



Town of Barnstable Town Council

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MEETING AGENDA TOWN HALL HEARING ROOM October 20, 2016 7:00 PM

Councillors:

Jessica Rapp Grassetti
President
Precinct 7

Eric R. Steinhilber
Vice President
Precinct 2

John G. Flores
Precinct 1

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

Administrator:
Cynthia A. Lovell

Administrative
Assistant:
Kelly Crahan

- 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**
 - **Presentation by Sia Karplus of Science Wares on the benefits of an Aquaculture program**
- 9. ORDERS OF THE DAY**
 - A. Old Business**
 - B. New Business**

Original posted on 10/17/16 @9:33am
Updated on 10/17/16 to add an additional
Item#2017-026 and Item # 2017-027 at
1:37pm. Updated on 10/19/16 to add
additional candidates interviewed by
Appointments Committee meeting on
10/18/16@ 9:58am. Updated on 10/20/16 to
reflect page numbers in index when additional
Items were added @ 8:53 am

10. ADJOURNMENT

Executive Session:

The Town Council may move to go into Executive Session under Massachusetts General Law. c. 30A §21(a) (1) to review the Open Meeting Law Complaint filed by Gary Lopez on October 3, 2016.

NEXT REGULAR MEETING: November 3, 2016

ITEM NO.	INDEX TITLE	PAGE
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A. OLD BUSINESS

2016-154	Amend Zoning Ordinance, Article V Accessory Uses § 240-43 by adding section 243-43.1 and Amend Section 240-46 section b. (12) Commercial Vehicle Storage in Residential Areas. (Public hearing) (Roll call 2/3 vote)	3-5
2017-023	Appropriation Order in the amount of \$16,810.00 Community Preservation Funds for historic preservation and restoration of the Dottridge Homestead Preservation Project (Phase II), map 034 parcel 051, Historical Society of Santuit & Cotuit, 1148 Main Street, Cotuit, MA. (Public hearing) (Roll call)	6-7

B. NEW BUSINESS

2017-026	Appointments to a Board/Committee/Commission: Board of Governors of the Steamship Authority: Robert R. Jones, as a representative member of Barnstable, to a term expiring 12/17. Library Committee: Margaret Sutphin, 44 Fox Run, Centerville, as a member to a term expiring 6/30/17. Planning Board: Steven Costello, 255 Scudder Road, Osterville as a regular member to a term expiring 6/30/18 (First reading)	8
2017-027	Authorization of School Transportation Contract in Excess of Three Years. (May be acted upon)	9-10

Approve Minutes – October 6, 2016

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 it 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)

BARNSTABLE TOWN COUNCIL

ITEM# 2016-154

INTRO: 05/05/16, 07/21/16, 09/15/16, 10/20/16

2016-154 AMEND ZONING ORDINANCE, ARTICLE V ACCESSORY USES § 240-43 BY ADDING SECTION 243-43.1 AND AMEND SECTION 240-46 SECTION B. (12)

ORDERED: Section 1 of the Order. That the Zoning Ordinance, Article V Accessory Uses be amended by adding new section 240-43.1 to Section 240-43 as follows:

240-43.1 Commercial Vehicles Accessory to Principal Residential Use

The continued and regular parking of one (1) commercial vehicle owned or operated by a resident of the premises is permitted by right in all zoning districts.

- A. Only one (1) commercial vehicle is allowed per lot.
- B. All such commercial vehicles shall be parked in a driveway or an enclosed structure. In no case shall such vehicles be parked on the street.
- C. For the purposes of this section, permitted Commercial Vehicles shall not include tractor trailers, or construction vehicles including but not limited to backhoes, bulldozers and dump trucks.
- D. Overnight storage of multi-passenger commercial vehicles is prohibited.
- E. Vehicles temporarily on the premises due to permitted building or site work that is continuing in good faith are allowed.
- F. Nothing in this section shall be construed as authorization for the conducting of a business on the premises

Section 2 of the Order. That the Zoning Ordinance, Article V Accessory Uses 240-46, Section B. (12) Home Occupation be amended a follows:

Add new sentence at the end of the section as follows: "In no case shall there be more than one commercial vehicle per lot."

