office of Housing and Livable Communities for the purpose of funding an Economic Feasibility Study regarding the Town's Inclusionary Affordable Housing Requirements

BACKGROUND: The Commonwealth of Massachusetts Executive Office of Housing and Livable Communities Housing Choice grant program is a Community One Stop grant program that provides designated Housing Choice Communities funding to meet community planning needs.

ANALYSIS: The Town of Barnstable was awarded a grant in the amount of \$72,700.00 from the Commonwealth's Housing Choice grant program. The grant funding will be used to develop an inclusionary housing economic feasibility study with recommendations to amend the Town's Inclusionary ordinance. The goal of this project is to align housing goals with market realities, and to incentivize diverse housing types and ranges of affordability with evidence-based policy recommendations. The feasibility study will provide recommendations for what levels of affordability can be achieved without overburdening the viability of a proposed development.

FINANCIAL IMPACT: This is a reimbursable grant. The Town must expend the funds first and submit for reimbursement from the state. No funding match is required.

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

STAFF ASSISTANCE: Jim Kupfer, Director of Planning & Development; Corey Pacheco, Senior Planner, Planning and Development; Kate Maldonado, Senior Planner, Planning & Development and Alice Marcus Krieg, Grants Coordinator, Planning and Development

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

BARNSTABLE TOWN COUNCIL

ITEM# 2026-045
INTRO: 10/23/2025

2026-045 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2026 COMPLETE STREETS GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$500,000 FOR ADA-COMPLIANT AND MULTI-MODAL IMPROVEMENTS ALONG NORTH STREET AND OLD COLONY ROAD, HYANNIS

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2026 Complete Streets grant in the amount of **\$500,000** from the Commonwealth of Massachusetts, Department of Transportation for construction of Americans with Disabilities Act (ADA)-compliant and multi-modal improvements along North Street and Old Colony Road in Hyannis.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
------	--------------

_____	Read Item
_____	Rationale
_____	Council Discussion
_____	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-045
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Jim Kupfer, Director of Planning and Development
THROUGH: Mark S. Ells, Town Manager
DATE: October 23, 2025
SUBJECT: Authorization to contract for and expend a Fiscal Year 2026 Complete Streets grant from the Commonwealth of Massachusetts, Department of Transportation in the amount of **\$500,000** for ADA-compliant and multi-modal improvements along North Street and Old Colony Road, Hyannis

BACKGROUND: The grant will fund the construction of ADA and multi-modal improvements along North Street and Old Colony Road, Hyannis. Both of the roadway improvements are identified as top priorities within the Town's Complete Streets Prioritization Plan. Additionally, the improvements align with the Town's Great Streets Downtown Hyannis Plan through which construction drawings have been developed to re-envision how Main Street Hyannis and the surrounding streets/intersections are designed and function with an objective of placing more of an emphasis on pedestrians and encouraging multi-modal transportation. The project will be completed as the Town implements the Great Streets Downtown Hyannis Plan slated to commence in Fall of 2026.

ANALYSIS: The Town of Barnstable was awarded \$500,000.00 through a Complete Streets grant from the Commonwealth's Department of Transportation in the amount of **\$500,000.00**. This grant requires the Town to commit to implementing the proposed project. The Complete Streets grant funds must be spent prior to December 31, 2027. The project will be completed as the Town implements the Great Streets Downtown Hyannis Plan slated to commence in Fall of 2026.

FISCAL IMPACT: This is a reimbursable grant. The Town must expend the funds first and submit for reimbursement from the state. No funding match is required.

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

STAFF ASSISTANCE: Griffin Beaudoin, Town Engineer, Department of Public Works; Paul Graves, Senior Project Manager, Department of Public Works; Jim Kupfer, Director of Planning & Development and Alice Marcus Krieg, Open Space Planner & Grants Coordinator, Planning & Development.

B. NEW BUSINESS (First Reading) (Refer to Public Hearing 11/06/2025)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-046
INTRO: 10/23/2025

**2026-046 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 48 STRETCH ENERGY CODE, TO
CHANGE THE EFFECTIVE DATE**

ORDERED: That the Code of the Town of Barnstable, Part I General Ordinances, Chapter 48 Stretch Energy Code, as approved by the Town Council through Item No, 2026-014 on October 9, 2025, is hereby amended by deleting in § 48-4 the effective date of “January 1, 2026” and inserting in its place a new effective date of “July 1, 2026”.

SPONSOR: Councilor Gordon Starr, Precinct 1

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-046
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
DATE: October 23, 2025
SUBJECT: Amending the Code of the Town Of Barnstable, Part I General Ordinances, Chapter 48 Stretch Energy Code, to Change the Effective Date

BACKGROUND: At the Town Council meeting of October 9, 2026, the Town Council voted to adopt the Stretch Energy Code effective January 1, 2026. This amendment would change the effective date to July 1, 2026. Extending the effective date would enable the Town Manager to consider staffing needs and submit any needed funding requests to the Town Council. Moreover, because the Stretch Energy Code is new to Town inspectional and administrative staff, additional time is needed to ensure that staff are provided with training on code requirements, process and documentation. Such training will likely require several sessions and will need to come from outside sources. In addition, contractors will need time to adjust to the new Stretch Energy Code and get up to speed on code requirements, process and documentation. A delayed start date would be beneficial to those contractors, some of whom have voiced concerns about a January effective date.

FISCAL IMPACT: Funding for the training may need to be provided by a supplemental appropriation in FY26. Once the staffing needs are considered, future operating budgets should include any new staffing needs to effectively implement this Code, and a funding source will need to be identified. The Inspectional Services Department plans to bring forward fee adjustments in the near future which may include the necessary adjustments to provide the resources to fund the staffing needs to administer this Code.

