



Town of Barnstable Town Council

367 Main Street, Village of Hyannis, MA 02601

508.862.4738 • 508.862.4770

E-mail: council@town.barnstable.ma.us

www.town.barnstable.ma.us

MEETING AGENDA TOWN HALL HEARING ROOM

July 9, 2015

7:00 PM

Councillors:

Jessica Rapp Grassetti
President
Precinct 7

Ann B. Canedy
Vice President
Precinct 1

Eric R. Steinhilber
Precinct 2

Paul Hebert
Precinct 3

Frederick Chirigotis
Precinct 4

James H. Crocker
Precinct 5

William Crocker, Jr.
Precinct 6

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Sara Cushing
Precinct 10

Philip N. Wallace
Precinct 11

John T. Norman
Precinct 12

Jennifer L. Cullum
Precinct 13

Acting Administrator
to the Town Council:
Cynthia A. Lovell

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF SILENCE

4. PUBLIC COMMENT

5. COUNCIL RESPONSE TO PUBLIC COMMENT

6. TOWN MANAGER COMMUNICATIONS

7. ACT ON MINUTES (Including Executive Session)

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

9. ORDERS OF THE DAY

A. Old Business

B. New Business

10. ADJOURNMENT

Updated to reflect
(May be acted upon)
on 2015-004 and
2015-005

NEXT REGULAR MEETING: August 13, 2015

A. OLD BUSINESS

2015-181	Appropriation Order of \$295,000.00 Community Preservation Funds for acquisition and creation of open space and recreation at 0 Sandy Neck, Map 339 parcel 2 consisting of a parcel of 14 acres more or less (May be acted upon) (Roll call)3-4
2015-182	Appropriation Order of \$100,000 Community Preservation funds for affordable housing on 1819 Old Stage Road, West Barnstable (Public hearing) (Roll call)5-6

B. NEW BUSINESS

2016-001	Acceptance of a FY16 Department of Homeland Security grant in the amount of \$2,800 for Multiple Assault Counter Terrorism Action Capability (MACTAC) Training (May be acted upon)7-8
2016-002	Appointments to a board/committee/commission: Council on Aging: Anna Valtsakis, 33 Statice Lane, Hyannis, as an associate member to a term expiring 6/30/17; Disability Commission: Paula Breagy, 2787 Main Street, Barnstable as a regular member to a term expiring 6/30/16; Jessica Sylver, 121 Lombard Avenue, West Barnstable as a regular member to a term expiring 6/30/18; Housing Committee: Paula Breagy, 2787 Main Street, Barnstable as a regular member to a term expiring 6/30/16; Jessica Sylver, 121 Lombard Avenue, West Barnstable as a regular member to a term expiring 6/30/16; Hyannis Main Street Waterfront Historic District Commission: Timothy Ferreira, 150 Old Yarmouth Road, Hyannis as an alternate member to a term expiring 6/30/17 (First reading) 9
2016-003	Reappointments to board/committee/commission: Barnstable Economic Development Commission: Hartley Johnson, as a regular member to a term expiring 6/30/18; Historical Commission: Marilyn Fifield, to a term expiring 6/30/18; Paul Arnold as an alternate member, to a term expiring 6/30/18; Old King's Highway: George Jessop, as the architecture representative, to a term expiring 6/30/16; Public Works Commission: Thomas Mullen, as a regular member to a term expiring 6/30/18; Wolfgang Fattler as a regular member to a term expiring 6/30/18; Renewable Energy Commission: Andrew Jaworski, as a regular member to a term expiring 6/30/18; Katie Lamoureux, as a regular member to a term expiring 6/30/18; Jan Rapp, as a regular member to a term expiring 06/30/17; Waterways Committee: John Meade, as a regular member to a term expiring 6/30/18; Robert Hazelton, as a regular member to a term expiring 6/30/18; Water Pollution Control Board: Wolfgang Fattler as a regular member to a term expiring 6/30/18; Youth Commission: Brendan Clark, as a regular member to a term expiring 6/30/16; Matthew Hersey, as a regular member to a term expiring 06/30/16; Emma Mannal as a regular member to a term expiring 06/30/16; Lianna Mitchell as a regular member to a term expiring 06/30/16 (First reading) 10
2016-004	Approval of a three (3) year contract for Paul B. MacDonald, Chief of Police; Town of Barnstable (May be acted upon) 11
2016-005	Appointment of Cynthia A. Lovell to serve as Administrator to the Town Council (May be acted upon) 12

Approve Minutes – June 18, 2015

Please Note: The list of matters, are those reasonably anticipated by the council president, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if so votes, the Council may go into executive session. The Council may also act on items in an order other than 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, may be put off to a continued session of this meeting, and with proper notice. Anyone requiring hearing assistance devices please inform the Town Clerk at the meeting.

