



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

## TOWN COUNCIL MEETING AGENDA

April 04, 2024

6:00 pm

The April 04, 2024 Meeting of the Barnstable Town Council shall be conducted in person at 367 Main Street 2<sup>nd</sup> 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.

### Councillors:

Felicia Penn  
President  
Precinct 13

Craig Tamash  
Vice President  
Precinct 4

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

Kris Clark  
Precinct 11

Paula Schnepf  
Precinct 12

Administrator:  
Cynthia A. Lovell  
[Cynthia.lovell@town.barnstable.ma.us](mailto:Cynthia.lovell@town.barnstable.ma.us)

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/88470250280> Meeting ID: 884 7025 0280  
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)

### 7. ACT ON PUBLIC SESSION MINUTES

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

- Governor's Youth Advisory Council Presentation - State Representative Kip Diggs; Youth Commission members: Piper Hunt and Laik O'Reilly
- Fiscal Year 2025 Capital Improvement Plan Presentation - Mark Milne and Comprehensive Financial Advisory Committee
- Update on Downtown Hyannis Great Streets: Conversion to Two-Way Travel - Elizabeth Jenkins, Director, Planning and Development

### 9. ORDERS OF THE DAY

#### A. Old Business

#### B. New Business

## EXECUTIVE SESSION

Councilors:

Felicia Penn  
President  
Precinct 13

Craig Tamash  
Vice President  
Precinct 4

Gordon Starr  
Precinct 1

Dr. Kristin Terkelsen  
Precinct 2

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Precinct 10

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Precinct 11

Paula Schnepf  
Precinct 12

The Town Council will enter executive session pursuant to G.L. c. 30A, sec. 21(a)(3) to discuss strategy with respect to litigation since a discussion in open session may have a detrimental effect on the litigating position of the Town and Town Council. Specifically, the Council will discuss litigation strategy with respect to Park City Wind LLC's proposed offshore renewable wind project in the Town.

### 10. ADJOURNMENT

**NEXT REGULAR MEETING: April 25, 2024**

Administrator:  
Cynthia A. Lovell  
[Cynthia.lovell@town.barnstable.ma.us](mailto:Cynthia.lovell@town.barnstable.ma.us)

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**Motion for reconsideration of the following vote of the Town Council on March 21, 2024:**

To suspend the provisions of Town Council Rule 11A as it relates to the appointment of registered voters by the Town Council President to the ad hoc committees set forth in Item No. 2024-166, in order that such appointments shall be made by vote of the Town Council after recommendation from the Appointments Committee by May 1, 2024.

**A. OLD BUSINESS**

2024-171	Order authorizing an Intermunicipal Agreement among the Towns of Barnstable, Yarmouth, and Sandwich for the purposes of establishing a regional emergency communications center hosted by and located within the Town of Barnstable <b>(May be acted upon) (Majority Vote)</b> .....	9-10
2024-172	Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 1 General Provisions, Article I Non-Criminal Enforcement of violations, and inserting a new Chapter 185 known as “Stormwater Management and Illicit Discharge Control” <b>(May be acted upon) (Roll Call Majority Vote)</b> .....	11-26

**B. NEW BUSINESS**

**CONSENT AGENDA:**

**Proposed Vote:** To refer Items 2024-100 through 2024-159, as written, to individual public hearings to be held on each item at the Town Council meeting on April 25, 2024.

**Proposed Vote:** To refer Items 2024-177 through 2024-181, as written, to individual public hearings to be held on each item at the Town Council meeting on April 25, 2024.

2024-100	Appropriation and Loan Order in the amount of <b>\$1,500,000</b> for funding the Pipe Replacement and Upgrade Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan <b>(Refer to Public Hearing 04/25/2024)</b> .....	27
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2024-154	Appropriation Order in the amount of <b>\$63,800</b> for funding the Barnstable United Elementary School Library Carpet Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan <b>(Refer to Public Hearing 04/25/2024)</b> .....	81
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2024-156	Appropriation and Loan Order in the amount of <b>\$1,000,000</b> for funding the HVAC Direct digital Control Replacement Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan <b>(Refer to Public Hearing 04/25/2024)</b> .....	83
2024-157	Appropriation and Loan Order in the amount of <b>\$2,082,400</b> for funding the HVAC Upgrades Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan <b>(Refer to Public Hearing 04/25/2024)</b> .....	84
2024-158	Appropriation Order in the amount of <b>\$1,500,000</b> for funding the Terminal Optimization Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan <b>(Refer to Public Hearing 04/25/2024)</b> .....	85
2024-159	Appropriation and Loan Order in the amount of <b>\$550,000</b> for the Electric Aircraft Charging Facility Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan <b>(Refer to Public Hearing 04/25/2024)</b> .....	86
2024-174	Appointment to a Board/Committee/Commission: <b>Council on Aging:</b> Charles Coyle, as a regular member, to a term expiring 06/30/2025; Maureen Hughes, as an alternate member, to a term expiring 06/30/2026; <b>Historical Commission:</b> Robert Frazee from an alternate member to a full member to a term expiring 06/30/2026; <b>Licensing Authority:</b> Larry Decker from an alternate member to a full member position to a term expiring 06/30/2026; <b>Sandy Neck Board:</b> Richards French, as a regular member to a term expiring 06/30/2024; <b>Youth Commission:</b> Nate Ludtke, as a student member to a term expiring 06/30/2025 <b>(First reading) (Refer to second reading 04/25/2024)</b> .....	87

2024-175	Authorization to expend a Federal Fiscal Year 2023 Emergency Management Performance Grant in the amount of <b>\$20,150</b> from the Massachusetts Emergency Management Agency <b>(May be acted upon) (Majority Vote)</b> .....	88-89
2024-176	Transfer order in the amount of <b>\$57,845</b> to fund technical services, monitoring, and cleanup activities that resulted from the improper disposal of oil on LaFrance Avenue, Hyannis <b>(May be acted upon) (Majority Vote)</b> .....	90-91
2024-177	Fiscal Year 2024 Supplemental Appropriation Order for the Operating Budget of the Town Clerk in the amount of <b>\$35,000</b> for the purpose of covering election costs <b>(Refer to Public Hearing 04/25/2024)</b> .....	92-93
2024-178	Order amending Chapter 183 of the General Ordinances to provide the maximum property tax work-off amount for seniors and veterans authorized by state law <b>(Refer to Public Hearing 04/25/2024)</b> .....	94-95
2024-179	Appropriation Order in the amount of <b>\$15,000</b> to fund a Finfish and Shellfish Survey Project in Barnstable Harbor <b>(Refer to Public Hearing 04/25/2024)</b> .....	96-97
2024-180	Fiscal Year 2024 Supplemental Appropriation Order for the Operating Budget of the Information Technology Department in the amount of <b>\$203,000</b> for the purpose of migrating and hosting the Town’s Munis Enterprise Resource Planning System on the internet <b>(Refer to Public Hearing 04/25/2024)</b> .....	98-100
2024-181	Fiscal Year 2024 Supplemental Appropriation Order for the Operating Budget of the Information Technology Department in the amount of <b>\$135,500</b> for the purpose of installing and maintaining a Rubrik Secure Backup Appliance <b>(Refer to Public Hearing 04/25/2024)</b> .....	101-103
2024-182	Resolve Appointing Michael White to the Regional District School Committee for the Cape Cod Regional Technical High School District <b>(May be acted upon) (Majority Vote)</b> .....	104-105

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**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# 2024-171**

**INTRO: 03/21/2024, 04/04/2024**

**2024-171 ORDER AUTHORIZING AN INTERMUNICIPAL AGREEMENT AMONG THE TOWNS OF BARNSTABLE, YARMOUTH, AND SANDWICH FOR THE PURPOSES OF ESTABLISHING A REGIONAL EMERGENCY COMMUNICATIONS CENTER HOSTED BY AND LOCATED WITHIN THE TOWN OF BARNSTABLE**

**ORDERED:** That the Town Council does hereby authorize the execution and delivery by the Town Manager of an Intermunicipal Agreement (IMA) with the Towns of Yarmouth and Sandwich for a term of twenty-five years, substantially in the form of the agreement on file in the Town Council office, for the purpose of establishing a Regional Emergency Communications Center hosted by the Town of Barnstable, which will combine the towns' resources to provide cost efficient, shared and effective emergency and 911 dispatch services from a single primary location within the Town of Barnstable.

**SPONSOR:** Mark S. Ells, Town Manager

DATE            ACTION TAKEN

03/21/2024    First reading, Referred to second reading 04/04/2024

\_\_\_\_\_

\_\_\_\_ Read Item  
\_\_\_\_ Rationale  
\_\_\_\_ Council Discussion  
\_\_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2024-171  
INTRO: 03/21/2024, 04/04/2024

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Jean B. Challies, Chief of Police  
**DATE:** March 21, 2024  
**SUBJECT:** Order Authorizing an Intermunicipal Agreement among the Towns of Barnstable, Yarmouth, and Sandwich for the Purposes of Establishing a Regional Emergency Communications Center Hosted by and Located within the Town of Barnstable

**BACKGROUND:** The Towns of Barnstable, Sandwich, and Yarmouth each operate their own Public Safety Answering Points (PSAPs). The State 911 department, an agency within the Executive Office of Public Safety and Security, has supported the regionalization of PSAPs through incentive grants. The three towns have worked for the last two years with State 911 and the University of Massachusetts Boston Collins Center to complete a feasibility study for the creation of a Regional Emergency Communications Center (RECC). The study indicated that these three communities are well suited to establish such a center and that there would be both operational and financial benefits for the communities.

**ANALYSIS:** The Towns have completed substantial work with the Collins Center on identifying the process to regionalize dispatch services. Regionalization of dispatch services has been successful in many areas in the Commonwealth. In order to take advantage of incentive grants and the benefits of regionalization, the Towns must enter into an intermunicipal agreement (IMA), which will establish the operating structure of the RECC. The IMA also sets forth the guidelines for management, equipment and financial responsibilities associated with the RECC. Without an IMA, the Towns will not be competitive in attempts to receive future RECC Development Grants. The RECC will be located in and hosted by the Town of Barnstable. The RECC Director shall be a Town of Barnstable employee appointed by the Barnstable Town Manager after consultation with the Town Manager of Sandwich and the Town Administrator of Yarmouth.