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

B. NEW BUSINESS (Refer to Second Reading 11/06/2025)

BARNSTABLE TOWN COUNCIL

**ITEM# 2026-047
INTRO: 10/23/2025**

2026-047 ORDER AUTHORIZING THE GRANT OF AN EASEMENT TO THE WIANNO CLUB FOR PRIVATE SEWER LINES AND THE GRANT OF AN EASEMENT TO NSTAR ELECTRIC COMPANY FOR RELATED ELECTRIC SERVICE WITHIN CERTAIN TOWN PUBLIC WAYS IN OSTERVILLE

ORDERED: That the Town Council hereby authorizes the Town Manager, on behalf of the Town, for nominal monetary consideration, to grant a nonexclusive easement to the Wianno Club for the installation and use of subsurface, privately owned sewer pipes and an easement to NSTAR Electric Company for an underground electric line within the Town public ways of Sea View Avenue, Webster Street and Washington Avenue in Osterville as shown on a 5-sheet plan prepared by Sullivan Engineering & Consulting, Inc. and E.A.S. Survey, Inc., dated September 16, 2025, and attached hereto. The Town Manager is authorized to establish easement conditions, grant, accept, sign, deliver and record any documents, and may make or require minor modifications to the easement areas and the plans, as necessary to effectuate this Order and complete this transaction. The final easement granted to the Wianno Club shall require that the Wianno Club indemnify the Town for any injury, loss or expenses, including due to the release of oil, hazardous materials or sewage, arising from or in connection with Wianno Club's use and occupation of the easement areas; and shall further require that the Wianno Club shall secure a written Trench Permit from the Department of Public Works, and any other required permits or approvals, prior to occupying or opening the public way under the easement.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

☐ Read Item
☐ Rationale
☐ Council Discussion
☐ Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2026-047
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Thomas J. LaRosa, First Assistant Town Attorney
THROUGH: Mark S. Ells, Town Manager
DATE: October 23, 2025
SUBJECT: Order authorizing the grant of an easement to the Wianno Club for private sewer lines and the grant of an easement to NSTAR Electric Company for related electric service within certain town public ways in Osterville

BACKGROUND: The Wianno Club contacted the Department of Public Works (DPW) and the Town Attorney's Office regarding their need to upgrade their wastewater disposal systems. The Wianno Club informed the Town that, pursuant to an Administrative Consent Order with the state Department of Environmental Protection (MassDEP), they need to discontinue their existing septic systems and construct wastewater treatment and disposal facilities serving all Club properties exclusive of the golf course properties.

Several Town public ways separate the involved Club properties from the property on which they plan to build their new wastewater treatment plant. With that, the Club seeks rights to install sewer lines laterally across these roadways to reach the treatment facility. The Town cannot issue a grant of location to the Wianno Club since it is a private property owner and not a public utility. Instead, under the authority of this vote, the Town would issue an easement to the Club for the subsurface sewer lines. The vote also addresses that NSTAR Electric Company (d/b/a Eversource Energy) would need rights for an underground electric line to serve the Club's new wastewater treatment plant. The attached memorandum from the Club's consultant, Stantec Consulting Services, provides further background on the request. The Town has worked with the Wianno Club to minimize their proposed use of Town public ways.

Due to the requirements of MassDEP and the environmental benefits that would be achieved through upgrading from various septic systems to a wastewater treatment facility, the Town proposes to authorize the easement for nominal monetary consideration. The Club's properties are not identified in the Town's state-approved Comprehensive Wastewater Management Plan as scheduled to receive Town sewer service. As such, the above-referenced upgrades will be the Wianno Club's long-term wastewater solution.

The vote would authorize the Town Manager to finalize the easement. The Club is making some final edits to the plans, as recommended by the Town Surveyor. Accordingly, the vote would authorize the Town Manager to make or require edits to the plans. The vote also would require the Wianno Club to indemnify the Town for any injury or loss in connection with their use and occupation under the easement, as well as to secure a Trench Permit from DPW prior to occupying or opening the public way.

FINANCIAL IMPACT: The Town would receive nominal monetary consideration (\$1.00) for granting the easement.

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

STAFF ASSISTANCE: Thomas J. LaRosa, First Assistant Town Attorney; Griffin Beaudoin, P.E., Town Engineer; Shane Brenner, Town Surveyor



August 28, 2025

Barnstable Town Council
367 Main Street
Hyannis, MA 02601

Attention: Cynthia A. Lovell, Administrator to the Town Council

Reference: Wianno Club, 107 Sea View Avenue, Osterville MA - Sewer and Electric Easements

Dear Council Members:

Attached please find copies of five (5) easement sketch plans to allow for the construction, operation and maintenance of sewer lines and underground electric services within Town of Barnstable Public Roadways as required to service the wastewater treatment and disposal facilities currently being constructed pursuant to an Administrative Consent Order issued by the Massachusetts Department of Environmental Protection.

The Wianno Club is located in Osterville, Massachusetts and includes the main campus sited along Sea View Avenue and Washington Avenue and the golf course located along Parker Road. The main campus consists of the following five parcels identified on the Town of Barnstable Assessor's Maps that are separated by Sea View Avenue, Webster Street and Washington Avenue:

- Parcel #162024 (located south of Sea View Avenue) consisting of the clubhouse at 107 Sea View Avenue, the Tiffany House at 71 Sea View Avenue and the Beach Cottages at 61 Sea View Avenue (total area of 4.23 acres).
- Parcel #162017 (located north of Sea View Avenue, east of Webster Street and south of Washington Avenue) consisting of four buildings referred to as The Stables dormitory at 70 Sea View Avenue (total area of 1.21 acres).
- Parcel #162019 (located north of Sea View Avenue, west of Webster Street and south of Washington Avenue) consisting of three buildings referred to as the Putting Green Cottages at 100, 102 and 114 Sea View Avenue and The Wayside dormitory at 130 Sea View Avenue (total area of 2.67 acres).
- Parcel #162001 (located north of Washington Avenue) consisting of the Tennis building and two Junior Activities buildings at 82 Warren Street (total area of 8.75 acres)
- Parcel #139077 is a vacant parcel at 17 East Avenue (total area of 0.45 acre)

