



# Town of Barnstable Town Council

367 Main Street, Village of Hyannis, MA 02601  
Office 508.862.4738 • Fax 508.862.4770  
E-mail: [council@town.barnstable.ma.us](mailto:council@town.barnstable.ma.us)  
[www.town.barnstable.ma.us](http://www.town.barnstable.ma.us)

## MEETING AGENDA TOWN HALL HEARING ROOM March 23, 2017 7:00 PM

Original posted 3/21/17  
@12:31; Updated on  
3/22/17 to reflect update  
in Item 2017-106 and also  
to add 2017-096  
Appointments to a  
Board/Committee/  
Commission

### Councilors:

Eric R. Steinhilber  
President  
Precinct 2

James H. Crocker Jr.  
Vice President  
Precinct 5

John G. Flores  
Precinct 1

Paul Hebert  
Precinct 3

Frederick Chirigotis  
Precinct 4

William Crocker, Jr.  
Precinct 6

Jessica Rapp  
Grassetti  
Precinct 7

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 from Glenn Cannon, Technical Services,  
Cape Cod Commission on the Route 28/ Yarmouth Road  
project**

### 9. ORDERS OF THE DAY

#### A. Old Business

#### B. New Business

### 10. ADJOURNMENT

**NEXT REGULAR MEETING: April 06, 2017**

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**General Fund Capital Improvement Plan**

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**END CAPITAL IMPROVEMENT PLAN**

2017-096	Appointments to a Board/Committee/Commission: <b>Airport Commission:</b> Zachary Lesinski, 1199 West Barnstable Road, Marstons Mills, as a regular member to a term expiring 06/30/20; <b>Council on Aging:</b> Lori Monahan, 41 McGee Drive, Hyannis, as an associate member to a term expiring 06/30/20; Greg Monahan, 41 McGee Drive, Hyannis as an alternate member to a term expiring 06/30/20; <b>Cultural Council:</b> Kevin Shanley, 349 Old Jail Lane, Barnstable as a regular member to a term expiring 06/30/20; <b>Recreation Commission:</b> James Tenaglia, 441 Shootflying Hill Road, Centerville, as a regular member to a term expiring 06/30/20 <b>(First reading)</b> .....	43
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2017-110	Acceptances of grants totaling <b>\$850</b> to the Barnstable Youth Commission from Barnstable Police - Mass Cop, Barnstable Police Association and Barnstable Professional Firefighters Association to support the 2017 Youth Summit and Community Substance Abuse Prevention Forum <b>(May be acted upon)</b> .....	56-58

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**Approve Minutes –March 2, 2017**

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**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 (Public Hearing) (Roll call 2/3)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-051  
INTRO: 01/19/17, 03/23/17**

**2017-051 AMENDMENT OF THE ZONING MAP OF THE TOWN OF BARNSTABLE MASSACHUSETTS TO INCLUDE PARCELS 023023 AND 038004 IN THE GROUND MOUNTED SOLAR PHOTOVOLTAIC OVERLAY DISTRICT.**

**ORDERED:** That Chapter 240, Article II, Section 6, The Zoning Map of the Town of Barnstable Massachusetts is hereby amended extend the Ground Mounted Solar Photovoltaic Overlay District as shown on maps entitled;

- Proposed Amendment to the Town Zoning Map Expanding the Ground Mounted Solar Photovoltaic Overlay District – Index Map and
- Proposed Amendment to the Osterville Zoning Map expanding the Ground Mounted Solar Photovoltaic Overlay District – Sheet 5 of 7 and
- Proposed Amendment to the Marstons Mills Zoning Map expanding the Ground Mounted Solar Photovoltaic Overlay District – Sheet 6 of 7 and
- Proposed Amendment to the Cotuit Zoning Map expanding the Ground Mounted Solar Photovoltaic Overlay District – Sheet 7 of 7

Dated January 9, 2017 as prepared by the Town of Barnstable GIS (Geographical Information System) Unit