**FISCAL IMPACT:** Having an executed IMA will allow the acceptance of a \$373,090 FY2024 State 911 RECC Development Grant and will support the FY25 application for \$476,910. The combined amount of \$850,000 for these grants is intended to fund the design and engineering stage of the RECC project. In addition, the initial construction and standup of the RECC will be fully grant funded. Future incentive grants will subsidize the continued operation of the RECC. The RECC feasibility study indicates that the three communities could see \$2,700,000 in total savings with \$1,160,000 directly to the Town of Barnstable.

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

**STAFF ASSISTANCE:** Jean B. Challies, Chief of Police; Karen L. Nober, Town Attorney; M. Andrew Clyburn, Assistant Town Manager

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-172**

**INTRO: 03/21/2024, 04/04/2024**

**2024-172 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I  
GENERAL ORDINANCES, CHAPTER 1 GENERAL PROVISIONS, ARTICLE I  
NONCRIMINAL ENFORCEMENT OF VIOLATIONS, AND INSERTING A  
NEW CHAPTER 185 KNOWN AS “STORMWATER MANAGEMENT AND  
ILLICIT DISCHARGE CONTROL”**

**ORDERED:** That the Code of the Town of Barnstable be amended as follows:

**SECTION 1.**By amending Chapter 1, Article I, Section 1-2 as follows:

- A. By renumbering Subsection A (10) as Subsection A (11).
- B. By striking out in Subsection A (9) the word “and” as appearing after the semi-colon.
- C. By inserting after Subsection A (9) a new subsection “A (10) The Director of Public Works and his designees; and”

**SECTION 2.** The schedule of fines in Chapter 1, Article I, Section 1-3 is hereby amended by inserting after Chapter 184 the following:

“Ch. **185** Stormwater Management or Illicit Discharge Detection and Elimination (IDDE)

First offense \$100

Second or subsequent offense \$300”

**SECTION 3.** The schedule of fines in Chapter 1, Article I is hereby amended by inserting the following new Section 1-6.2:

“§ 1-6.2: Fines for the Violation of Department of Public Works Regulations

Offense

Violation of Stormwater Management and Illicit Discharge Detection and Elimination (IDDE)

Regulations

First offense

\$100

Second or subsequent offense

\$300

**SECTION 3.**The Code of the Town of Barnstable is hereby amended by inserting after Chapter 184 a new Chapter 185 as follows:

“**Chapter 185 Stormwater Management and Illicit Discharge Control**

## **Article I General Provisions**

- § 185-1 **Authority.**
- § 185-2 **Introduction.**
- § 185-3 **Purpose.**
- § 185-4 **Definitions.**
- § 185-5 **Administration.**
- § 185-6 **Regulations.**
- § 185-7 **Enforcement.**
- § 185-8 **Entry Upon Land to Perform Duties**
- § 185-9 **Severability.**

## **Article II Illicit Discharge Control**

- § 185-10 **Purpose and Objectives.**
- § 185-11 **Prohibited Activities.**
- § 185-12 **Exempt Activities.**
- § 185-13 **Emergency Suspension of Storm Drainage System Access**
- § 185-14 **Notification of Hazardous Material Spills.**

## **Article III Construction and Post Construction Stormwater Management**

- § 185-15 **Purpose and Objectives.**
- § 185-16 **Prohibited Activities.**
- § 185-17 **Exempt Activities.**
- § 185-18 **Waivers and Provisions for Relief.**
- § 185-19 **Surety.**

## **Article I General Provisions**

### **§ 185-1 Authority.**

Chapter 185 of the General Ordinances is adopted in accordance with the regulations of the federal Clean Water Act found at 40 C.F.R. 122.34, as amended, the Massachusetts 401 Water Quality Certification regulations found at 314 C.M.R. 9.00 *et seq.*, Section 6 of the Home Rule Amendment to the Constitution of the Commonwealth of Massachusetts, and the Charter of the Town of Barnstable.

### **§ 185-2 Introduction.**

The United States Environmental Protection Agency has identified Disturbance of Land and polluted stormwater runoff as major sources of water pollution. Regulation of Illicit Connections and Discharge of Pollutants is necessary for the protection of the Town of Barnstable's water bodies and groundwater resources and to safeguard the public health, safety, and welfare and the natural resources of the Town.

Increased volumes of stormwater and contaminated stormwater runoff are major causes of:

- (1) Impairment of water quality and reduced flow in estuaries, lakes, ponds, streams, rivers, wetlands, and groundwater.
- (2) Contamination of drinking water supplies.
- (3) Alteration or destruction of aquatic and wildlife habitat.
- (4) Flooding.
- (5) Erosion of stream channels; and
- (6) Overloading or clogging of municipal catch basins and storm drainage systems.

**§ 185-3 Purpose.**

The purpose of this Chapter is to comply with the conditions and requirements set forth in the Massachusetts General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer System by:

- (1) establishing the Town of Barnstable's legal authority, including that of its Department of Public Works, to prohibit, investigate, and eliminate illicit discharges into the Town's Municipal Drainage System and implement appropriate enforcement procedures and actions; and
- (2) establishing and enforcing a program to reduce Pollutants in any stormwater runoff discharged to the Municipal Storm Drain System from all construction activities that result in a Land Disturbance of greater than or equal to one acre so that it is not transported in stormwater and allowed to discharge to a water of the U.S. through the Town's MS4.
- (3) Prohibiting and eliminating Illicit Connections, the Discharge of Pollutants, safeguarding the public health, safety, environment, and general welfare, protecting aquatic resources and wildlife habitat, protecting the quality and health of water resources, conserving groundwater supplies, and fostering climate change resiliency.

This Chapter seeks to meet that purpose through the following objectives:

- (1) To prevent Pollutants from entering the Town of Barnstable's municipal storm drain system, Waters of the Commonwealth.
- (2) To prohibit Illicit Connections and unauthorized discharges to the municipal storm drain system.
- (3) To require the removal of all such Illicit Connections.
- (4) To comply with state and federal statutes and regulations relating to stormwater discharges; and
- (5) To establish the legal authority to ensure compliance with the provisions of this Article through inspection, monitoring, and enforcement.

**§ 185-4 Definitions.**

For the purposes of this Chapter, the following terms shall have the following meaning:

**ABUTTER**

The Owner(s) of land sharing a common boundary or corner with the site of the proposed activity in any direction, including, but not limited to, land located directly across a street, way, creek, river, stream, brook, or canal.

**ANIMAL WASTE**

Feces, urine, or other excrement, urea, or similar substances emitted by animals (including any form of livestock, poultry, or fish). The term Animal Waste includes animal waste that is mixed or commingled with bedding, compost, feed, soil, or any other material typically found with such waste.

**APPLICANT**

Any Person applying for or requesting a Stormwater Management Permit for proposed Disturbance of Land activity.

**BEST MANAGEMENT PRACTICE or BMP**

Schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to the Waters of the Commonwealth. BMPs also include treatment requirements, operating procedures, and practices to control animal waste, plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**CERTIFICATE OF COMPLETION**

A document issued by the Department of Public Works upon receipt of a final inspection report and acknowledgement that all conditions of the Stormwater Management Permit have been satisfactorily completed.

**CLEARING**

Any activity that removes vegetative surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

**CONSTRUCTION AND DEMOLITION WASTE:**

Waste from the building materials and rubble resulting from the construction, remodeling, repair, or demolition of buildings, pavements, roads, or other structures. Construction and demolition waste includes but is not limited to:

- (1) Discarded building materials such as: concrete, bricks, asphalt pavement, masonry, plaster, gypsum wallboard, metal, lumber, and wood.
- (2) Concrete truck washout.
- (3) Chemicals.
- (4) Litter; and
- (5) Sanitary waste.

**DEPARTMENT**

The Department of Public Works of the Town of Barnstable.

**DIRECTOR**

The Director of the Department of Public Works or his or her designee.

**DISCHARGE OF POLLUTANTS**

The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the Waters of Commonwealth from any source.

**DISTURBANCE OF LAND**

Action to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of topsoil's.

**DRAINAGE FACILITY**

Any constructed or engineered feature that collects, conveys, stores, treats, or otherwise manages Stormwater or surface water, or any land and improvements thereon, if altered for the purpose of conveyance, storage, or infiltration.

**EROSION**

The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

**GRADING**

Changing the level or shape of the ground surface.

**GROUNDWATER**

Water beneath the surface of the ground including confined or unconfined aquifers.

**ILLICIT CONNECTION**

A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system or into the Waters of the Commonwealth, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this Ordinance.

**ILLICIT DISCHARGE**

Direct or indirect discharge to the municipal storm drain system or into the Waters of the Commonwealth that is not composed entirely of stormwater, except as exempted in Section 185-13. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit.

**IMPERVIOUS SURFACE**

Any material or structure on or above the ground surface that prevents or delays water from infiltrating into the underlying soil or causes water to runoff in greater quantities or at an increased rate of flow. Impervious surfaces include, but are not limited to, roads, driveways, parking lots, sidewalks, rooftops, patios, storage areas, concrete or asphalt paving, gravel/dense-graded crushed stone areas, and soil densely compacted by human activity.

**INFEASIBLE**

Not technologically possible, or not economically practicable and achievable in light of best industry practices.

**LOW IMPACT DEVELOPMENT or LID**

An approach to land development design and stormwater management that attempts to mimic the natural hydrology of the site by avoiding, reducing, and mitigating impacts with natural, non-structural and structural measures.

**MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS or STANDARDS**

The Stormwater Management Standards promulgated by the Massachusetts Department of Environmental Protection (“DEP”) under the authority of the Massachusetts Wetlands Protection Act, G.L. c. 131 § 40, and the Massachusetts Clean Waters Act, G.L. c. 21, §§ 23-56, and further defined in the Wetlands Protection Act Regulations (310 CMR 10.00) and the 401 Water Quality Certification Regulations (314 CMR 9.00). The Stormwater Management Standards address stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and to control the quantity of runoff from a site.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM or MS4 or MUNICIPAL STORM DRAIN SYSTEM**

The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention, or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Barnstable.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER DISCHARGE PERMIT or NPDES Permit**

A permit issued by the United States Environmental Protection Agency (“EPA”) or issued jointly with the Commonwealth of Massachusetts that authorizes the discharge of stormwater to Waters of the United States.