Requirement for Wastewater Treatment Plant

The Massachusetts Department of Environmental Protection (MassDEP) determined that pursuant to 310 CMR 15.000, the main campus buildings are considered to be sited on contiguous properties and are therefore regulated as a single facility. The determination to aggregate the flows was made despite the Wianno Club properties being separated by public roadways (Sea



August 28, 2025

Barnstable Town Council
Attention: Cynthia A. Lovell
Page 2 of 3

Reference: Wianno Club, 107 Sea View Avenue, Osterville MA - Sewer and Electric Easements

View Avenue, Webster Street and Washington Avenue). Since the Wianno Club facility has a combined sewage design flow in excess of 15,000 gallons per day, the MassDEP determined that the existing septic systems were non-conforming and required the Wianno Club to construct wastewater treatment and disposal facilities serving the entire site (exclusive of the golf course properties).

On August 31, 2020, the MassDEP and the Wianno Club executed an Administrative Consent Order (ACO, Enforcement Document No. 00007081 executed August 31, 2020) that outlined the requirements for the treatment facility and set compliance dates. Hydrogeologic Investigations and design plans have been approved, and the Groundwater Discharge Permit Number 1014-0 has been issued. The wastewater plans include construction of a 46,000 gpd wastewater treatment plant on Parcel 162001 located north of Washington Avenue and construction of a series of effluent disposal facilities on Parcel 162019 located north of Sea View Avenue, west of Webster Street and south of Washington Avenue. The separation of the facilities by public roadways requires the following easements for sewer main and electric service crossings:

1. Sewer Easement to cross Washington Avenue with an 8" diameter gravity sewer main and two (2) 4" diameter effluent force mains to connect the Wianno Club buildings (south of Washington Avenue) to the wastewater treatment plant site (north of Washington Avenue) and to connect the wastewater treatment plant to the effluent disposal facilities (south of Washington Avenue).
2. Sewer Easement to cross Webster Street with an 8" diameter gravity sewer main to connect the Putting Green Cottages and the Wayside Dormitory (west of Webster Street) to the sewage collection system (east of Webster Street) and with two (2) 4" diameter effluent force mains to connect the wastewater treatment plant to the effluent disposal facilities (west of Webster Street).
3. Sewer Easement to cross Sea View Avenue with an 8" diameter gravity sewer main to connect the clubhouse, Tiffany House and Beach Cottages (south of Sea View Avenue) to the sewer main located north of Sea View Avenue. The existing sewage force main that crosses Sea View Avenue to connect the clubhouse to the existing effluent disposal system will be abandoned.
4. Sewer Easement to cross Washington Avenue with a 3" diameter sewage force main to connect the Tennis building and two Junior Activities buildings (north of Washington Avenue) to the Putting Green Cottages sewer main (south of Washington Avenue).
5. An electric easement for NSTAR Electric Company d/b/a Eversource Energy to cross Washington Avenue and supply the wastewater treatment plant with a new three-phase underground electric service. An easement has been granted by the Wianno Club to NSTAR Electric Company d/b/a Eversource Energy for extending the underground three phase electric service across Wianno Club property

Design with community in mind



August 28, 2025

Barnstable Town Council
Attention: Cynthia A. Lovell
Page 3 of 3

Reference: Wianno Club, 107 Sea View Avenue, Osterville MA - Sewer and Electric Easements

from Sea View Avenue to the new transformer installed north of Washington Street at the wastewater treatment plant building site.

At the suggestion of the Town Engineer, the sewage collection system that was originally designed within Webster Street and Washington Avenue has been relocated to Wianno Club property limiting the sewer work within the public way to only the four required crossings. Additionally, as part of the permitting process for the wastewater collection, treatment and disposal facilities, submittals have been made to the Health Department (GWDP Application and establishment of an Escrow account pursuant to the ACO to be used for construction of the wastewater treatment plant), the Conservation Commission (Order of Conditions #SE3-6198), and the Barnstable Building Commissioner (Zoning Compliance and wastewater treatment plant Building Permit for Accessory Use Structure).

We look forward to discussing these easements with you and request that we be added to the next available Council meeting.