A. OLD BUSINESS (May be acted upon) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-181

INTRO: 06/04/15, 06/18/15, 07/09/15

2015-181 APPROPRIATION ORDER OF \$295,000.00 COMMUNITY PRESERVATION FUNDS FOR ACQUISITION AND CREATION OF OPEN SPACE AND RECREATION AT 0 SANDY NECK, MAP 339 PARCEL 2 CONSISTING OF A PARCEL OF 14 ACRES MORE OR LESS

ORDERED: That the Town Manager is authorized to purchase on behalf of the Town by commissioner’s sale, real property pursuant to the Community Preservation Act, G. L. c 44B, for open space and recreation, shown on Assessors Map 339, Parcel 002, further described as Lot 6 on a plan entitled “Plan of Land on Sandy Neck in Barnstable, Massachusetts prepared for George J. Hill, Junior ‘Petitioner’ et al” dated January 24, 2014, Scale 11 inch = 60 feet, Down Cape Engineering, Inc. Civil Engineers and Land Surveyors” being a portion of the property known as 0 Sandy Neck, Barnstable, Massachusetts containing 14.10 acres of land more or less; that pursuant to said G. L. c. 44B the sum of Two Hundred Ninety-Five Thousand and NO/100 (\$295,000.00) Dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund for the purchase of said interest; and that the Town Manager is authorized to expend the appropriation for the stated purposes, grant restrictions pursuant to the Community Preservation Act and execute and record any written instruments, subject to the oversight of the Community Preservation Committee.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>
<u>06/18/15</u>	<u>Closed Public hearing & Continued to 07/09/15</u>

- Read Item
- Rationale
- Council Discussion
- Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2015-181

INTRO: 06/04/15, 06/18/18, 07/09/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lindsey Counsell, Community Preservation Committee
DATE: June 1, 2015
SUBJECT: Appropriation Order in the amount of \$295,000.00 Community Preservation funds for Acquisition of Parcel at Sandy Neck

BACKGROUND: The Town of Barnstable is seeking approval from the Town Council for CPA funding in the amount of \$295,000 for the acquisition of a 14 acre parcel (more or less) on the environmentally crucial barrier beach Sandy Neck to add to the Town's already held contiguous parcels on the Neck. The Town has entered into a purchase and sale agreement for the parcel (map/parcel 339/002).

RATIONALE: The parcel is located on "Little Neck" close to Beach Point. It is comprised of an extensive dune system, front beach and mud flats which are home to a variety of wildlife and a large variety of shorebird species including state and federally listed "threatened" piping plovers. The complex dune system provides storm damage protection by acting as the first line of defense for the cottage colony, Barnstable Harbor and ultimately the mainland's of Barnstable and the Great Barnstable Marsh. The parcel is used by town staff for land management and emergency response access to Little Neck and Beach Point. It is one of the few privately owned and undeveloped pieces of Sandy Neck and is the missing link in the protection of the entire barrier beach system. Prohibition of new Sandy Neck development is one of the strategies defined in the TOB Comprehensive Plan-2010. Additionally, the Town Council's Strategic Plan for FY 15 states a goal to "preserve and protect areas in town that are most significant as natural and historical resources for visual quality, outdoor recreation, public access, wildlife habitat and cultural history".

FISCAL IMPACT: There is no impact to the general fund. All funds are drawn from the Community Preservation Fund.