**NEW DEVELOPMENT**

Any construction activities or Disturbance of Land resulting in total earth disturbances greater than 1 acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) on an area that has not previously been developed to include impervious cover.

**NONPOINT SOURCE**

Any source of water pollution that does not meet the definition of Point Source.

**NON-STORMWATER DISCHARGE**

Discharge to the municipal storm drain system not composed entirely of stormwater.

**OPERATION AND MAINTENANCE PLAN**

A plan setting up the functional, financial, and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

**OUTFALL**

The point where stormwater flows out from a Point Source which is a discernible, confined, and discrete conveyance into Waters of the Commonwealth.

**OWNER**

A person with a legal or equitable interest in property.

**PERSON**

An individual, group of individuals, partnership, association whether incorporated or unincorporated, firm, company, trust, estate, corporation, business organization, agency, authority, department, or political subdivision of the Commonwealth of Massachusetts, public or quasi-public corporation or body, or any other legal entity or its legal representative, or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**POINT SOURCE**

Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.



**POLLUTANT**

Any element or property of sewage, agricultural, industrial, or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or Nonpoint Source, that is or may be introduced into any sewage treatment works, Municipal Storm Drain System, or Waters of the Commonwealth. Pollutants shall include, but are not limited to:

- (1) Paints, varnishes, and solvents.
- (2) Oil and other automotive fluids.
- (3) Non-hazardous liquid and solid wastes and yard wastes.
- (4) Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnance, accumulations and floatables.
- (5) Pesticides, herbicides, and fertilizers.
- (6) Hazardous materials and wastes; sewage, fecal coliform, and pathogens.
- (7) Dissolved and particulate metals.
- (8) Animal wastes.
- (9) Rock, sand, and soils.
- (10) Construction and Demolition Waste; and
- (11) Noxious or offensive matter of any kind.

**PROCESS WASTEWATER**

Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

**PROFESSIONAL ENGINEER or P.E.**

A Professional Engineer licensed as a civil engineer by the Commonwealth of Massachusetts in good standing.

**RECHARGE**

The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through soil.

**REDEVELOPMENT**

Any construction, Disturbance of Land, or improvement of impervious surfaces resulting in total earth disturbances greater than 1 acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) that does not meet the definition of new development.

**REVIEWING AGENT**

The Department or a person or position in the Department designated in writing by the Director responsible for enforcing this Chapter. The Reviewing Agent shall be considered a designee of the Director and Enforcing Agent under Chapter 1, Article I of the Code.

**STABILIZATION**

The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or minimize erosion.

**STORMWATER**

Rainwater, snow melt, surface water runoff, and drainage.

## **STORMWATER MANAGEMENT PERMIT**

The written approval granted by the Department of Public Works to undertake a Disturbance of Land activity pursuant to a Stormwater Permit Application.

## **STORMWATER MANAGEMENT PLAN**

A plan required as part of the application for a Stormwater Management Permit.

## **SURFACE WATER DISCHARGE PERMIT**

Non-stormwater discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations;

## **HAZARDOUS MATERIAL**

Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Hazardous Material shall include, but not be limited to, substances defined as "oil," "hazardous materials," "hazardous substances," "hazardous waste," "toxic substances," "pollutants," or "contaminants" in the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended, 42 U.S.C. Sec. 9601 *et seq.*; Hazardous Materials Transportation Act, as amended, 49 U.S.C. Sec. 1802 *et seq.*; and Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6903 *et seq.*; M.G.L. c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000 and/or applicable federal and Massachusetts law now or hereafter enacted, including any synthetic or organic chemical, biological, or infectious waste or material.

## **WASTEWATER**

Any sanitary waste, sludge, or septic tank or cesspool contents, and water that during manufacturing, cleaning, or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

## **WATERCOURSE**

A natural or man-made channel through which water flows or a stream of water, including a river, brook, or underground stream.

## **WATERS OF THE COMMONWEALTH**

All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, Great Ponds, springs, impoundments, estuaries, wetland resource areas, coastal waters, groundwaters, and vernal pools, as well as waters of the United States.

## **WETLAND RESOURCE AREAS**

Areas within the jurisdiction of the Massachusetts Wetlands Protection Act Regulations, 310 CMR 10.00, as amended, and in Chapter 237, Wetlands Protection Ordinance, of the Code of the Town of Barnstable, as amended.

## **§ 185-5 Administration.**

The Department shall administer, implement, and enforce this Chapter. Any powers granted to or duties imposed upon the Department may be delegated in writing by Director to employees or agents of the Department or a Reviewing Agent.

## **§ 185-6 Regulations.**

The Department may promulgate rules and regulations, including a fee schedule, to effectuate the purposes of this Chapter after conducting one public hearing to receive comments on any proposed revisions. Failure by the Department to promulgate such rules and regulations shall not have the effect of suspending or invalidating this Chapter.

## **§ 185-7 Enforcement.**

- A. The Director and any Reviewing Agent may enforce this Chapter and orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies available at law, including by non-criminal disposition under Chapter 1, Article I and as provided in Section 185-7.
- B. Notices of violations and enforcement orders.
  - (1) The Director and any Reviewing Agent may issue a written notice of violation or enforcement order to enforce the provisions of this Chapter or the regulations thereunder, which may include requirements to:
    - (a) Cease and desist from construction or land-disturbing activity until there is compliance with this Chapter and the stormwater management permit.
    - (b) Repair, maintain, or replace the stormwater management system or portions thereof in accordance with the operations and maintenance plan.
    - (c) Maintain, install, or perform additional erosion and sediment control measures.
    - (d) Perform monitoring, analyses, and reporting.
    - (e) Satisfactorily address and repair adverse impacts resulting directly or indirectly from a malfunction of the stormwater management system and/or erosion and sediment control system.
    - (f) Cease and desist from unlawful discharges, practices, or operations.
    - (g) Cease and remove illicit connections or discharges to the municipal storm drain system.
    - (h) Remediate any release of hazardous materials and contamination in connection therewith, and/or
    - (i) Undertake actions determined by the Director to be required for compliance with this Chapter and the regulations thereunder.
  - (2) If the Director or Reviewing Agent determines that abatement or remediation of adverse impacts is required, the enforcement order may set forth a deadline by which such abatement or remediation must be completed. Said order may further advise that, should the violator or property Owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, undertake such work, and all costs incurred by the Town shall be charged to the violator, to be recouped through all available means, including the placement of liens on the property.

- C. After completing all measures necessary to abate the violation, the person violating this Chapter or the regulations thereunder, if known, and the property Owner shall be notified of the costs incurred by the Town of Barnstable, including administrative costs. The violator or property Owner may file a written protest objecting to the amount or basis of costs with the Director within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Director affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property Owner and shall constitute a lien on the Owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. c. 59, § 57, after the thirty-first day at which the costs first become due.
- D. Upon the request of the Director, the Town Manager and Town Attorney may take legal action for enforcement under civil law. Upon request of the Director, the Chief of Police and Town Attorney may take legal action for enforcement under criminal law. Upon request of the Director, municipal boards, and officers, including any police officer, natural resource officer, or other officer having police powers, shall have the authority to assist the Director, authorized employees of the Department and any Reviewing Agent in enforcement.
- E. Civil Relief. If a person violates the provisions of this Chapter, permit, notices, or order issued thereunder, the Town may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation and may seek all other remedies available by law.
- F. Noncriminal Disposition. The Town may elect to utilize the noncriminal disposition procedure in G.L. c. 40, § 21D in which case the Director or Reviewing Agent shall be the enforcing person. Any person who violates any provision of this Chapter, the regulations thereunder, including any order or permit issued thereunder, may be punished by a penalty under the non-criminal disposition statute, G.L. c. 40, § 21D. The penalties for each offense for violating this Chapter and the regulations thereunder are the same as the fines specified for each offense in Chapter 1, Article 1, Section 1-3, Ch. 185, and Chapter 1, Article 1, Section 1-6.2 of the Code. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- G. Appeals. The decisions or orders of the Director or Reviewing Agent shall be final. Further relief shall be to a court of competent jurisdiction.
- H. Remedies are not exclusive. The remedies listed in this Chapter are not exclusive of any other remedies available under any applicable federal, state, or local law.

### **§ 185-8 Entry Upon Land to Perform Duties.**

To the extent permitted by law, the Director, the Department, its Reviewing Agents, and authorized contractors may enter upon privately owned property for the purpose of performing their duties under this Chapter and regulations with reasonable notice to the Owner and/or other person in control of the property to set a mutually-agreeable time for such entry and inspection and may make or cause to be made such examinations, surveys, or sampling as the Director or Department deems reasonably necessary.

### **§ 185-9 Severability.**

If any provision, paragraph, sentence, or clause of this Chapter shall be held invalid for any reason, all other provisions shall continue in full force and effect.

ARTICLE II  
ILLICIT DISCHARGE CONTROL

**§ 185-10 Purpose and Objectives.**

- A. The purpose of this Article is to prohibit and eliminate Illicit Connections; Discharge of Pollutants; safeguard the public health, safety, environment, and general welfare; protect aquatic resources and wildlife habitat; protect the quality and health of water resources; conserve groundwater supplies; and foster climate change resiliency.
- B. This Article seeks to meet that purpose through the following objectives:
  - (1) To prevent pollutants from entering the Town of Barnstable's municipal storm drain system, Waters of the Commonwealth.
  - (2) To prohibit Illicit Connections and unauthorized discharges to the municipal storm drain system.
  - (3) To require the removal of all such Illicit Connections.
  - (4) To comply with state and federal statutes and regulations relating to stormwater discharges; and
  - (5) To establish the legal authority to ensure compliance with the provisions of this Article through inspection, monitoring, and enforcement.

**§ 185-11 Prohibited Activities.**

The following are prohibited unless exempted by this Article:

- A. Illicit Discharges. No person shall dump, discharge, cause, or allow to be discharged any pollutant or non-stormwater discharge into the municipal storm drain system, into a watercourse, or into the Waters of the Commonwealth.
- B. Illicit Connections. No person shall construct, use, allow, maintain, or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation, or custom at the time of connection.
- C. Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the Department of Public Works.