**SPONSOR:** Councilor John Norman, Precinct 12

DATE	ACTION TAKEN
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<u>01/19/17</u>	<u>Refer to Planning Board</u>
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<u>02/13/17</u>	<u>Planning Board approved recommendation of Zoning Amendment to the full Council letter dated 2/27/17</u>
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- Read Item
- Motion to Open Public Hearing
- Rationale
- Public Hearing
- Close Public Hearing
- Council Discussion
- Move/Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2017-051  
INTRO: 01/19/17, 03/23/17

## SUMMARY

**TO:** Town Council  
**FROM:** Elizabeth Jenkins, Interim Director, Growth Management Department  
**THROUGH:** Mark S. Eells, Town Manager  
**DATE:** January 19, 2017  
**SUBJECT:** Zoning Map Amendment to extend the Ground Mounted Solar Photovoltaic Overlay District to include Parcels 023023 and 038004

**BACKGROUND:** The Cotuit Water Department, with Green Seal Environmental as consulting engineer, and Borrego Solar Systems, Inc. (pursuant to M.G.L. c. 25A, § 11I) have partnered to develop, construct, and operate a  $\pm$  5.7MWDC (megawatts direct current) solar photovoltaic electric generating facility on the one hundred eighty-two acre property owned by the Water Department off Main Street and Sampson's Mill Road in Cotuit.

**RATIONALE:** In order for the project to move forward toward local entitlement permits, it is proposed that the Zoning Map of the Town of Barnstable be amended to include the above mentioned property (Assessors Map 23, Lot 23 and Assessors Map 38, Lot 04) in the Ground Mounted Solar Photovoltaic Overlay District.

**ANALYSIS:** When reviewing the five potential project sites, the Water Department, Green Seal Environmental, and Borrego Solar, endeavored to consider the perspectives of all direct and indirect stakeholders of the project. The above mentioned property was identified as the sole property targeted for development. Some particular project highlights and benefits include:

- Large property allowing for zero impact to view sheds from neighboring residential lots and public ways
- Existing paved access roads will require minimal if any upgrade work allow for near zero impact to existing views from public ways
- Access to Eversource distribution lines at the center of the parcel allow for near zero impact to existing views from public ways
- No construction work proposed within  $\pm$  1310' of a wetland area

To date, a number of development and site discovery activities have occurred which has led the project team to the point of commencing the entitlement process. A summary is presented below:

- Water Department Meetings: Ongoing formal and informal meetings with site lease executed 09/26/2016
- Cotuit-Santuit Civil Association Meeting: 9/20/2016
- Cotuit Prudential Committee: 9/26/2016
- Town Council Meeting: 11/03/2016
- Planning Board: Ongoing formal and informal meetings
- Cape Cod Commission: Ongoing formal and informal meetings
- Site Discovery Activities Performed to Date (all information is available upon request)
- Title Report and Review performed by Law Office of Joel Stein and Borrego Inside Counsel

- GIS/ LIDAR ( light detection and ranging) Topographical and Boundary Mapping performed by Northeast Survey Consultants
- Skeletal Survey performed by Northeast Survey Consultants
- Wildlife Rare Species Screen performed by MA Division of Fisheries and Wildlife
- Wildlife Habitat Assessment Report performed by GZA GeoEnvironmental
- Wetland Delineation and Location performed by SWCA Environmental Consultants
- Interconnection Applications to Eversource Energy
- System Impact Studies to Eversource Energy
- Utility Easement Crossing Application to Eversource Energy
- Preliminary Site Plan design by Borrego Engineering
- Site Use Permit Plan design by Borrego Engineering

**FISCAL IMPACT:** The solar project will generate, as lease payments to the Cotuit Water Department, ± \$85,190 annually for up to thirty years. The Department is anticipating that revenue generated by the solar project will fund ongoing efforts to maintain and improve infrastructure (specifically replacing lost revenue resulting from the removal of a water tower) while supporting Federal, State, and Local goals of renewable energy adoption. The solar project will generate, as property tax payments to the Town of Barnstable, ± \$68,152 annually for up to thirty years. Project reliance on Town resources will be immaterial. From an environmental standpoint, Project will produce enough renewable energy to offset 6,000 Tons of Carbon Dioxide equivalent to the CO<sub>2</sub> emissions from the electricity usage of approximately 800 homes, greenhouse gas emissions from 1,140 passenger vehicles, and equivalent to carbon sequestered 5,100 acres of U.S. forests<sup>1</sup>.