STAFF ASSISTANCE: Lindsey Counsell, Community Preservation Committee

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM # 2015-182

INTRO: 06/04/15, 06/18/15, 07/09/15

2015-182 APPROPRIATION ORDER OF \$100,000 COMMUNITY PRESERVATION FUNDS FOR AFFORDABLE HOUSING ON 1819 OLD STAGE ROAD, WEST BARNSTABLE

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the sum of One Hundred Thousand and NO/100 (\$100,000.00) Dollars be appropriated and transferred from the amount set aside for community resources in the Community Preservation Fund, for a grant to Habitat for Humanity, Inc. for the acquisition, creation and support of affordable housing on One and two one hundredths (1.02) acres, more or less, at 1819 Old Stage Road in West Barnstable shown as Parcel 36 on Assessors Map 152; and that the Town Manager is authorized to contract for and expend the appropriation made available and execute and record documents on behalf of the Town for this purpose to be secured by grant agreements, regulatory agreements, deed riders, title insurance policies or certifications, notes and mortgages, subject to the oversight of the Community Preservation Committee.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>
<u>06/18/15</u>	<u>Opened Public hearing & Continued to 07/09/15</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-182

INTRO: 06/04/15, 06/15/18, 07/09/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lindsey Counsell, Community Preservation Committee
DATE: June 1, 2015
SUBJECT: Appropriation Order in the amount of \$100,000 Community Preservation funds for affordable housing on 1819 Old Stage Road, West Barnstable

BACKGROUND: The Community Preservation Committee (CPC) met on Monday December 15, 2014 and voted unanimously to recommend to the Town Council, through the Town Manager, to support the funding request of \$100,000.00 from Habitat for Humanity of Cape Cod for the creation of two single family affordable houses on the property located at 1819 Old Stage Road, Centerville, MA (Map 152/Parcel 036).

RATIONALE: The 44,811 square foot parcel is being donated by the current owners once Habitat has received all necessary permits for the creation of two two-bedroom single family dwellings. Estimated total development costs is \$437,469 and CPA funds, along with additional funding sources and grants, will be used to offset construction costs. The homes are built in partnership with the community and with the selected buyer families.

The homes will be affordable in perpetuity with affordability ensured by a Department of Housing and Community Development (DHCD) Local Initiative Program (LIP) Deed Rider and will be counted on Barnstable's DHCD Subsidized Housing Inventory (SHI). The homes will be made available to very-low income households; households earning between 45% and 65% of Area Median Income. Each home sale price will be approximately \$126,000. This project meets the criteria for Community Preservation projects as it creates community housing. The project helps preserve Barnstable's character by providing much needed housing opportunities that help maintain a diverse and vibrant community.

FISCAL IMPACT: There is no impact to the general fund. All funds are drawn from the Community Preservation Fund.

TOWN MANAGER RECOMMENDATION: Thomas K. Lynch, Town Manager recommends acceptance of this grant.

STAFF ASSISTANCE: Lindsey Counsell, Community Preservation Committee

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-001
INTRO: 07/09/15**

**2016-001 ACCEPTANCE OF A FY16 DEPARTMENT OF HOMELAND SECURITY
GRANT AWARD IN THE AMOUNT OF \$2,800 FOR MULTIPLE-ASSAULT
COUNTER TERRORISM ACTION CAPABILITY (MACTAC) TRAINING**

RESOLVED: That the Barnstable Town Council does hereby accept a FY16 Department of Homeland Security Grant in the amount of \$2,800 being administered through the Southeast Homeland Security Regional Advisory Council for SWAT training entitled *Multiple-Assault Counter Terrorism Action Capability Training*.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2016-001
INTRO: 07/09/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Paul B. MacDonald, Chief of Police
DATE: June 22, 2015
SUBJECT: Acceptance of a Grant in the amount of \$2,800 to the Barnstable Police Department from the Department of Homeland Security for SWAT Training

BACKGROUND: The Barnstable Police Department has been awarded a grant through the Department of Homeland Security that is being administered through the Southeast Homeland Security Regional Advisory Council via the Massachusetts Executive Office of Public Safety for *Multiple-Assault Counter Terrorism Action Capability Training*. This grant funding was offered to SWAT units who participate in the Southeastern Regional Planning & Economic Development District.

ANALYSIS: This award helps to pay for valuable SWAT trainings on topics that are relevant to the challenges that SWAT teams must be trained and prepared to handle. This particular opportunity covered *Multiple-Assault Counter Terrorism Action Capability Training*. The dates of the training went from May 18 to May 22, 2015. This was an intense 5-day, 8-hour per day training.

FISCAL IMPACT: The grant award provides reimbursement towards overtime at the maximum rate of \$35/hour. Six of Seven SWAT officers attended the training on an overtime basis totaling \$4,003 and is calculated using actual overtime rates, of which \$2,800 of the total cost will be reimbursed through the grant at the grant overtime rate of \$35/hour.