**§ 185-12 Exempt Activities.**

The following activities are exempt from the requirements of this Article:

- A. Discharge or flow pursuant to a valid Stormwater Management Permit issued by the Department.
- B. Discharge or flow resulting from firefighting activities.
- C. The following non-stormwater discharges or flows are exempt from this Article, provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:
  - (1) Waterline flushing.
  - (2) Flow from potable water sources.
  - (3) Natural springs.

- (4) Natural flow from riparian habitats and wetland resource areas.
- (5) Lawfully diverted stream flow.
- (6) Rising groundwater.
- (7) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20) or uncontaminated pumped groundwater, unless otherwise regulated or prohibited by the Department pursuant to regulations hereunder.
- (8) Landscape irrigation or lawn watering.
- (9) Water from individual residential car washing.
- (10) Discharge from street sweeping.
- (11) Dye testing provided notification is given to the Department prior to the time of the test.
- (12) Non-stormwater discharge permitted under a NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations.
- (13) Discharge for which advance written approval is received from the Board of Health or Conservation Commission as necessary to protect public health, safety, welfare or the environment; and
- (14) Discharge or flow that results from exigent conditions and occurs during a State of Emergency declared by any agency of the federal or state government, or by the Barnstable Town Manager, Town Council or Board of Health.

#### **§ 185-13 Emergency Action by Department.**

The Department may issue an enforcement order, or a verbal directive in an emergency to be followed by a written order, to suspend municipal storm drain system access to any person or property when such suspension is necessary to address or stop an actual or threatened discharge of pollutants that presents risk of harm to the public health, safety, welfare, or the environment. If any person fails to comply with the verbal directive or enforcement order, the Department may take all reasonable steps, at the expense of the owner, permittee or other person responsible for the discharge of pollutants, to prevent or minimize harm to the public health, safety, welfare or the environment, including without limitation entering private property to disconnect the property from the municipal storm drain system or abate a discharge of pollutants to waters of the Commonwealth.

#### **§ 185-14 Notification of Hazardous Material Spills.**

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or Waters of the Commonwealth, the person shall take all necessary steps to ensure containment and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Department, local Fire District, and Barnstable Police Department.

### ARTICLE III CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT

#### **§ 185-15 Purpose and Objectives.**

- A. The purpose of this Article is to establish minimum stormwater management requirements and procedures in order to minimize damage to public and private property and infrastructure; safeguard the public health, safety, environment and general welfare; protect aquatic resources and

wildlife habitat; protect the quality and health of water resources; conserve groundwater supplies; and foster climate change resiliency.

B. This Article seeks to meet that purpose through the following objectives:

- (1) Establish the Department as the Town department with the authority to ensure compliance with the provisions of this Article and any regulations issued hereunder through a review process, inspections, monitoring, and enforcement.
- (2) Establish administrative procedures for: the submission, review, and approval or disapproval of Stormwater Management Permits; the inspection of approved active projects; and post construction monitoring.
- (3) Establish decision-making processes surrounding new development and redevelopment that protect watershed integrity and preserves and/or restores the health of local water resources such as lakes, ponds, streams, rivers, wetlands, embayment's, and groundwater; and
- (4) Ensure compliance with requirements of the NPDES General Permit for Stormwater Discharges from MS4 and other applicable federal and state mandates.

#### **§ 185-16 Prohibited Activities.**

- A. No construction activity, including clearing, grading, or excavation that results in a Disturbance of Land equal to or greater than one (1) acre of land or will disturb less than one acre of land but is part of a larger common plan of development or sale that will ultimately disturb an area equal to or greater than one (1) acre of land within the Town may commence without first obtaining a Stormwater Management Permit issued by the Department, and in accordance with any regulations promulgated hereunder by the Department.
- B. The Applicant and/or Owner is responsible for ensuring all required local, state, federal, and/or other permit or license approvals are obtained prior to commencing any Disturbance of Land activities.

#### **§ 185-17 Exempt Activities.**

The following are exempt from the requirements of this Article:

- (1) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04, as amended.
- (2) Maintenance of existing landscaping, gardens, or lawn areas associated with a single-family dwelling.
- (3) The construction of fencing that will not substantially alter existing terrain or drainage patterns.
- (4) Normal maintenance and improvements of the Town of Barnstable publicly owned roadways and associated drainage infrastructure, as defined in Section 903-7 B. (6); and/or
- (5) Emergency repairs to any stormwater management system or feature that poses a threat to public health or safety, or as deemed necessary by a Town department or board.

#### **§ 185-18 Waivers and Provisions for Relief.**

A. The Director may waive strict compliance with any requirement of this Article, or regulations promulgated under this Chapter, where:

- (1) Such action is allowed by federal, state and local statutes and/or regulations.
- (2) Is in the public interest.

- (3) A public safety issue exists; and/or
- (4) It is consistent with the purpose and intent of this Article.

B. Any applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of this Article does not further the purposes or objectives of this Article. The Department may require documentation to be submitted and stamped by a Professional Engineer.

**§ 185-19 Surety.**

The Department may require the permittee to post before the start of Disturbance of Land or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security or financial assurance mechanism. The form of the bond or financial assurance shall be approved by the Department and be in an amount deemed sufficient by the Department to ensure that the work will be completed in accordance with the permit. If the project is phased, the Department may release part of the bond as each phase is completed in compliance with the Stormwater Management Permit, but the bond may not be fully released until the Department has received a final inspection and issued a Certificate of Completion in accordance with the regulations promulgated hereunder.”

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/21/2024</u>	<u>Refer to Public Hearing 04/04/2024</u>

\_\_\_\_\_

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



# BARNSTABLE TOWN COUNCIL

ITEM# 2024-172  
INTRO: 03/21/2024, 04/04/2024

## SUMMARY

**TO:** Town Council  
**FROM:** Daniel W. Santos, P.E., Director of Public Works  
**THROUGH:** Mark S. Ells, Town Manager  
**DATE:** March 21, 2024  
**SUBJECT:** Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 1 General Provisions, Article I Non-Criminal Enforcement of violations, and inserting a new Chapter 185 known as “Stormwater Management and Illicit Discharge Control”

**BACKGROUND:** The federal Clean Water Act prohibits any person or entity from discharging pollutants through a point source into a water of the United States unless they have a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES permit contains limits on what can be discharged to the waters of the United States, monitoring and reporting requirements, and other provisions to ensure that the discharge does not have an adverse impact of water quality and to protect public health. In essence, the NPDES permit translates general requirements of the Clean Water Act and its regulations into specific provisions tailored to the operations of each person or entity discharging pollutants. The Town of Barnstable, with a population of 45,000, and a storm drainage system that discharges directly into the waters of the United States, is considered a Small Municipal Separate Storm Sewer System (MS4) under federal law and is required to have a NPDES MS4 permit.

The current NPDES MS4 permit became effective July 1, 2018, requiring that the Town take certain actions to comply with federal law. Compliance with the NPDES MS4 permit is necessary, including to allow continued discharges of stormwater to the waters of the United States. The remaining item that the Town needs to finalize to be in full compliance with the NPDES MS4 permit is the adoption of a local regulatory mechanism (i.e., an ordinance) intended to eliminate illicit discharges of pollutants, require stormwater management during construction, and require stormwater management standards for new redevelopment projects. In order to meet this requirement, the Department of Public Works (DPW), working closely with Legal, and with input from Planning and Development, Conservation, and Building, has prepared this Stormwater Management and Illicit Discharge Control Ordinance. This Ordinance is designed to meet the minimum requirements of the Massachusetts General Permit for stormwater discharges from MS4, thereby bringing the Town into full compliance.

**ANALYSIS:** The proposed Ordinance’s objective is to establish the Town of Barnstable’s legal authority under the administration of the DPW: (1) to prohibit, investigate, enforce, fine and eliminate illicit discharges of pollutants into the municipal stormwater drainage system, and (2) to create a permitting program concerning construction activities that may result in a disturbance of existing vegetation and/or underlying soil of a site greater than or equal to one acre. The goal of this permit program, as required under the NPDES MS4 permit, is to reduce pollutants in any stormwater runoff discharged from the site into the municipal stormwater system so that the pollutants are not transported in stormwater and allowed to discharge to a water of the United States. This Ordinance is not intended to impact the development of an average single-family home, rather it is focused on elimination of illicit discharges and redevelopment or new development projects that result in total earth disturbances greater than or equal to one acre. Prohibiting and eliminating illicit discharges and discharges of pollutants to our waterways acts to safeguard the public health, safety, environment, and general welfare; protect aquatic resources and wildlife habitat; protect the quality and health of water resources; and conserve groundwater supplies.

**FINANCIAL IMPACT:** The NPDES MS4 permit is effectively an unfunded federal mandate. If the Town does not completely comply with the requirements of the NPDES MS4 permit, the Environmental Protection Agency may issue an enforcement order to the Town, which would impact the Town's ability to receive funding from grants and loans from the State Revolving Fund. DPW anticipates the need for one new Full Time Equivalent (FTE) staff member in the engineering department to ensure compliance with this Ordinance and any regulations promulgated under the Ordinance by DPW, including but not limited to Site Plan Review meetings, review of Stormwater Management Permit Applications, enforcement and inspection of Stormwater Management Permit compliance, and tracking and enforcement of identified illicit discharge and erosion control complaints. Fees will be collected for stormwater permits, but it is not anticipated that these fees will be able to recover the full cost of the new FTE.

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

**STAFF ASSISTANCE:** Daniel W. Santos, P.E., Director of Public Works; Griffin Beaudoin, Town Engineer; Thomas J. LaRosa, First Assistant Town Attorney.