Regards,

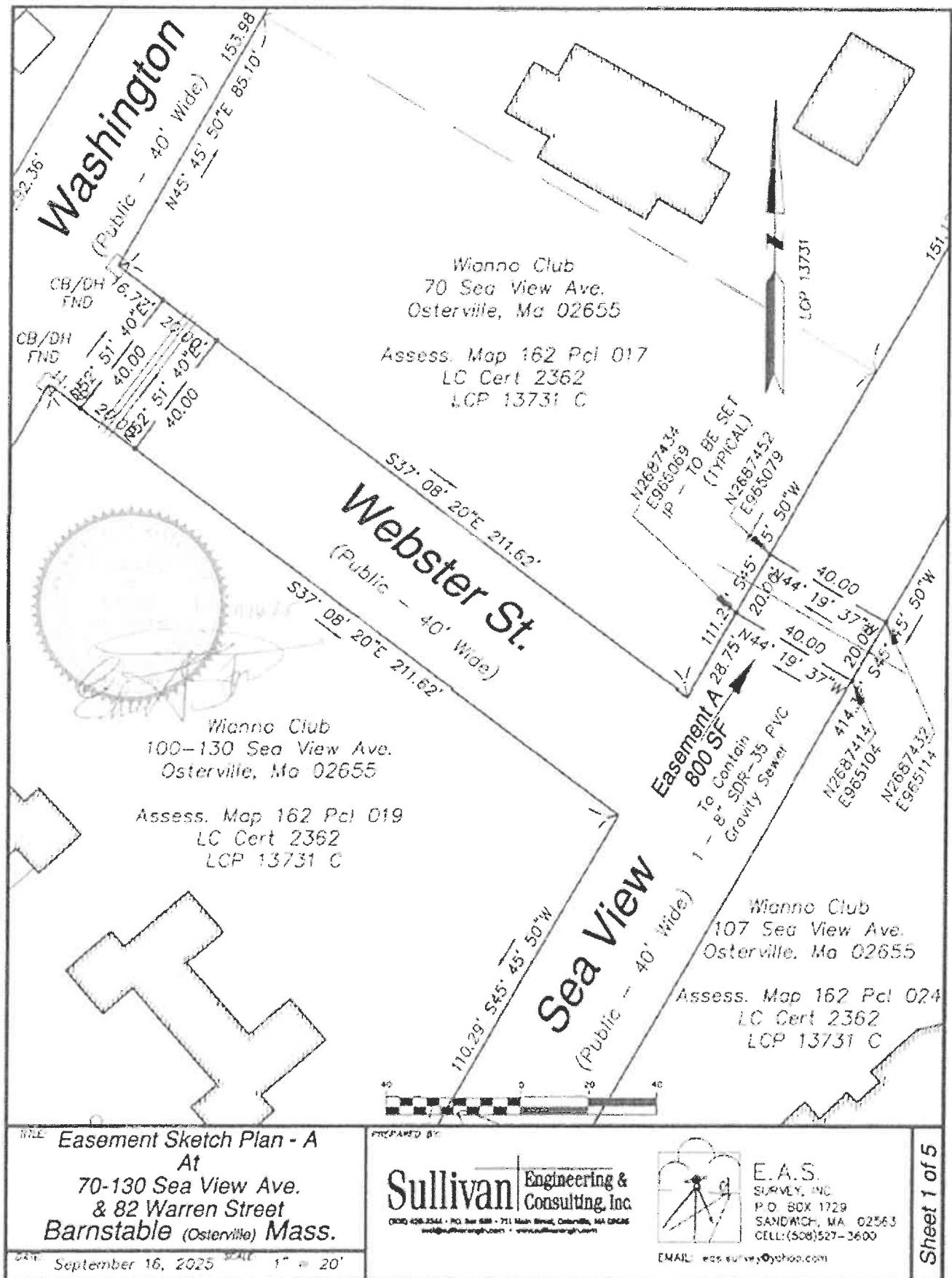
STANTEC CONSULTING SERVICES INC.

Kevin P. Klein, P.E.
Senior Associate
Phone: 508-591-4330
Kevin.klein@stantec.com

cc: Mark Krebs, Wianno Club
Michael Leon, Nutter, McClennen & Fish, LLP
Griffin Beaudoin, Town Engineer, Town of Barnstable DPW
Tom LaRosa, Assistant Town Attorney, Town of Barnstable

Attachments:

Plan titled "Wianno Club, "The Stables" Dorms" with easements highlighted, revised 8-21-2025
Sewer Easement Plans, 8.5"x11", dated 8-28-2025 (4 total)
Electric Easement Plan, 8.5"x11", dated 8-28-2025 (1 total)



TITLE: Easement Sketch Plan - A
At
70-130 Sea View Ave.
& 82 Warren Street
Barnstable (Osterville) Mass.

PREPARED BY:

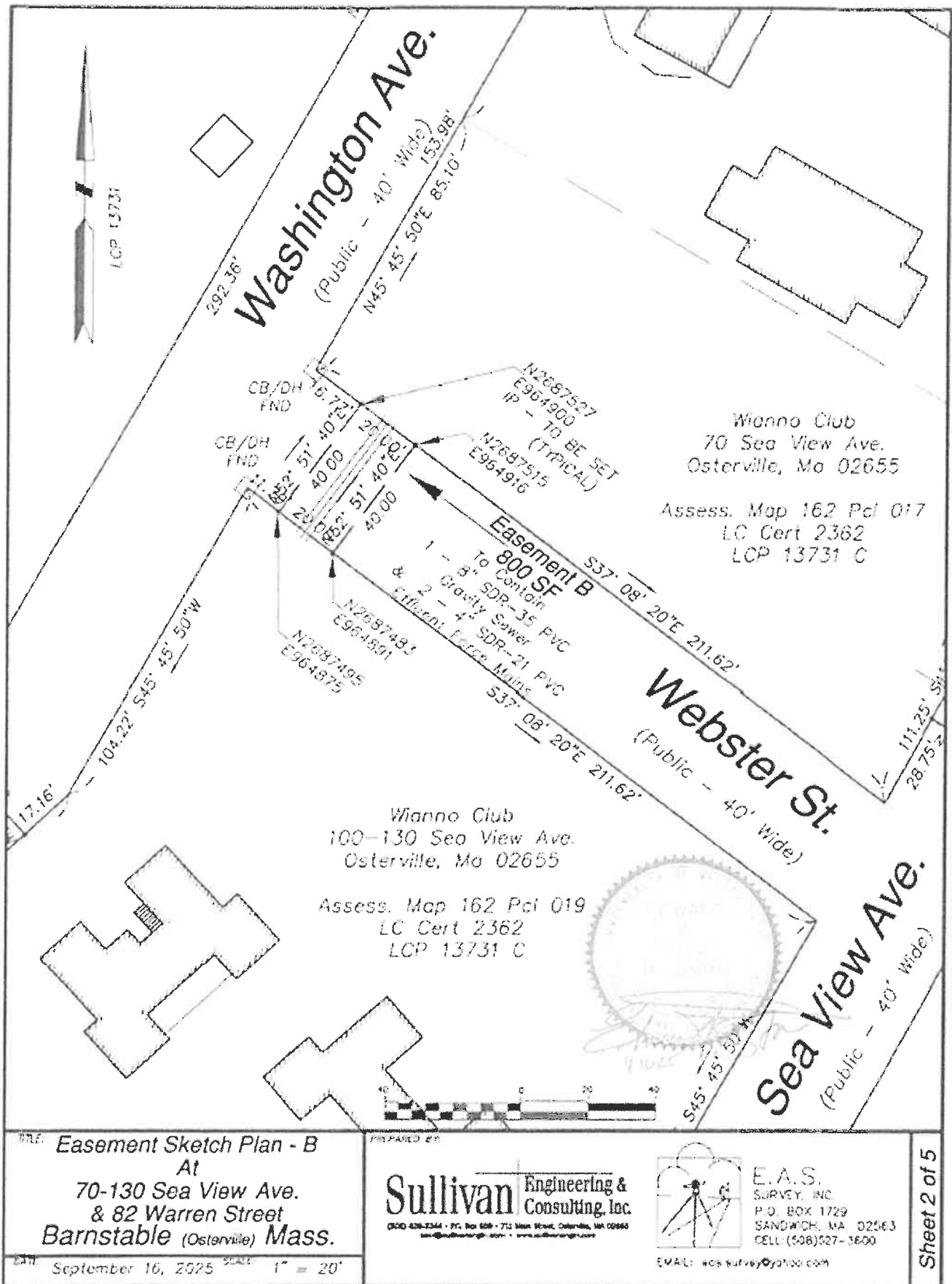
Sullivan Engineering & Consulting, Inc.
3000 45th Street • P.O. Box 688 • 711 Main Street, Osterville, MA 02655
sullivan@sullivaneng.com • www.sullivaneng.com