So that the amended Section 240-46, section B. (12) reads:

B. (12) There are no commercial vehicles related to the customary home occupation, other than one van or one truck not to exceed one-ton capacity, and one trailer not to exceed 20 feet in length and not to exceed four tires, parked on the same lot containing the customary home occupation. In no case, shall there be more than one commercial vehicle per lot.

SPONSOR: Councilor William Crocker Jr. Precinct 6

DATE	ACTION TAKEN
<u>05/05/16</u>	<u>Refer to Planning Board</u>
<u>06/13/16</u>	<u>Planning Board voted unanimously in favor of supporting Item #2016-154</u>
<u>07/21/16</u>	<u>Continued to 09/15/16</u>
<u>09/15/16</u>	<u>Continue to 10/20/16</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2016-154

INTRO: 05/05/16, 07/21/16, 09/15/16, 10/20/16

SUMMARY

TO: Town Council
THROUGH: Mark S. Ells, Town Manager
FROM: Jo Anne Miller Buntich, Growth Management Director
DATE: May 5, 2016
SUBJECT: Zoning Ordinance Amendment Commercial Vehicle Storage in Residential Areas

BACKGROUND: Section 1

This is a proposed amendment to the Zoning Ordinance, Article V Accessory Uses by adding new section 240-43.1 to Section 240-43. This new section allows the overnight parking of one commercial vehicle to accommodate the transportation needs of working people in neighborhoods. The new section then prohibits other types and numbers of commercial vehicles on lots in residential areas.

ANALYSIS: Section 2

Adds information to the existing Home Occupation ordinance to clarify commercial vehicle storage for this use and make this section relate better to the new section 240-43.1 described herein.

STAFF ASSISTANCE: Ruth J. Weil, Town Attorney; Paul Roma, Interim B

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

BARNSTABLE TOWN COUNCIL

ITEM # 2017-023

INTRO: 09/29/16, 10/06/16, 10/20/16

2017-023 APPROPRIATION ORDER IN THE AMOUNT OF \$16,810.00 COMMUNITY PRESERVATION FUNDS FOR HISTORIC PRESERVATION AND RESTORATION OF THE DOTTRIDGE HOMESTEAD PRESERVATION PROJECT (PHASE II), MAP 034 PARCEL 051, HISTORICAL SOCIETY OF SANTUIT & COTUIT, 1148 MAIN STREET, COTUIT, MA.

ORDERED: That pursuant to the provisions of the Community Preservation Act, G.L. c 44B, the sum of Sixteen thousand Eight hundred and Ten dollars (**\$16,810.00**) Dollars be appropriated and transferred from the amount set aside for historic preservation in the Community Preservation Fund to be expended for a portion of the preservation and restoration of the Dottridge Homestead, Map 034 Parcel 051, 1148 Main Street, Cotuit, including replacement of cedar shingles and corner boards on all sides of the house, a new bulkhead door, a new back door entry, restoration of the keeping room fireplace, window re-glazing and repair and a custom fence reproduction; and that the Town Manager is authorized to expend the amounts appropriated for the stated purposes contingent on satisfactory proof of private contributions of an additional \$9,640.00 towards the total project cost of \$26,450.00 and to obtain, execute and record an historic preservation restriction on behalf of the Town.

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

DATE	ACTION TAKEN
<u>09/29/16</u>	<u>First reading</u> _____
<u>10/06/16</u>	<u>Continue to 10/20/16 (for advertising purposes)</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2017-023

INTRO: 09/29/16, 10/06/16, 10/20/16

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lindsey Counsell, Chair, Community Preservation
DATE: September 29, 2016
SUBJECT: Appropriation Order in the amount of \$16,810.00 Community Preservation Funds for Historic Preservation and Restoration of the Dottridge Homestead Preservation Project (Phase II), Map 034 Parcel 051, 1148 Main Street, Cotuit, MA.