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-100  
INTRO: 04/04/2024**

**2024-100 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,500,000 FOR THE FUNDING THE PIPE REPLACEMENT AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$1,500,000** be appropriated for the purpose of funding the Pipe Replacement and Upgrade Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$1,500,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-101  
INTRO: 04/04/2024**

**2024-101 APPROPRIATION ORDER IN THE AMOUNT OF \$200,000 FOR FUNDING THE WELLS, PUMP STATIONS, TREATMENT PLANT REPAIR AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$200,000** be appropriated for the purpose of funding the Wells, Pump Stations, Treatment Plant Repair and Upgrade Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 Water Supply Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-102  
INTRO: 04/04/2024**

**2024-102 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$35,500,000 FOR FUNDING THE STRAIGHTWAY FILTRATION PLANT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$35,500,000** be appropriated for the purpose of funding the Straightway Filtration Plant Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$35,500,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-103  
INTRO: 04/04/2024**

**2024-103 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,600,000 FOR FUNDING THE MARY DUNN FILTRATION PLANT DESIGN PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$2,600,000** be appropriated for the purpose of funding the Mary Dunn Filtration Plant Design Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$2,600,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-104  
INTRO: 04/04/2024**

**2024-104 APPROPRIATION ORDER IN THE AMOUNT OF \$90,000 FOR FUNDING THE SOLID WASTE TRACTOR BRUSH-MOWER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$90,000** be appropriated for the purpose of funding the Solid Waste Tractor Brush-Mower Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$90,000** be provided from the Solid Waste Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-105  
INTRO: 04/04/2024**

**2024-105 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 FOR FUNDING THE SOLID WASTE SWEEPER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$50,000** be appropriated for the purpose of funding the Solid Waste Sweeper Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 Solid Waste Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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



**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-106  
INTRO: 04/04/2024**

**2024-106 APPROPRIATION ORDER IN THE AMOUNT OF \$125,000 FOR FUNDING THE SOLID WASTE COMPACTOR UNIT REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of \$125,000 be appropriated for the purpose of funding the Solid Waste Compactor Unit Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that \$125,000 be provided from the Solid Waste Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-107  
INTRO: 04/04/2024**

**2024-107 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 FOR FUNDING THE SOLID WASTE CONTAINER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$50,000** be appropriated for the purpose of funding the Solid Waste Container Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 Solid Waste Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-108  
INTRO: 04/04/2024**

**2024-108 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR FUNDING THE WATER POLLUTION CONTROL PUMP STATION REHABILITATION PROGRAM AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$1,000,000** be appropriated for the purpose of funding Water Pollution Control Pump Station Rehabilitation Program as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-109  
INTRO: 04/04/2024**

**2024-109 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$600,000 FOR FUNDING THE WATER POLLUTION CONTROL EFFLUENT SAND BED VALVE REHABILITATION PROGRAM AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$600,000** be appropriated for the purpose of funding Water Pollution Control Effluent Sand Bed Valve Rehabilitation Program as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$600,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-110  
INTRO: 04/04/2024**

**2024-110 APPROPRIATION ORDER IN THE AMOUNT OF \$150,000 FOR FUNDING THE WATER POLLUTION CONTROL SYSTEM REHABILITATION EVALUATION AND DESIGN PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$150,000** be appropriated for the purpose of funding the Water Pollution Control System Rehabilitation Evaluation and Design Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$150,000** be provided from the Water Pollution Control Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-111  
INTRO: 04/04/2024**

**2024-111 APPROPRIATION ORDER IN THE AMOUNT OF \$115,000 FOR FUNDING THE WATER POLLUTION CONTROL BYPASS PUMP PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$115,000** be appropriated for the purpose of funding the Water Pollution Control Bypass Pump Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$115,000** be provided from the Water Pollution Control Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-112  
INTRO: 04/04/2024**

**2024-112 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$109,330,000 FOR FUNDING THE WATER POLLUTION CONTROL FACILITY UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025- FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$109,330,000** be appropriated for the purpose of funding the Water Pollution Control Facility Upgrades Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$109,330,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-113  
INTRO: 04/04/2024**

**2024-113 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$59,650,000 FOR FUNDING THE RT. 28 WEST SEWER EXPANSION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$59,650,000** be appropriated for the purpose of funding the Rt. 28 West Sewer Expansion Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$59,650,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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



**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-114  
INTRO: 04/04/2024**

**2024-114 APPROPRIATION ORDER IN THE AMOUNT OF \$750,000 FOR FUNDING THE DESIGN OF THE LONG BEACH SEWER EXPANSION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$750,000** be appropriated for the purpose of funding the Design of the Long Beach Sewer Expansion Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$750,000** be provided from the Sewer Construction and Private Way Improvement Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-115  
INTRO: 04/04/2024**

**2024-115 APPROPRIATION ORDER IN THE AMOUNT OF \$1,520,000 FOR FUNDING THE PRIVATE ROAD REPAIRS TO SCHOOL STREET AND OLD MILL ROAD PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$1,520,000** be appropriated for the purpose of funding the Private Road Repairs to School Street and Old Mill Road Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$1,520,000** be provided from the Sewer Construction and Private Way Improvement Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-116  
INTRO: 04/04/2024**

**2024-116 APPROPRIATION ORDER IN THE AMOUNT OF \$2,850,000 FOR FUNDING THE PUBLIC ROADS MAINTENANCE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$2,850,000** be appropriated for the purpose of funding the Public Roads Maintenance Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$2,850,000** be provided from the Capital Trust Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-117  
INTRO: 04/04/2024**

**2024-117 APPROPRIATION ORDER IN THE AMOUNT OF \$350,000 FOR FUNDING THE CURB RAMPS AND SIDEWALK ADA TRANSITION PLAN PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$350,000** be appropriated for the purpose of funding the Curb Ramps and Sidewalk ADA Transition Plan Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$350,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-118  
INTRO: 04/04/2024**

**2024-118 APPROPRIATION ORDER IN THE AMOUNT OF \$135,000 FOR FUNDING THE MONITORING AND MANAGEMENT PLAN FOR FRESH WATER PONDS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$135,000** be appropriated for the purpose of funding the Monitoring and Management Plan for Fresh Water Ponds Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$135,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-119  
INTRO: 04/04/2024**

**2024-119 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$685,000 FOR FUNDING THE RAISED CROSSWALKS ON MAIN ST. OSTERVILLE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$685,000** be appropriated for the purpose of funding the Raised Crosswalks on Main St. Osterville Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$685,000** 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 Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-120  
INTRO: 04/04/2024**

**2024-120 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,750,000 FOR FUNDING THE CHANNEL DREDGING PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$1,750,000** be appropriated for the purpose of funding the Channel Dredging Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$1,750,000** 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 Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-121  
INTRO: 04/04/2024**

**2024-121 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$580,000 FOR FUNDING THE BULKHEAD IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$580,000** be appropriated for the purpose of funding the Bulkhead Improvements Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$580,000** 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 Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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



**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-122  
INTRO: 04/04/2024**

**2024-122 APPROPRIATION ORDER IN THE AMOUNT OF \$256,000 FOR FUNDING THE BAY SHORE BOAT RAMP PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$256,000** be appropriated for the purpose of funding the Bay Shore Boat Ramp Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$256,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-123  
INTRO: 04/04/2024**

**2024-123 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 FOR FUNDING THE WEST BAY BREAKWATER PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$50,000** be appropriated for the purpose of funding the West Bay Breakwater Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-124  
INTRO: 04/04/2024**

**2024-124 APPROPRIATION ORDER IN THE AMOUNT OF \$150,000 FOR FUNDING THE BLISH POINT LONG TERM SOLUTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$150,000** be appropriated for the purpose of funding the Blish Point Long Term Solution Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$150,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-125  
INTRO: 04/04/2024**

**2024-125 APPROPRIATION ORDER IN THE AMOUNT OF \$240,000 FOR FUNDING THE AUTOMATIC BEACH GATE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$240,000** be appropriated for the purpose of funding the Automatic Beach Gate Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$240,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-126  
INTRO: 04/04/2024**

**2024-126 APPROPRIATION ORDER IN THE AMOUNT OF \$250,000 FOR FUNDING THE TOWN HALL ELEVATOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$250,000** be appropriated for the purpose of funding the Town Hall Elevator Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$250,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-127  
INTRO: 04/04/2024**

**2024-127 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$619,000 FOR FUNDING THE SCHOOL ADMINISTRATION BUILDING MECHANICAL UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$619,000** be appropriated for the purpose of funding the School Administration Building Mechanical Upgrades Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$619,000** 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 Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-128  
INTRO: 04/04/2024**

**2024-128 APPROPRIATION ORDER IN THE AMOUNT OF \$51,000 FOR FUNDING THE MARINE AND ENVIRONMENTAL AFFAIRS BUILDING MECHANICAL UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$51,000** be appropriated for the purpose of funding the Marine and Environmental Affairs Building Mechanical Upgrades Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$51,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-129  
INTRO: 04/04/2024**

**2024-129 APPROPRIATION ORDER IN THE AMOUNT OF \$72,000 FOR FUNDING THE BARNSTABLE ADULT COMMUNITY CENTER MECHANICAL UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$72,000** be appropriated for the purpose of funding the Barnstable Adult Community Center Mechanical Upgrades Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$27,000** be provided from the General Fund Reserves and **\$45,000** be provided from Sale of Real Estate Special Revenue Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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



**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-130  
INTRO: 04/04/2024**

**2024-130 APPROPRIATION ORDER IN THE AMOUNT OF \$89,000 FOR FUNDING THE OLD SELECTMAN’S BUILDING HANDICAP RAMP PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$89,000** be appropriated for the purpose of funding the Old Selectman’s Building Handicap Ramp Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$89,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-131  
INTRO: 04/04/2024**

**2024-131 APPROPRIATION ORDER THE AMOUNT OF \$90,300 FOR THE MOSSWOOD CEMETERY BUILDING IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$90,300** be appropriated for the purpose of funding the Mosswood Cemetery Building Improvements Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$90,300** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-132  
INTRO: 04/04/2024**

**2024-132 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$618,759 FOR THE TOWN OFFICE RELOCATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$618,759** be appropriated for the purpose of funding the Town Office Relocation Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$618,759** 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 Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-133  
INTRO: 04/04/2024**

**2024-133 APPROPRIATION ORDER IN THE AMOUNT OF \$370,000 FOR THE BARNSTABLE POLICE FACILITY IMPROVEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$370,000** be appropriated for the purpose of funding the Barnstable Police Facility Improvement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$370,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-134  
INTRO: 04/04/2024**