E.A.S. SURVEY, INC.
P.O. BOX 1729
SANDWICH, MA 02563
CELL: (508) 527-3600

EMAIL: eas.survey@yahoo.com

Sheet 1 of 5



Easement Sketch Plan - B
At
70-130 Sea View Ave.
& 82 Warren Street
Barnstable (Osterville) Mass.

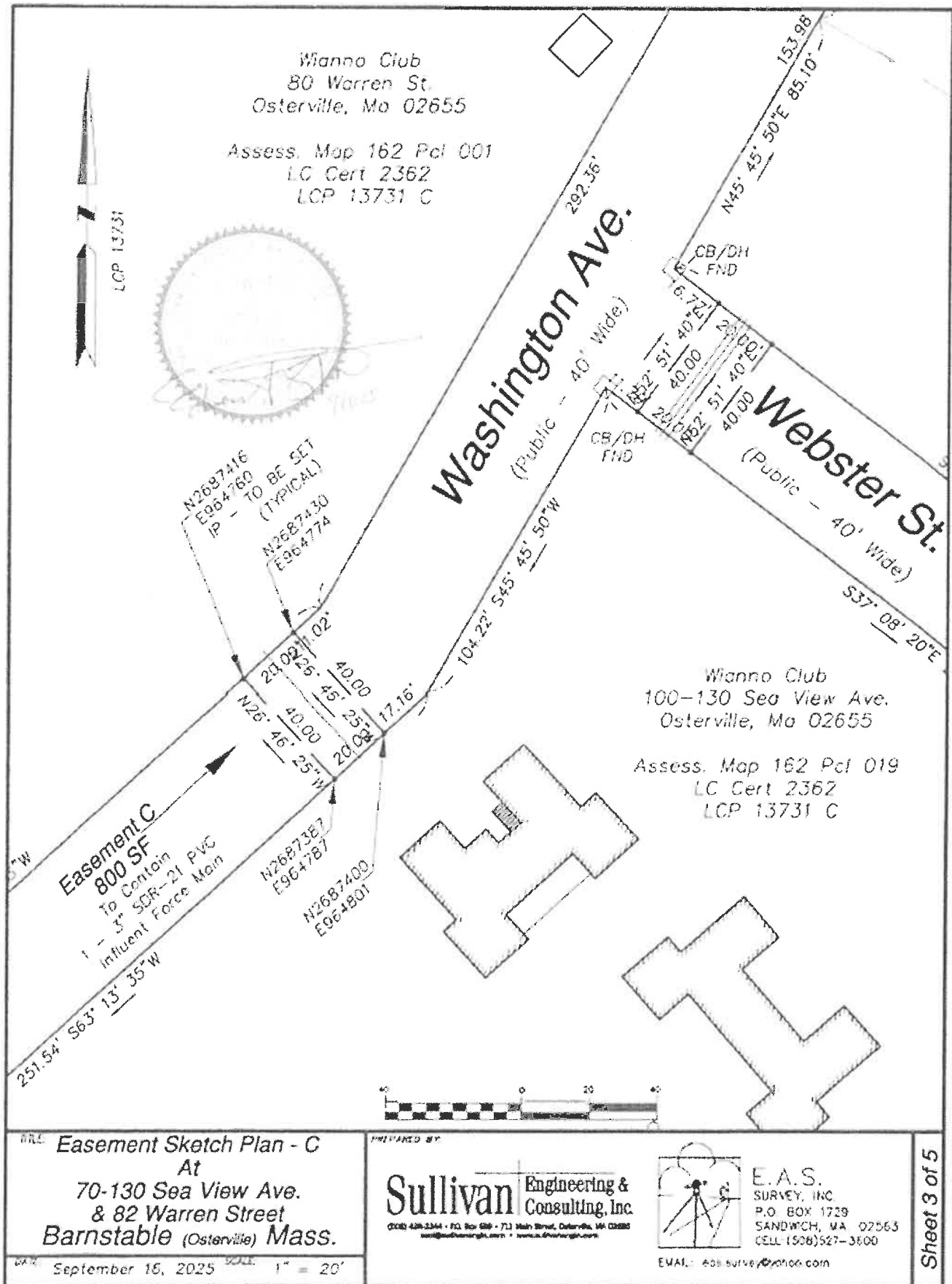
Sullivan Engineering & Consulting, Inc.
0508 428-2344 • P.O. Box 809 • 711 Main Street, Osterville, MA 02655
sullivan@sullivaneng.com • www.sullivaneng.com