BACKGROUND: The Historical Society of Santuit and Cotuit is seeking approval from the Town Council through the Town Manager for Community Preservation Act Historic Preservation funds in the amount of \$16,810.00 which represents a portion of the total cost of \$26,450.00 for Phase II of the Dottridge Homestead Preservation Project. \$9,640.00 in matching funds has been raised through donations. Phase I work which has been completed, required immediate restoration of the roof and was almost entirely funded with Society funding through an annual appeal. Phase II work includes the replacement of cedar shingles and corner boards on all sides of the house; a new bulkhead door, a new back door entry; restoration of the keeping room fireplace; window re-glazing and repair; and, a custom fence reproduction. The continued restoration of the Homestead will allow the Society to better serve the increasing number of visitors to the homestead each year. The Dottridge Homestead is a classic example of early 19th century architecture and reflects life in coastal Massachusetts during this time. The Dottridge Homestead is the headquarters of the Historical Society of Santuit and Cotuit which has grown to include a museum featuring Cotuit and Cape Cod history, the Cotuit Fire Museum; a reproduction of a 19th century ice house; and, the historical Kitchen Gardens. The Society's archives are available for research and the buildings are open to the public on weekends from Memorial Day through Christmas. The 1790 Samuel Dottridge Homestead is listed on the State Register and the National Register as a contributing building in the Cotuit National Register District. Preserving the homestead will help the Society in their mission to educate future generations of Cotuit's rich historical heritage.

STAFF ASSISTANCE: Community Preservation

B. NEW BUSINESS (First Reading)

BARNSTABLE TOWN COUNCIL

ITEM # 2017-026
INTRO: 10/20/16

2017-026 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoint the following individuals to a multiple-member board/committee/commission: **Board of Governors of the Steamship Authority:** Robert R. Jones, as a representative member of Barnstable, to a term expiring 12/17. **Library Committee:** Margaret Sutphin, 44 Fox Run, Centerville, as a member to a term expiring 6/30/17. **Planning Board:** Steven Costello, 255 Scudder Road, Osterville as a regular member to a term expiring 6/30/18.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM #2017-027
INTRO: 10/20/16**

**2017-027 AUTHORIZATION OF SCHOOL TRANSPORTATION CONTRACT
IN EXCESS OF THREE YEARS**

RESOLVED: That the Town Council authorizes the School Committee to solicit and award a contract for regular and extracurricular school transportation for a term of up to ten years beginning July 1, 2017.

SPONSORS: Councilor Sara Cushing, Precinct 10; Councilor John G Flores, Precinct 1

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM #2017-027
INTRO: 10/20/16

SUMMARY

TO: Town Council
FROM: School Committee
THROUGH: Mark Ells, Town Manager
DATE: October 20, 2016
SUBJECT: Authorization of School Transportation Contract in Excess of Three Years

BACKGROUND: The School Department's current contract for regular and extracurricular transportation with First Student, Inc. expires at the end of the 2016-17 school years.

Under General Laws ch.30B, § 12(b), the School Committee may not award a contract for regular and extracurricular transportation for a term exceeding thirty-six (36) months, including any renewal, extension, or option, without a majority vote of the Town Council.

The School Committee has historically solicited bids for transportation services for a term not to exceed sixty (60) months. Due to the capital costs associated with the purchase of a bus fleet, the Committee believes most advantageous pricing would not be available in a contract with a term less than sixty (60) months.

The current market for transportation services within South-East Massachusetts is dominated by one major provider, allowing little opportunity for competitive bidding. Surrounding communities when soliciting new bids are experiencing contractual increases above those received in past years.

RATIONALE: The School Committee is seeking authorization from the Town Council to solicit and enter into a contract greater the thirty-six months.

To contain costs while providing the safest student transportation a multi-pronged approach of increasing the contract term, removal of prohibitive contractual language and making available land for vehicle parking is being undertaken to make Barnstable's contract appealing to transportation providers. It is hoped that these refinements will encourage new vendors to the region.

Contract terms and bid specifications have been developed in accordance with industry best practices and vetted through representatives of the Massachusetts Association of Pupil Transportation.

The period of the contract for regular transportation and extra-curricular activities will be for an initial period of sixty (60) months with one additional thirty-six (36) month option and one additional twenty-four (24) month option, beginning with the start of the fiscal year on July 1, 2017. Option years will be exercised at the sole discretion of the School Committee.

FISCAL IMPACT: It is expected that the extended contract term will allow for greater competition in the transportation provider market and hence contain the anticipated cost increases experienced by other communities.

TOWN MANAGER RECOMMENDATION: Mark S. Ells recommends acceptance of this extension

STAFF ASSISTANCE: Gareth Markwell, Deputy Finance Director, Town of Barnstable
Johanna Boucher, Chief Procurement Officer, Town of Barnstable; Sandy Gifford, Transportation Director, Barnstable Public Schools; David Anthony, Dir. Property & Risk Management, Town of Barnstable