**2024-134 APPROPRIATION ORDER IN THE AMOUNT OF \$359,623 FOR THE MARINE AND ENVIRONMENTAL AFFAIRS EXTERIOR RESTORATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$359,623** be appropriated for the purpose of funding the Marine and Environmental Affairs Exterior Restoration Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$359,623** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-135  
INTRO: 04/04/2024**

**2024-135 APPROPRIATION ORDER IN THE AMOUNT OF \$48,000 FOR THE BARNSTABLE ADULT COMMUNITY CENTER EXTERIOR RESTORATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$48,000** be appropriated for the purpose of funding the Barnstable Adult Community Center Exterior Restoration Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$48,000** be provided from the Sale of Real Estate Special Revenue Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-136  
INTRO: 04/04/2024**

**2024-136 APPROPRIATION ORDER IN THE AMOUNT OF \$300,000 FOR THE  
HYANNIS YOUTH AND COMMUNITY CENTER MECHANICAL  
IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 –  
FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$300,000** be appropriated for the purpose of funding the Hyannis Youth and Community Center Mechanical improvements Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$300,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-137  
INTRO: 04/04/2024**

**2024-137 APPROPRIATION ORDER IN THE AMOUNT OF \$285,059 FOR THE HYANNIS YOUTH AND COMMUNITY CENTER SECURITY SYSTEM PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN,**

**ORDERED:** That the amount of **\$285,059** be appropriated for the purpose of funding the Hyannis Youth and Community Center Security System Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$285,059** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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



**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-138  
INTRO: 04/04/2024**

**2024-138 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,950,000 FOR THE HYANNIS GOLF COURSE CLUB HOUSE RESTORATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025- FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$2,950,000** be appropriated for the purpose of funding the Hyannis Golf Course Club House Restoration Project as outlined in the Fiscal Year 2025- Fiscal Year 2029 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 **\$2,950,000** 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 Town Manager is authorized to contract for and expend the appropriation made available for these purposes, and further that the amount received from any insurance settlement reduce the appropriation and amount authorized to borrow under this order.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-139  
INTRO: 04/04/2024**

**2024-139 APPROPRIATION ORDER IN THE AMOUNT OF \$305,000 FOR THE JOSHUA POND HANDICAP ACCESSIBILITY AND BEACH IMPROVEMENT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$305,000** be appropriated for the purpose of funding the Joshua Pond Handicap Accessibility and Beach Improvement as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$305,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-140  
INTRO: 04/04/2024**

**2024-140 APPROPRIATION ORDER IN THE AMOUNT OF \$243,000 FOR THE  
CENTERVILLE RECREATION MECHANICAL IMPROVEMENTS PROJECT  
AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL  
IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$243,000** be appropriated for the purpose of funding the Centerville Recreation Mechanical Improvements Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$243,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-141  
INTRO: 04/04/2024**

**2024-141 APPROPRIATION ORDER IN THE AMOUNT OF \$175,000 FOR THE NETWORK INFRASTRUCTURE UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$175,000** be appropriated for the purpose of funding the Network Infrastructure Upgrade Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$175,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-142  
INTRO: 04/04/2024**

**2024-142 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$900,000 FOR THE BARNSTABLE COMMUNITY INNOVATION SCHOOL ELEVATOR INSTALLATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$900,000** be appropriated for the purpose of funding the Barnstable Community Innovation School Elevator Installation Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-143  
INTRO: 04/04/2024**

**2024-143 APPROPRIATION ORDER IN THE AMOUNT OF \$550,000 FOR THE  
PLAYGROUND SAFETY PROJECT AS OUTLINED IN THE FISCAL YEAR  
2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$550,000** be appropriated for the purpose of funding the Playground Safety Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$550,000** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-144  
INTRO: 04/04/2024**

**2024-144 APPROPRIATION ORDER IN THE AMOUNT OF \$85,000 FOR THE PAGING SYSTEM UPGRADE AT HYANNIS WEST ELEMENTARY SCHOOL AND ENOCH COBB EARLY LEARNING CENTER PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$85,000** be appropriated for the purpose of funding the Paging System Upgrade at Hyannis West Elementary School and Enoch Cobb Early Learning Center Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$85,000** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-145  
INTRO: 04/04/2024**

**2024-145 APPROPRIATION ORDER IN THE AMOUNT OF \$344,000 FOR THE  
BARNSTABLE INTERMEDIATE SCHOOL EXTERIOR DOOR  
REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 –  
FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$344,000** be appropriated for the purpose of funding the Barnstable Intermediate School Exterior Door Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$344,000** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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



**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-146  
INTRO: 04/04/2024**

**2024-146 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$3,353,700 FOR THE UNIT VENTILATOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$3,353,700** be appropriated for the purpose of funding the Unit Ventilator Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$3,353,700** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-147  
INTRO: 04/04/2024**

**2024-147 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$650,000 FOR THE AUDITORIUM RTU REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$650,000** be appropriated for the purpose of funding the Auditorium RTU Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$650,000** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-148  
INTRO: 04/04/2024**

**2024-148 APPROPRIATION ORDER IN THE AMOUNT OF \$78,000 FOR THE HYANNIS WEST PARKING PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$78,000** be appropriated for the purpose of funding the Hyannis West Parking Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$78,000** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-149  
INTRO: 04/04/2024**

**2024-149 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$757,700 FOR THE BARNSTABLE INTERMEDIATE SCHOOL NETWORK BASED PUBLIC ADDRESS SYSTEM PROJECT AS OUTLINED IN THE FY 2025 - FY 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$757,700** be appropriated for the purpose of funding the Barnstable Intermediate School Network Based Public Address System Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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 **\$757,700** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-150  
INTRO: 04/04/2024**

**2024-150 APPROPRIATION ORDER IN THE AMOUNT OF \$160,000 FOR THE  
HYANNIS WEST LOCKER ROOM RENOVATION PROJECT AS OUTLINED  
IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT  
PLAN**

**ORDERED:** That the amount of **\$160,000** be appropriated for the purpose of funding the Hyannis West Locker Room Renovation Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-151  
INTRO: 04/04/2024**

**2024-151 APPROPRIATION ORDER IN THE AMOUNT OF \$200,000 FOR THE PLUMBING FIXTURE REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$200,000** be appropriated for the purpose of funding the Plumbing Fixture Replacement Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-152  
INTRO: 04/04/2024**

**2024-152 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,110,000 FOR THE BARNSTABLE HIGH SCHOOL BATHROOM RENOVATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$1,110,000** be appropriated for the purpose of funding the Barnstable high School Bathroom Renovation Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 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 **\$1,110,000** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-153  
INTRO: 04/04/2024**

**2024-153 APPROPRIATION ORDER IN THE AMOUNT OF \$350,000 FOR THE BARNSTABLE HIGH SCHOOL ROOF REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$350,000** be appropriated for the purpose of funding the Barnstable High School Roof Replacement Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$350,000** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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



**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-154  
INTRO: 04/04/2024**

**2024-154 APPROPRIATION ORDER IN THE AMOUNT OF \$63,800 FOR THE  
BARNSTABLE UNITED ELEMENTARY SCHOOL LIBRARY CARPET  
REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 –  
FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$63,800** be appropriated for the purpose of funding the Barnstable United Elementary School Library Carpet Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$63,800** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-155  
INTRO: 04/04/2024**

**2024-155 APPROPRIATION ORDER IN THE AMOUNT OF \$318,000 FOR THE  
HYANNIS WEST BATHROOM RENOVATIONS PROJECT AS OUTLINED IN  
THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT  
PLAN**

**ORDERED:** That the amount of **\$318,000** be appropriated for the purpose of funding the Hyannis West Bathroom Renovations Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$318,000** 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-156  
INTRO: 04/04/2024**

**2024-156 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR THE HVAC DIRECT DIGITAL CONTROL REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$1,000,000** be appropriated for the purpose of funding the HVAC Direct digital Control Replacement Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-157  
INTRO: 04/04/2024**

**2024-157 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,082,400 FOR THE HVAC UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$2,082,400** be appropriated for the purpose of funding the HVAC Upgrades Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$104,120** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,978,280** 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 Cape Cod Gateway Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-158  
INTRO: 04/04/2024**

**2024-158 APPROPRIATION ORDER IN THE AMOUNT OF \$1,500,000 FOR THE  
TERMINAL OPTIMIZATION PROJECT AS OUTLINED IN THE FISCAL  
YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$1,500,000** be appropriated for the purpose of funding the Terminal Optimization Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$1,500,000** be provided from the Airport Enterprise Fund reserves; and that the Cape Cod Gateway Airport Commission is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-159  
INTRO: 04/04/2024**

**2024-159 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$550,000 FOR THE ELECTRIC AIRCRAFT CHARGING FACILITY PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the amount of **\$550,000** be appropriated for the purpose of funding the Electric Aircraft Charging Facility Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$27,500** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$522,500** 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 Cape Cod Gateway Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (First Reading) (Refer to second Reading 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-174  
INTRO: 04/04/2024**

**2024-174 APPOINTMENT TO A BOARD/COMMITTEE/COMMISSION**

**RESOLVED:** That the Town Council appoints the following individual to a multiple-member Board/Committee/Commission: **Council on Aging:** Charles Coyle, as a regular member, to a term expiring 06/30/2025; Maureen Hughes, as an alternate member, to a term expiring 06/30/2026; **Historical Commission:** Robert Frazee from an alternate member to a full member to a term expiring 06/30/2026; **Licensing Authority:** Larry Decker from an alternate member to a full member position to a term expiring 06/30/2026; **Sandy Neck Board:** Richards French, as a regular member to a term expiring 06/30/2024; **Youth Commission:** Nate Ludtke, as a student member to a term expiring 06/30/2025

**SPONSORS:** Appointments Committee Members: Councilor Jeffrey Mendes, Chair; Councilor Kris Clark, Vice Chair; Councilor Kristin Terkelsen; Councilor Charles Bloom; and Councilor Seth Burdick

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council Discussion
- \_\_\_ Vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-175  
INTRO: 04/04/2024**

**2024-175 AUTHORIZATION TO EXPEND A FEDERAL FISCAL YEAR 2023  
EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE AMOUNT  
OF \$20,150 FROM THE MASSACHUSETTS EMERGENCY MANAGEMENT  
AGENCY**

**RESOLVED:** That the Town Council does hereby authorize the Town Manager to contract for and expend a Federal Fiscal Year 2023 Emergency Management Performance Grant in the amount of **\$20,150** from the Massachusetts Emergency Management Agency for the purpose of funding the purchase of two APX 8000 All Band Model 2.5 Portable Tri-Band Radios.