**STAFF ASSISTANCE:** Elizabeth Jenkins, AICP, Interim Director, Growth Management Department

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<sup>1</sup> “Greenhouse Gas Equivalencies Calculator.” *Energy and the Environment*, EPA US Environmental Protection Agency, Last Updated: May 2016, Accessed: October, 2016, <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>



**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-062  
INTRO: 03/23/17**

**2017-062 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL UNIT VENTILATOR UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$250,000** be appropriated for the purpose of funding the Barnstable Public School Unit Ventilator Upgrade Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-063  
INTRO: 03/23/17**

**2017-063 APPROPRIATION TRANSFER AND LOAN ORDER IN THE AMOUNT OF \$3,500,363 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL 21ST CENTURY LEARNING SPACE PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$3,500,363** be appropriated for the purpose of funding the Barnstable High School 21st Century Learning Space Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$3,158,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that **\$342,363** be transferred from the remaining available balances in previously approved Town Council orders as follows:

Council Order 2013-105	\$4,798
Council Order 2013-106	\$9,964
Council Order 2014-092	\$2,197
Council Order 2014-093	\$9,826
Council Order 2014-096	\$10,920
Council Order 2015-045	\$13,685
Council Order 2015-115	\$13,499
Council Order 2015-116	\$172,715
Council Order 2015-119	\$54,759
Council Order 2015-121	\$50,000

and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE ACTION TAKEN

\_\_\_\_\_  
\_\_\_\_\_

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17)  
(Majority vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-064  
INTRO: 03/23/17**

**2017-064 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL NETWORK INFRASTRUCTURE UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$250,000** be appropriated for the purpose of funding the Barnstable Public School Network Infrastructure Upgrades Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$250,000** be transferred from available funds within the General Fund Reserves, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17)  
(Majority vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-065  
INTRO: 03/23/17**

**2017-065 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000  
FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL  
COMMUNICATIONS AND SECURITY NETWORK UPGRADES PROJECT AS  
OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL  
IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$100,000** be appropriated for the purpose of funding the Barnstable Public School Communications and Security Network Upgrades Project as outlined in the Fiscal Year 2018 Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$100,000** be transferred from available funds within the General Fund Reserves, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
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**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-066  
INTRO: 03/23/17**

**2017-066 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$300,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL ASBESTOS ABATEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$300,000** be appropriated for the purpose of funding the Barnstable Public School Asbestos Abatement Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$300,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
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**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-067  
INTRO: 03/23/17**

**2017-067 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,055,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL STADIUM BLEACHERS PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$1,055,000** be appropriated for the purpose of funding the Barnstable High School Stadium Bleachers Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$1,055,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE ACTION TAKEN

\_\_\_\_\_  
\_\_\_\_\_

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-068**

**INTRO: 03/23/17**

**2017-068 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$425,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL CAFETERIA STOREFRONT AND WINDOW REPLACEMENT AND THE BARNSTABLE WEST BARNSTABLE ELEMENTARY SCHOOL ROOF REPLACEMENT PROJECTS AS OUTLINED IN THE FISCAL YEAR 2018 FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$425,000** be appropriated for the purpose of funding the Barnstable High School Cafeteria Storefront and Window Replacement and the Barnstable West Barnstable Elementary School Roof Replacement Projects as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$425,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-069  
INTRO: 03/23/17**

**2017-069 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$560,000 FOR THE PURPOSE OF FUNDING THE TOWN HALL RESTROOM RENOVATIONS PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$560,000** be appropriated for the purpose of funding the Town Hall Restroom Renovations Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$560,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE            ACTION TAKEN