E.A.S. SURVEY, INC.
P.O. BOX 1729
SANDWICH, MA 02563
CELL: (508)527-3600

EMAIL: wdsurvey@yahoo.com

Sheet 2 of 5



B. NEW BUSINESS (Refer to Public Hearing on 11/06/2025)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-048
INTRO: 10/23/2025

**2026-048 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF
\$704,155 FOR THE OSTERVILLE PLAYGROUND PROJECT LOCATED
AT 93 WEST BAY ROAD IN OSTERVILLE**

ORDERED: That the amount of Seven Hundred and Four Thousand One Hundred Fifty-Five Dollars (\$704,155) be appropriated and transferred for the purpose of funding the Osterville Playground Project located at 93 West Bay Road in Osterville, and to fund this appropriation, that pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the amount of **\$400,000** be appropriated first from the amount set-aside for Open Space and Recreation within the Community Preservation Fund and secondly from the Undesignated Reserve in the Community Preservation Fund, and that **\$292,168** be transferred from the remaining balance in Town Council Order 2017-086 and that **\$11,987** be transferred from the remaining balance in Town Council Order 2019-146; and that the Town Manager is authorized to expend the appropriation made available for this purpose, with the expenditure of the involved Community Preservation Funds subject to oversight by the Community Preservation Committee.

SPONSOR: Mark S. Ells, Town Manager, upon recommendation of the Community Preservation Committee

DATE	ACTION TAKEN
------	--------------

_____	_____
_____	_____

_____	Read Item
_____	Motion to Open Public Hearing
_____	Rationale
_____	Public Hearing
_____	Close Public Hearing
_____	Council Discussion
_____	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-048
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Mark Ells, Town Manager
THROUGH: Lindsey Counsell, Chair, Community Preservation Committee
DATE: October 23, 2025
SUBJECT: Appropriation and Transfer Order in the amount of **\$704,155** for the Osterville Playground project located at 93 West Bay Road in Osterville

BACKGROUND: At the September 15, 2025 Community Preservation Committee meeting, the six committee members present voted unanimously to recommend to the Town Council, through the Town Manager, the Department of Public Work's application for \$400,000 in Open Space/Recreation Community Preservation Funds to cover the full projected cost of the Osterville Playground Project. At its April 27, 2023 meeting, under Item No. 2023-147, the Town Council appropriated \$1,362,962 in initial funding for the new Osterville Playground, with \$904,072 provided from the amount set aside for Open Space and Recreation within the Community Preservation Fund, \$95,683 provided from the Undesignated Funds within the Community Preservation Fund, and \$363,207 provided from the General Fund Reserves. The project was subsequently advanced through the design phase with input from the community, which was facilitated by the steering group overseeing design development. The playground equipment has been selected, and construction documents are currently being prepared for the bidding process. Based on recent cost estimates, the project is projected to exceed the original budget, and \$704,155 of additional funding is requested, with \$400,000 coming from Community Preservation Funds and \$304,155 from balances remaining in previous appropriations that have been completed.

ANALYSIS: The playground replaces an outdated one removed years ago. The design was developed in partnership with the local Civic Association and the citizens of Osterville and will provide equal access to all residents.

FISCAL IMPACT: This appropriation has no impact on the General Fund since the entire amount is appropriated from the Community Preservation Fund and transferred from existing appropriations. Future maintenance of the playground will be the responsibility of the Department of Public Works, which can be absorbed within existing budget.

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

STAFF ASSISTANCE: Mark A. Milne, Director of Finance

VOLUNTEER STAFF ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee

B. NEW BUSINESS (Refer to a Public Hearing on 11/06/2025)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-049
INTRO: 10/23/2025

2026-049 APPROPRIATION ORDER IN THE AMOUNT OF \$94,966 FOR THE PURPOSE OF FUNDING THE COSTS ASSOCIATED WITH HIRING 7 NEW PATROL OFFICERS IN THE BARNSTABLE POLICE DEPARTMENT

ORDERED: That the amount of \$94,966 be appropriated from the General Fund reserves and added to the FY26 Police Department Budget for the purpose of funding the costs related to hiring 7 new police officers, including testing, training, uniforms, ammunition and equipment.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-049
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
DATE: October 23, 2025
SUBJECT: Appropriation order in the amount of **\$94,966** for the purpose of funding the costs associated with hiring 7 new patrol officers in the Barnstable Police Department

BACKGROUND: 3 patrol officer recruits will be starting at the Plymouth Police Academy on October 20, 2025 and 2 patrol officer recruits will be starting the Cape Cod Academy on December 1, 2025. Additionally, the Department has just hired 2 patrol officers with prior experience from other police departments who are already academy-trained. At the time of the preparation and finalization of the Fiscal Year 2026 budget, the Police Department did not have confirmation on the number of vacancies that could be filled nor knowledge of the availability of police academy seats. The costs associated with the hiring of 7 police officers to fill current vacancies and to complete the hiring process (medical & psychological) requires a supplemental appropriation to the Police Department's Fiscal Year 2026 budget as follows:

Academy Bound New Hires

Training (5)	\$ 16,000
Uniform(5)	\$ 18,369
Equipment (5)	\$ 17,942
Ammunition (5)	\$ 7,327
Firearm (5)	\$ 4,945

Academy Trained New Hires

Uniforms (2)	\$ 5,708
Equipment (2)	\$ 5,924
Ammunition (2)	\$ 673

Medical & Psychological Assessments

Medical for Recruits (5)	\$ 5,470
Medical for 2 Transfers	\$ 2,188
Medical for 5 - No Hire	\$ 5,470
Psych Assessments (9)	\$ 4,950

Other Equipment Previously Purchased for New Hires (Not Needed to be Purchased)

Radios
ProBook's

TOTAL Fiscal Year 2026 Supplemental Budget Request – New Hires \$ 94,966

ANALYSIS: This supplemental appropriation request totals \$94,966 and is comprised of several parts: 1) pre-employment requirements including medical exams and psychological assessments; 2) academy tuition for recruits; 3) ammunition 4) equipment; and 5) uniform. The items listed above will need to be

funded in Fiscal Year 2026 in order to complete the hiring components required by the Plymouth Police Academy and the Cape Cod Police Academy. The academy-bound recruits require more uniforms, equipment and ammunition resulting in a slightly higher cost per recruit than the trained recruits.

FISCAL IMPACT: The funding provided by this request will not be included in the Police Department's base operating budget going forward. This is a one-time request associated with the hiring of this specific round of candidates. The General Fund Reserves will be used to fund these costs, which were recently certified at \$36.2 million.

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

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

B. NEW BUSINESS (Refer to a Public Hearing on 11/06/2025)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-050
INTRO: 10/23/2025

2026-050 ALLOCATION OF TAX LEVY FISCAL YEAR 2026 – TAX FACTOR

RESOLVED: That the Town Council hereby votes to classify the Town of Barnstable under M.G.L. c. 40, § 56 at a Residential Factor of 1 (one) for the Fiscal Year 2026.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
------	--------------

_____	_____
-------	-------

_____	Read Item
_____	Motion to Open Public Hearing
_____	Rationale
_____	Public Hearing
_____	Close Public Hearing
_____	Council Discussion
_____	Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-050
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Mark A. Milne, Finance Director
DATE: October 16, 2025
SUBJECT: Allocation of Tax Levy Fiscal Year 2026 – Tax Factor

BACKGROUND: Under Massachusetts General Laws, c. 40, § 56, the Town Council is annually charged with determining the Allocation of Local Property Taxes by the adoption of a Minimum Residential Factor. This tax levy-shifting tool will not change the overall amount of the tax levy to be raised in Fiscal Year 2026; rather it allows the town to shift a portion of the tax levy between classes of property. The residential factor, commonly referred to as the “Split Tax Rate”, allows the Town Council to create separate tax rates; one for residential property owners and a separate one for commercial, industrial, and personal property (CIP) owners. Under a Residential Factor of 1, all property owners would pay taxes at the same rate per \$1,000 of valuation. For Fiscal Year 2026 the single tax rate is \$5.96 (tax levy of \$156,203,458 divided by total valuation of \$26,208,414,825 x \$1,000). The maximum permissible shift would increase the CIP tax rate by 150%, which would result in a CIP tax rate of \$8.95. Since 2007, the Town Council’s policy has been to select a Residential Factor of 1.

ANALYSIS: The Minimum Residential Factor is used to make sure the shift of the tax burden complies with the law (M.G.L. c. 58, § 1A). Residential taxpayers must pay at least 65% of their full and fair cash value share of the levy. Commercial/Industrial/Personal Property taxpayers cannot pay more than 150% of their full and fair cash value share of the levy.

If the calculated Minimum Residential Factor is less than 65%, a community cannot make the maximum shift and must use a Commercial/Industrial/Personal Property factor of less than 150%.

Class	Assessed Valuation	% Share	Combined RES/OS, CIP
Residential	\$23,570,993,873	89.9367%	
Open Space	\$0	0.0000%	89.9367%
Commercial	\$1,990,367,522	7.5944%	
Industrial	\$113,308,100	0.4323%	
Personal Property	\$533,745,330	2.0365%	10.0633%
Total	\$26,208,414,825	100.0000%	100.0000%

The "Percentage Share" is based on the "Full and Fair Cash Valuation" of each class, which is affected by the level of assessment for each class.

The Maximum Share of Levy for Commercial/Industrial/Personal Property: $150\% \div 10.0633\% = 14.9056\%$ (Max % Share).

This calculation shows the maximum percentage share of the levy allowed for the combined Commercial, Industrial and Personal Property classes (150% of the combined shares.) NOTE: Shift impact is reduced as the maximum percentage share decreases.

Minimum Share of Levy for Residential: $100\% - 14.9056\% \text{ (Max CIP \% Share)} = 85.0944\% \text{ (Min \% Share)}$

This calculation shows the minimum percentage share of the levy allowed for the Residential class. This is computed by subtracting the Maximum Share for Commercial/Industrial/Personal Property from 100%.

Minimum Residential Factor (MRF): $85.0944\% \text{ (Min \% Share)} \div 89.9367\% = 94.6159\%$
(Minimum Residential Factor)

This calculates the Minimum Residential Factor: divide the minimum percentage share for Residential by the actual percentage share for Residential.

MINIMUM RESIDENTIAL FACTOR: 94.6159%; G. L. Chapter 58, Section 1A mandates a minimum residential factor of not less than 65 percent.

When the Minimum Residential Factor is multiplied by the percentage share of the Residential full and fair cash value, it reduces the Residential share to its minimum percentage share of the Levy as calculated above.