**SPONSOR:** Mark S. Ells, Town Manager

DATE

ACTION TAKEN

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# BARNSTABLE TOWN COUNCIL

ITEM# 2024-175  
INTRO: 04/04/2024

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Jean B. Challies, Chief of Police  
**DATE:** April 04, 2024  
**SUBJECT:** Acceptance of a Federal Fiscal Year 2023 Emergency Management Performance Grant award in the amount of **\$20,150** from the Massachusetts Emergency Management Agency (MEMA)

**BACKGROUND:** The Department has been awarded a grant in the amount of \$20,150 for the purchase of two APX8000 Tri-Band radios. They will be programmed correctly according to the NIFOG (National Interoperability Field Operations Guide), and other State Agency channels would allow an Incident Commander or member of a Unified Command Team with connectivity and electrical interoperability between local and interagency organizations to coordinate CBRNE (Chemical, Biological, Radiological, Nuclear, and Environmental) responses in a more efficient manner.

Currently, the Barnstable Police Department (BPD), along with Barnstable County Public Safety Agencies, use the 800MHz band for radio communications. This consists of our own conventional system and the MSP Trunked radio system.

The BPD's current in-service radios are the single band (700/800MHz). When agencies outside Barnstable County (State, Federal, Fire departments) respond, the APX8000 radios can be issued to the agency with interoperability. The rest of Massachusetts primarily uses UHF and various VHF/UHF frequencies for Federal agencies, which are all outside of our current equipment capabilities.

**GRANT DETAIL:** \$20,150 will be used to pay for the purchasing of two APX8000 All Band Model 2.5 radios.

**FISCAL IMPACT:** This grant requires a 100% match, which is met via the annual maintenance contract for the Reverse 911 public notification system purchased through On Solve Inc, which exceeds the match requirement of \$20,150. All costs associated with this grant must be completed by December 31, 2024.

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

**STAFF ASSISTANCE:** Jean B. Challies, Chief of Police; Anne Spillane, Director of Finance and Support Services, Barnstable Police Department; Lena Bevilacqua, Police Grant Coordinator

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-176  
INTRO: 04/04/2024**

**2024-176 TRANSFER ORDER IN THE AMOUNT OF \$57,845 FOR TECHNICAL SERVICES, MONITORING, AND CLEANUP ACTIVITIES THAT RESULTED FROM THE IMPROPER DISPOSAL OF OIL ON LAFRANCE AVENUE IN HYANNIS**

**ORDERED:** That the amount of **\$57,845** be transferred from the Fiscal Year 2024 Public Works Department Personnel Budget to the Fiscal Year 2024 Public Works Department Operating Expense Budget for the purpose of paying for technical services, monitoring, and cleanup activities that resulted from the improper disposal of oil on LaFrance Avenue in Hyannis.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

**ITEM# 2024-176**  
**INTRO: 04/04/2024**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**DATE:** April 04, 2024  
**SUBJECT:** Transfer Order in the amount of **\$57,845.00** to fund technical services, monitoring, and cleanup activities that resulted from the improper disposal of oil on LaFrance Avenue in Hyannis

**BACKGROUND:** Due to the improper disposal of oil on LaFrance Avenue in Hyannis, the Department of Public Works incurred expenses to fund the technical services, monitoring, and cleanup activities.

**FISCAL IMPACT:** Due to vacancies in salaried positions throughout the fiscal year the department currently has unencumbered salary funds. It is requested that a portion of these funds be utilized for this unplanned expenditure. If approved, this request will reduce the amount of unexpended Fiscal Year 2024 appropriations that would be returned to the General Fund surplus at the close of the Fiscal Year.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, requests favorable action by the Town Council.

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

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-177  
INTRO: 04/04/2024**

**2024-177 FISCAL YEAR 2024 SUPPLEMENTAL APPROPRIATION ORDER FOR THE OPERATING BUDGET OF THE TOWN CLERK IN THE AMOUNT OF \$35,000 FOR THE PURPOSE OF COVERING ELECTION COSTS**

**ORDERED:** That the amount of **\$35,000** be appropriated from the General Fund Reserves and added to the Fiscal Year 2024 Town Clerk Operating Budget to pay for costs associated with conducting elections.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

**ITEM# 2024-177**  
**INTRO: 04/04/2024**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**DATE:** March 22, 2024  
**SUBJECT:** Fiscal Year 2024 Supplemental Appropriation Order for the Operating Budget of the Town Clerk in the amount of **\$35,000** for the purpose of covering election costs

**BACKGROUND:** The costs of running elections have increased substantially due to the requirements to conduct early voting and mail in ballots. Additional staffing is necessary to handle the volume of paperwork associated with the mail-in ballots. The tax work-off program has been some help in supporting this effort, but it is not enough. The costs of having police at polling locations have risen as well over the years as wage levels have increased. Additionally, materials and postage costs have increased substantially due to the mail-in ballot process.

**ANALYSIS:** The Town Clerk's operation is currently \$5,000 over budget for personnel costs and \$30,000 over budget on operating expenses. These recurring operating expenses will need to be added to the Town Clerk's base operating budget on an annual basis. The current level of funding along with this additional request should provide the operation with sufficient funds to conduct two elections a year.

**FISCAL IMPACT:** This appropriation is expected to be added to the Town Clerk's base budget in Fiscal Year 2025 and future years. Funding for this appropriation is recommended to be provided from the General Fund reserves which have a current balance of \$29,068,778.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends favorable action by the Town Council.

**STAFF ASSISTANCE:** Ann Quirk, Town Clerk

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-178  
INTRO: 04/04/2024**

**2024-178 ORDER AMENDING CHAPTER 183 OF THE GENERAL ORDINANCES TO PROVIDE THE MAXIMUM PROPERTY TAX WORK-OFF AMOUNT FOR SENIORS AND VETERANS AUTHORIZED BY STATE LAW**

**ORDERED:** That Chapter 183 of the General Ordinances, Part I, of the Code of the Town of Barnstable is hereby amended as follows:

- A. By inserting the words “and Veteran” in the heading so that it reads “Senior Citizen and Veteran Property Tax Work-Off Abatement Program”; and
- B. By striking out in Section 183-1 the words “the maximum amount of \$1,500 yearly” and inserting the following in their place: “the maximum yearly amount authorized by MGL c. 59, § 5K and MGL c. 59 § 5N, respectively”.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close Public Hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

**ITEM# 2024-178**  
**INTRO: 04/04/2024**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Karen L. Nober, Town Attorney; Mark Milne, Director of Finance  
**DATE:** April 04, 2024  
**SUBJECT:** Order amending Chapter 183 of the General Ordinances to provide the maximum property tax work-off amount for seniors and veterans authorized by state law

**BACKGROUND:** The Town has had a Senior Property Tax Work-Off Program in place since fiscal year 2009, when it accepted MGL c. 59, § 5K. In 2022, the Town Council voted to expand the program to include veterans by accepting MGL c. 59, § 5N. Under the programs, participating taxpayers volunteer their services to the town in exchange for a reduction in their property tax bills. Acceptance of either statute may be revoked by vote of the Town Council, but any such revocation cannot occur until at least three years after the statute was accepted.

The maximum yearly amount for both programs authorized by state law was \$1,500 until October 2023, when state law was amended to increase the maximum for seniors to \$2,000. On March 21, 2004, the Town Council voted to authorize a letter to Senator Cyr, copying the Governor and other elected officials, requesting that they amend the law for veterans to provide a similar increase. Chapter 183 of the Town Code currently references \$1,500 for both seniors and veterans. The proposed amendment would make the amount authorized by the Town consistent with the maximum amount authorized by state law.

**FISCAL IMPACT:** The ordinance caps the total number of participants in the program at 20 per year. The maximum financial exposure under this program with the new cap of \$2,000 per participant is \$46,000.

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

**STAFF ASSISTANCE:** Karen L. Nober, Town Attorney; Mark Milne, Director of Finance

**B. NEW BUSINESS (Refer to a Public Hearing on 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-179  
INTRO: 04/04/2024**

**2024-179 APPROPRIATION ORDER IN THE AMOUNT OF \$15,000 TO FUND A FINFISH AND SHELLFISH SURVEY PROJECT IN BARNSTABLE HARBOR**

**ORDERED:** That the amount of **\$15,000** be appropriated from the General Fund reserves for the purpose of funding a Finfish and Shellfish Survey in Barnstable Harbor.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Vote



# BARNSTABLE TOWN COUNCIL

ITEM# 2024-179  
INTRO: 04/04/2024

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**DATE:** April 04, 2024  
**SUBJECT:** Appropriation Order in the amount of **\$15,000** to fund a Finfish and Shellfish Survey Project in Barnstable Harbor

**BACKGROUND:** In the spring of 2024, Friends of Barnstable Harbor (FOBH) is planning to embark on a Finfish and shellfish survey in Barnstable Harbor. The study will be conducted by the Center for Coastal Studies (CSS) Marine Fisheries Director Owen Nichols and will focus on commercially and recreationally important species. Sampling methods will include trawls, beach seining, dredging, ventless lobster traps, and gillnets.

Survey work will be preceded by an outreach and engagement process during which Center for Coastal Studies staff will gather feedback from local and national resource managers, advisory groups, and stockholders, including commercial/recreational fisherman and shellfish farmers. The process will build on outreach conducted by CSS and FOBH to develop a robust marine resource survey that focuses on the species and habitats of greatest importance to the local community.

Once the project begins, the outreach and engagement process will expand and build on other community partnerships in education and community service. Students and teachers from Barnstable High School will have an opportunity to join CSS researchers in the field for hands-on learning, and undergraduate student volunteers and AmeriCorps Cape Cod Service members will assist with data collection and management.

Additionally, if relevant scientific questions arise during the outreach and engagement process, focused studies may be piggy-backed onto the planned fieldwork at a minimum additional costs, creating opportunities for additional scientific collaboration with researchers from the Massachusetts Division of Marine Fisheries and other institutions.