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\_\_\_\_\_

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



**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-070  
INTRO: 03/23/17**

**2017-070 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$116,000 FOR THE PURPOSE OF FUNDING THE TOWN HALL AND SCHOOL ADMINISTRATION BUILDING MASONRY SEALER PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$116,000** be appropriated for the purpose of funding the Town Hall and School Administration Building Masonry Sealer Project as outlined in the Fiscal Year 2018 Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$116,000** be transferred from available funds within the Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
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- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-071  
INTRO: 03/23/17**

**2017-071 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$3,250,000 FOR THE PURPOSE OF FUNDING THE PUBLIC ROADS IMPROVEMENT PROGRAM AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$3,250,000** be appropriated for the purpose of funding the Public Roads Improvement Program as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$3,250,000** be transferred from available funds within the Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE            ACTION TAKEN

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\_\_\_\_\_            \_\_\_\_\_

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17)  
(Majority vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-072  
INTRO: 03/23/17**

**2017-072 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$235,000  
FOR THE PURPOSE OF FUNDING THE JFK MUSEUM PLAZA  
REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2018  
FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$235,000** be appropriated for the purpose of funding the JFK Museum Plaza Replacement Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$120,000** be transferred from the available funds remaining under Town Council Order 2013-115 and the **\$115,000** be transferred from the available funds remaining under Town Council Order 2014-101, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-073  
INTRO: 03/23/17**

**2017-073 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$314,000 FOR THE PURPOSE OF FUNDING THE GUARDRAIL, SIDEWALK AND CROSSWALK IMPROVEMENT PROGRAM AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$314,000** be appropriated for the purpose of funding the Guardrail, Sidewalk and Crosswalk Improvement Program as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$314,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-074  
INTRO: 03/23/17**

**2017-074 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$350,000 FOR THE PURPOSE OF FUNDING THE COMPREHENSIVE SITE ASSESSMENT AND IMPROVEMENTS FOR THE WEST BARNSTABLE SHOOTING RANGE IMPROVEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$350,000** be appropriated for the purpose of funding the Comprehensive Site Assessment and Improvements for the West Barnstable Shooting Range Improvement Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$350,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote

**B. NEW BUSINESS (Refer to Public hearing 04/06/17)  
(Majority vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-075  
INTRO: 03/23/17**

**2017-075 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$200,000  
FOR THE PURPOSE OF FUNDING THE PUMP STATION EVALUATION  
PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022  
CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$200,000** be appropriated for the purpose of funding the Pump Station Evaluation Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$200,000** be transferred 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 and be authorized to accept any grants or gifts in relation thereto.

DATE            ACTION TAKEN

\_\_\_\_\_            \_\_\_\_\_  
\_\_\_\_\_            \_\_\_\_\_

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17)  
(Majority vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-076  
INTRO: 03/23/17**

**2017-076 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$55,000  
FOR THE PURPOSE OF FUNDING THE ACQUISITION OF A NEW VEHICLE  
AS OUTLINED IN THE FISCAL YEAR 2018 - FISCAL YEAR 2022 CAPITAL  
IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$55,000** be appropriated for the purpose of funding the Acquisition of a New Vehicle as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$55,000** be transferred 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 and be authorized to accept any grants or gifts in relation thereto.

DATE ACTION TAKEN

\_\_\_\_\_  
\_\_\_\_\_

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17)  
(Majority vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-077  
INTRO: 03/23/17**

**2017-077 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$55,000 FOR THE PURPOSE OF FUNDING THE DEVELOPMENT OF A COMPUTERIZED WASTEWATER TREATMENT PLANT SIMULATION MODEL FOR THE HYANNIS WATER POLLUTION CONTROL FACILITY AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of \$55,000 be appropriated for the purpose of funding the Development of a Computerized Wastewater Treatment Plant Simulation Model for the Hyannis Water Pollution Control Facility as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that \$55,000 be transferred 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 and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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_____	_____

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



**B. NEW BUSINESS (Refer to Public hearing 04/06/17)  
(Majority vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-078  
INTRO: 03/23/17**