FISCAL IMPACT: A factor greater than one (1) would shift more of the tax levy to the commercial, industrial, and personal property (CIP) tax classifications. For example, every 5% shift would result in over \$786,000 being shifted from the Residential class to the CIP class: with a tax rate reduction of \$0.03 to \$0.04 in the residential rate and an increase of about \$0.30 in the CIP tax rate. The tax rates and tax levies for each class of property are illustrated in the table below using 5% shifts.

CIP Shift	Levy Amounts					Estimated Tax Rates			
	Res LA	Comm LA	Ind LA	PP LA	Total LA	Res ET	Comm ET	Ind ET	PP ET
1.0000	140,568,652	11,869,813	675,727	3,183,059	156,297,251	6.67	5.96	5.96	5.96
1.0500	139,782,222	12,463,303	709,514	3,342,212	156,297,251	6.63	6.26	6.26	6.26
1.1000	138,995,792	13,056,794	743,300	3,501,365	156,297,251	6.60	6.56	6.56	6.56
1.1500	138,209,362	13,650,284	777,087	3,660,518	156,297,251	6.56	6.86	6.86	6.86
1.2000	137,422,932	14,243,775	810,873	3,819,671	156,297,251	6.52	7.16	7.16	7.16
1.2500	136,636,502	14,837,266	844,659	3,978,824	156,297,251	6.49	7.45	7.45	7.45
1.3000	135,850,072	15,430,756	878,446	4,137,977	156,297,251	6.45	7.75	7.75	7.75
1.3500	135,063,642	16,024,247	912,232	4,297,130	156,297,251	6.41	8.05	8.05	8.05
1.4000	134,277,213	16,617,738	946,018	4,456,282	156,297,251	6.37	8.35	8.35	8.35
1.4500	133,490,783	17,211,228	979,805	4,615,435	156,297,251	6.34	8.65	8.65	8.65
1.5000	132,704,353	17,804,719	1,013,591	4,774,588	156,297,251	6.30	8.95	8.95	8.95

STAFF ASSISTANCE: John Curran, Director of Assessing, Mark A. Milne, Finance Director

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

B. NEW BUSINESS (Refer to a Second Reading on 11/06/2025)

BARNSTABLE TOWN COUNCIL

ITEM# 2026-051
INTRO: 10/23/2025

2026-051 ALLOCATION OF TAX LEVY FISCAL YEAR 2026 – RESIDENTIAL EXEMPTION

RESOLVED: That the Town Council hereby votes to adopt a Residential Exemption of twenty-five percent (25%) for Fiscal Year 2026.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Rationale
- _____ Council Discussion
- _____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2026-051
INTRO: 10/23/2025

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Mark A. Milne, Finance Director
DATE: October 16, 2025
SUBJECT: Allocation of Tax Levy Fiscal Year 2026 – Residential Exemption

BACKGROUND: Under Massachusetts General Laws, Chapter 59, Section 5C, the Town Council may adopt a Residential Exemption as part of determining the allocation of the tax levy between residential property owners. This tax levy shifting option will not change the overall amount of property taxes raised through the residential class of property. It allows communities to shift a portion of the residential property tax levy between residential property owners based on statutory criteria. The maximum exemption allowed is 35 percent of the average assessed value of all Class One (Residential) parcels. This exemption would be applied to all residential parcels which are qualified by the Town Assessor as the principal residence of the taxpayer. Principal residence is a taxpayer's domicile, that is, the taxpayer's fixed place of habitation, permanent home, and legal residence, as used for federal and state income tax purposes. This option shifts property taxes between residential taxpayers and does not affect the Commercial, Industrial and Personal Property class of taxpayers.

ANALYSIS: The exemption is calculated on the average residential parcel value, which is \$916,696 in Fiscal Year 2026. Using a 25% exemption (amount voted in FY25) the value of the exemption in FY26 would be \$229,174. The assessed property value is then reduced by the value of the exemption before the tax rate is applied to determine the tax bill amount. Since the exemption removes an amount of the taxable residential property value subject to taxation, and the tax levy paid by the residential class remains the same, the tax rate for this class of property increases. The lower the property value the greater the tax savings for a qualifying property. All non-qualifying properties pay more. This is illustrated in the table below.

Assessed Value	25% Residential Exemption	Taxable Value	Tax Rate no Exemption	Tax Rate 25% Exemption	Qualifying Property			Tax Bill Non-Qualifying Property	Additional Tax
					Tax Bill no Exemption	Tax Bill 25% Exemption	Savings (Additional Tax)		
\$500,000	\$229,174	\$270,826	\$5.96	\$6.67	\$2,980	\$1,806	\$1,174	\$3,335	\$355
\$750,000	\$229,174	\$520,826	\$5.96	\$6.67	\$4,470	\$3,474	\$996	\$5,003	\$533
\$1,000,000	\$229,174	\$770,826	\$5.96	\$6.67	\$5,960	\$5,141	\$819	\$6,670	\$710
\$1,250,000	\$229,174	\$1,020,826	\$5.96	\$6.67	\$7,450	\$6,809	\$641	\$8,338	\$888
\$1,500,000	\$229,174	\$1,270,826	\$5.96	\$6.67	\$8,940	\$8,476	\$464	\$10,005	\$1,065
\$1,750,000	\$229,174	\$1,520,826	\$5.96	\$6.67	\$10,430	\$10,144	\$286	\$11,673	\$1,243
\$2,000,000	\$229,174	\$1,770,826	\$5.96	\$6.67	\$11,920	\$11,811	\$109	\$13,340	\$1,420
\$2,208,883	\$229,174	\$1,979,709	\$5.96	\$6.67	\$13,165	\$13,205	-\$40	\$14,733	\$1,568
\$2,500,000	\$229,174	\$2,270,826	\$5.96	\$6.67	\$14,900	\$15,146	-\$246	\$16,675	\$1,775

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