**ANALYSIS:** The cost of the project is budgeted at \$71,780. This will support 12 months of surveys and preparation and presentation of a report. The Center will contribute some personal costs as a matching contribution and the FOBH have raised over \$30,000 to support this research. Additional fundraising events are planned, and a fundraising appeal will be made to the FOBH membership. The requested matching contribution from the town of Barnstable is \$15,000.

**FISCAL IMPACT:** This is a one-time expense that will be provided from the General Fund reserves. Additionally, the request includes the provision of one slip in Barnstable Harbor for 18 days of data collection.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager recommends favorable action by the Town Council.

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-180  
INTRO: 04/04/2024**

**2024-180 FISCAL YEAR 2024 SUPPLEMENTAL APPROPRIATION ORDER FOR THE OPERATING BUDGET OF THE INFORMATION TECHNOLOGY DEPARTMENT IN THE AMOUNT OF \$203,000 FOR THE PURPOSE OF MIGRATING AND HOSTING THE TOWN’S MUNIS ENTERPRISE RESOURCE PLANNING SYSTEM ON THE INTERNET**

**ORDERED:** That the amount of **\$203,000** be appropriated from the General Fund Reserves and added to the Fiscal Year 2024 Information Technology Department Operating Budget to pay for costs associated with migrating and hosting the Town’s MUNIS Enterprise Resource Planning System to a cloud-based system.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2024-180  
INTRO: 04/04/2024

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** James Benoit, Director of Information Technology  
**DATE:** April 04, 2024  
**SUBJECT:** Fiscal Year 2024 Supplemental Appropriation Order for the Operating Budget of the Information Technology Department in the amount of **\$203,000** for the purpose of migrating and hosting the Town's Munis Enterprise Resource Planning System on the internet

**BACKGROUND:** Munis, by Tyler Technologies, is the core financial software used by the Town. This would fund the migration of the Town's existing Munis system from on-premise servers located in Town Hall to cloud hosted Software as a Service (SaaS) solution. With this solution, all Munis software and data would reside on Tyler Technologies cloud-based servers, rather than on-site at Town Hall. This request includes a one-time cost of \$28,000 for the initial migration services, as well as an additional \$175,000 in annual support and licensing fees over and above the cost of the Town's existing Munis support contract. The cost of the existing on-premises Munis contract is \$321,000. Moving to the Munis SaaS solution would increase that annual cost by \$175,000, for a total cost of \$496,000 per year for a three-year term.

The Munis software is arguably the most critical system that the Town uses. All core financial functions for both the Town and School Department are dependent on Munis, including payroll, tax and utility billing, accounts receivable, purchase orders, and accounts payable. The existing Munis system currently runs on our on-premises servers located in Town Hall. In the event of a disaster, cyber-incident, or hardware failure, there is a risk that Munis could become unavailable for a period of time while repairs were made, and data was restored. Given the critical nature of Munis, even a short disruption in service could result in significant negative consequences for the Town's operations. More recently, the server went down and the possibility of not being able to produce the payroll was an existent situation that would have affected hundreds of employees.

**ANALYSIS:** Moving to the Munis cloud hosted SaaS solution would offer a number of advantages:

- Increased reliability and resiliency to a disaster, cyber-incident, or hardware failure – Munis would be located off-site on Tyler's fully redundant systems, with secure backups handled by Tyler
- Shifts the burden for maintenance and upgrades of hardware and software to Tyler
- Scalability and performance – rather than being tied to existing server hardware & software, Tyler is responsible for upgrading its underlying infrastructure to maintain performance levels
- Tyler provides round-the-clock on-call coverage for critical outages

Funding this request would increase the reliability and disaster-resiliency of the Town's core financial system. It would shift the burden for maintaining the hardware and software to Tyler Technologies, freeing up Town staff to work on other initiatives. It would ensure consistent levels of performance over time, with the tasks of maintaining the underlying infrastructure shifted to Tyler.

If not funded, the Town would continue using its on-premises Munis system. The Town would potentially be at risk from a disaster, cyber-incident, or hardware failure that could result in a disruption of vital business functions. The Town would continue to be responsible for the costs of upgrading and maintaining the underlying servers required by Munis.

**FISCAL IMPACT:** This appropriation would be provided from the General Fund Reserves which have a current balance of \$29,068,778. If approved, the additional \$175,000 will need to be added to the budget in FY25 and going forward to continue with the service.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager recommends favorable action by the Town Council.

**STAFF ASSISTANCE:** James Benoit, Director of Information Technology; Mark A. Milne, CPA, Director of Finance

**B. NEW BUSINESS (Refer to Public Hearing 04/25/2024)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-181  
INTRO: 04/04/2024**

**2024-181 FISCAL YEAR 2024 SUPPLEMENTAL APPROPRIATION ORDER FOR THE OPERATING BUDGET OF THE INFORMATION TECHNOLOGY DEPARTMENT IN THE AMOUNT OF \$135,500 FOR THE PURPOSE OF INSTALLING AND MAINTAINING A RUBRIK SECURE BACKUP APPLIANCE**

**ORDERED:** That the amount of **\$135,500** be appropriated from the General Fund Reserves and added to the Fiscal Year 2024 Information Technology Department Operating Budget to pay for costs associated with installing and maintaining a Rubrik Secure Backup Appliance.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2024-181  
INTRO: 04/04/2024

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**DATE:** April 04,2024  
**SUBJECT:** Fiscal Year 2024 Supplemental Appropriation Order for the Operating Budget of the Information Technology Department in the amount of **\$135,500** for the purpose of installing and maintaining a Rubrik Secure Backup Appliance

**BACKGROUND:** This request would fund the purchase and maintenance of a secure data backup appliance which would greatly increase the Town’s resilience against cyberattacks and enable it to recover from such an attack more quickly. This request includes the purchase and installation cost for the backup appliance hardware itself, as well as the first-year annual maintenance cost for the device and associated services.

While the Town’s current backup system has worked well in the past, it has become outdated and is potentially vulnerable. Increasingly, ransomware attacks will specifically target data backups, making recovery much more difficult and time consuming. If the Town were hit with a ransomware attack now, portions of our backup system could potentially be compromised, prolonging recovery efforts.

Ransomware attacks will often initially infect a system and then wait for a period of weeks before “detonating”. The result is that any backups taken since the initial infection could be compromised. We currently don’t have a quick or easy way to determine when exactly an attack occurred and when the last clean backup was taken. What often happens after a ransomware attack is that data is restored from a backup that was itself infected, thereby re-infecting the network again, and prolonging the recovery time. The average recovery time for a ransomware attack is 22 days. If the Town’s IT systems were down for 22 days or longer, there would likely be serious consequences for daily Town operations.

Another disadvantage with our current system is the potential compromise of sensitive data during a cyberattack. Attackers will often target sensitive data such as social security numbers and other financial information and will resell this data to other criminal organizations. Depending on what information is stolen, and how many individuals are affected, the liability costs to the Town could be high. If sensitive data was compromised through a breach, the Town could potentially be liable for fines, settlements, and credit monitoring services for those whose data was compromised. The average total cost of public sector data breaches in 2022 was \$2,070,000.

**ANALYSIS:** The secure backup appliance that would be funded with this request would mitigate many of these concerns to the extent possible. The appliance is isolated from direct network access, making it difficult for attackers to access directly. All backup data is securely encrypted through all phases of the backup process. The backups are “immutable” meaning that once they are written, they cannot be altered, such as when a ransomware attack attempts to encrypt data backups. The appliance uses AI to scan backup data for anomalies and threats. It identifies sensitive data, like personal financial data, and quantifies the exposure risk for a potential breach of this data, and it identifies when an attack occurred, and which backups are clean and safe to restore from.

Implementing this backup solution would reduce our overall risk exposure and improve our recovery time from any potential ransomware attack or other incident. It would ensure that backups are kept isolated and safe to the extent possible. It would greatly improve our ability to recover quickly from a ransomware attack, minimizing disruption to Town operations and minimizing the cost of such an attack. Implementing this solution would also satisfy many of the requirements that cyber insurance companies are looking for and would likely result in better cyber coverage and cheaper insurance rates for the Town.

**FISCAL IMPACT:** This appropriation would be provided from the General Fund reserves which have a current balance of \$29,068,778. If approved, an additional \$101,500 will need to be added to the budget in Fiscal Year 2025 and going forward to continue with the annual support and licensing that is provided with this service.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager, recommends favorable action by the Town Council.

**STAFF ASSISTANCE:** James Benoit, Director of Information Technology; Mark A. Milne, CPA, Director of Finance

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2024-182  
INTRO: 04/04/2024**

**2024-182 RESOLVE APPOINTING MICHAEL WHITE TO THE REGIONAL DISTRICT SCHOOL COMMITTEE FOR THE CAPE COD REGIONAL TECHNICAL HIGH SCHOOL DISTRICT**

**RESOLVED:** Upon the recommendation of the Town Manager, the Town Council does hereby appoint Michael White, a resident of Hyannis, to serve as a member of the Regional District School Committee for the Cape Cod Regional Technical High School District for a term of three years.

**SPONSOR:** Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council Discussion
- \_\_\_ Vote



# BARNSTABLE TOWN COUNCIL

**ITEM# 2024-182**  
**INTRO: 04/04/2024**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Karen L. Nober, Town Attorney  
**DATE:** April 04, 2024  
**SUBJECT:** Resolve Appointing Michael White to the Regional District School Committee for the Cape Cod Regional Technical High School District

**BACKGROUND:** The Cape Cod Regional Technical High School District (the “District”) was established pursuant to an agreement among the member towns, including the Town of Barnstable. The agreement provides that the powers of the District are vested in and exercised by a Regional District School Committee (the “Committee”), which serves as the governing board of the District. Each member town appoints two members to the Committee for a term of three years. Under the agreement, it is the moderator of each town who makes the appointment. The agreement does not address who makes the appointment for a town with a city form of government. Accordingly, the Town Attorney has advised that the Town Council make the appointment after receiving a recommendation from the Town Manager.

**FISCAL IMPACT:** N/A

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

**STAFF ASSISTANCE:** Karen L. Nober, Town Attorney