**2017-078 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$72,000  
FOR THE PURPOSE OF FUNDING THE EVALUATION AND DESIGN OF THE  
BARNSTABLE ROAD SEWER SYSTEM UPGRADES AS OUTLINED IN THE  
FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$72,000** be appropriated for the purpose of funding the Evaluation and Design of the Barnstable Road Sewer System Upgrades as outlined in the Fiscal Year 2018 Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$72,000** be transferred 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 and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-079  
INTRO: 03/23/17**

**2017-079 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$491,000 FOR THE PURPOSE OF FUNDING LEASE BUY OUT OF (3) ACTIVATED CARBON FILTER UNITS AT THE MARY DUNN WELLS AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$491,000** be appropriated for the purpose of funding Lease Buy-out of (3) Activated Carbon Filter Units at the Mary Dunn Wells as outlined in the Fiscal Year 2018 Fiscal Year 2022 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 **\$491,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-080**

**INTRO: 03/23/17**

**2017-080 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$295,000 FOR THE PURPOSE OF FUNDING THE WELL REACTIVATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$295,000** be appropriated for the purpose of funding the Well Reactivation Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$295,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-081  
INTRO: 03/23/17**

**2017-081 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$500,000 FOR THE PURPOSE OF FUNDING THE PIPE REPLACEMENT AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$500,000** be appropriated for the purpose of funding the Pipe Replacement and Upgrade Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$500,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE            ACTION TAKEN

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\_\_\_\_\_

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17)  
(Majority vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-082  
INTRO: 03/23/17**

**2017-082 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$200,000 FOR THE PURPOSE OF FUNDING THE WELLS, PUMP STATIONS AND TREATMENT PLANT REPAIR AND UPGRADE PROGRAM AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of \$200,000 be appropriated for the purpose of funding the Wells, Pump Stations and Treatment Plant Repair and Upgrade Program as outlined in the Fiscal Year 2018 Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that \$200,000 be transferred 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 and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-083  
INTRO: 03/23/17**

**2017-083 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$638,000 FOR THE PURPOSE OF FUNDING THE NEW ROOF, APPURTENANCES AND SITE WORK CONSTRUCTION AT THE MARY DUNN 1 WATER STORAGE TANK AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$638,000** be appropriated for the purpose of funding the New Roof, Appurtenances and Site Work Construction at the Mary Dunn 1 Water Storage Tank as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$638,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17)  
(Majority vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-084  
INTRO: 03/23/17**

**2017-084 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$45,000  
FOR THE PURPOSE OF FUNDING THE ACQUISITION OF A NEW VEHICLE  
AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL  
IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$45,000** be appropriated for the purpose of funding the Acquisition of a New Vehicle as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$45,000** be transferred 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 and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-085  
INTRO: 03/23/17**

**2017-085 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$325,000 FOR THE PURPOSE OF FUNDING THE HYANNIS GOLF COURSE TURF MAINTENANCE AND EQUIPMENT REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$325,000** be appropriated for the purpose of funding the Hyannis Golf Course Turf Maintenance and Equipment Replacement Project as outlined in the Fiscal Year 2018 Fiscal Year 2022 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 **\$325,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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_____	_____

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



**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-086  
INTRO: 03/23/17**

**2017-086 APPROPRIATION AND LOAN ORDER IN THE A MOUNT OF \$675,000 FOR THE PURPOSE OF FUNDING THE OSTERVILLE RECREATION BUILDING DESIGN & CONSTRUCTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$675,000** be appropriated for the purpose of funding the Osterville Recreation Building Design & Construction Project as outlined in the Fiscal Year 2018 Fiscal Year 2022 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 **\$675,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-087  
INTRO: 03/23/17**

**2017-087 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$209,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE SENIOR CENTER STANDBY GENERATOR PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$209,000** be appropriated for the purpose of funding the Barnstable Senior Center Standby Generator Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$154,000** be transferred from available funds within the Capital Trust Fund and that **\$55,000** be transferred from the available funds remaining under Town Council Order 2014-101, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-088  
INTRO: 03/23/17**