TOWN MANAGER RECOMMENDATION: Thomas K. Lynch, Town Manager recommends acceptance of this grant.

STAFF ASSISTANCE: Paul B. MacDonald, Chief of Police
Anne E. Spillane, Barnstable Police Department

B. NEW BUSINESS (First reading)

BARNSTABLE TOWN COUNCIL

ITEM # 2016-002

INTRO: 07/09/15

2016-002 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoint the following individuals to a multiple-member board/committee/commission:

COUNCIL ON AGING: Anna Valtsakis, 33 Statice Lane, Hyannis, as an associate member to a term expiring 6/17

DISABILITY COMMISSION: Paula Breagy, 2787 Main Street, Barnstable as a regular member with a term expiring 6/30/16; Jessica Sylver, 121 Lombard Avenue, West Barnstable as a regular member to a term expiring 6/30/18

HOUSING COMMITTEE: Paula Breagy, 2787 Main Street, Barnstable as a regular member to a term expiring 6/30/16; Jessica Sylver, 121 Lombard Avenue, West Barnstable as a regular member to a term expiring 6/30/16

HYANNIS MAIN STREET WATERFRONT HISTORIC DISTRICT COMMISSION: Timothy Ferreira, 150 Old Yarmouth Road, Hyannis as an alternate member to a term expiring 6/30/17

SPONSOR: Appointments Committee

DATE ACTION TAKEN

- ___ Read Item
- ___ Council Discussion
- ___ Move/Vote

B. NEW BUSINESS (First reading)

BARNSTABLE TOWN COUNCIL

ITEM # 2016-003

INTRO: 07/09/15

2016-003 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoint the following individuals to a multiple-member board/committee/commission:

BARNSTABLE ECONOMIC DEVELOPMENT COMMISSION: Hartley Johnson, as a regular member to a term expiring 6/30/18;

HISTORICAL COMMISSION: Marilyn Fifield, to a term expiring 6/30/18; Paul Arnold as an alternate member, to a term expiring 6/30/18

OLD KING’S HIGHWAY: George Jessop, as the architecture representative, to a term expiring 6/30/16;

PUBLIC WORKS COMMISSION: Thomas Mullen, as a regular member to a term expiring 6/30/18; Wolfgang Fattler as a regular member to a term expiring 6/30/18;

RENEWABLE ENERGY COMMISSION: Andrew Jaworski, as a regular member to a term expiring 6/30/18; Katie Lamoureux, as a regular member to a term expiring 6/30/18; Jan Rapp, as a regular member to a term expiring 06/30/17

WATERWAYS COMMITTEE: John Meade, as a regular member to a term expiring 6/30/18; Robert Hazelton, as a regular member to a term expiring 6/30/18;

WATER POLLUTION CONTROL BOARD: Wolfgang Fattler as a regular member to a term expiring 6/30/18

YOUTH COMMISSION: Brendan Clark, as a regular member to a term expiring 6/30/16; Matthew Hersey, as a regular member to a term expiring 06/30/16; Emma Mannal as a regular member to a term expiring 06/30/16; Lianna Mitchell as a regular member to a term expiring 06/30/16

SPONSOR: Appointments Committee

DATE ACTION TAKEN

- ___ Read Item
- ___ Council Discussion
- ___ Move/Vote

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2016-004

INTRO: 07/09/15

**2016-004 APPROVAL OF A THREE (3) YEAR CONTRACT FOR
PAUL B. MACDONALD CHIEF OF POLICE TOWN OF BARNSTABLE**

RESOLVED: That the Town Manager Thomas K. Lynch approve a (3) three year contract for Paul B. MacDonald as Chief of Police for the Town of Barnstable

SPONSOR: Thomas K Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Council Discussion
- ___ Move/Vote

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-005
INTRO: 07/09/15**

**2016-005 APPOINTMENT OF CYNTHIA A. LOVELL TO SERVE AS ADMINISTRATOR
TO THE TOWN COUNCIL**

RESOLVED: That the Town Council appoint Cynthia A. Lovell to serve as Administrator to the Town Council effective July 1, 2015

SPONSOR: Town Council Administrative Review Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read item
- Rationale
- Council discussion
- Move/vote