**2017-088 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$158,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE POLICE DEPARTMENT DISPATCH CENTER RENOVATIONS PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$158,000** be appropriated for the purpose of funding the Barnstable Police Department Dispatch Center Renovations Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$158,000** be transferred from available funds within the Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-089**

**INTRO: 03/23/17**

**2017-089 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$82,000 FOR THE PURPOSE OF FUNDING THE HYDRILLA CONTROL PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$82,000** be appropriated for the purpose of funding the Hydrilla Control Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$82,000** be transferred from available funds within the Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE ACTION TAKEN

\_\_\_\_\_  
\_\_\_\_\_

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-090  
INTRO: 03/23/17**

**2017-090 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$345,000 FOR THE PURPOSE OF FUNDING THE OBSTRUCTION MITIGATION PLAN AND AIRSPACE ANALYSIS PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$345,000** be appropriated for the purpose of funding the Obstruction Mitigation Plan and Airspace Analysis Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$345,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE            ACTION TAKEN

\_\_\_\_\_  
\_\_\_\_\_

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-091  
INTRO: 03/23/17**

**2017-091 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$700,000 FOR THE PURPOSE OF FUNDING THE COMPREHENSIVE FAA AIRPORT LAYOUT PLAN/FAA MASTER PLAN UPDATE PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$700,000** be appropriated for the purpose of funding the Comprehensive FAA Airport Layout Plan/FAA Master Plan Update Project as outlined in the Fiscal Year 2018 Fiscal Year 2022 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 **\$700,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE            ACTION TAKEN

\_\_\_\_\_            \_\_\_\_\_  
\_\_\_\_\_            \_\_\_\_\_

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-092  
INTRO: 03/23/17**

**2017-092 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$745,000 FOR THE PURPOSE OF FUNDING THE AIRPORT ACCESS CONTROL AND SECURITY IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$745,000** be appropriated for the purpose of funding the Airport Access Control and Security Improvements Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$745,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-093  
INTRO: 03/23/17**

**2017-093 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$300,000 FOR THE PURPOSE OF FUNDING THE CLEAR VEGETATION AND OBSTRUCTION REMOVAL PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$300,000** be appropriated for the purpose of funding the Clear Vegetation and Obstruction Removal Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 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 **\$300,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE ACTION TAKEN

\_\_\_\_\_  
\_\_\_\_\_

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



**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-094  
INTRO: 03/23/17**

**2017-094 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$150,000 FOR THE PURPOSE OF FUNDING THE RUNWAY AND TAXIWAY MARKINGS PAINTING PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$150,000** be appropriated for the purpose of funding the Runway and Taxiway Markings Painting Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$150,000** be transferred from the Airport Enterprise Fund reserves, and that the Barnstable Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 04/06/17) (2/3 vote)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-095  
INTRO: 03/23/17**

**2017-095 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$105,000 FOR THE PURPOSE OF FUNDING THE TYLER CONTENT MANAGER SOFTWARE SOLUTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2018 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN**

**ORDERED:** That the sum of **\$105,000** be appropriated for the purpose of funding the Tyler Content Manager Software Solution Project as outlined in the Fiscal Year 2018 – Fiscal Year 2022 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$105,000** be transferred from available funds within the Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
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_____	_____

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

**B. NEW BUSINESS (First reading)**

**BARNSTABLE TOWN COUNCIL**

**ITEM # 2017-096**  
**INTRO: 01/19/17, 02/02/17**

**2017-096 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION**

**RESOLVED:** That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Airport Commission:** Zachary Lesinski, 1199 West Barnstable Road, Marstons Mills, as a regular member to a term expiring 06/30/20; **Council on Aging:** Lori Monahan, 41 McGee Drive, Hyannis, as an associate member to a term expiring 06/30/20; Greg Monahan, 41 McGee Drive, Hyannis as an alternate member to a term expiring 06/30/20; **Cultural Council:** Kevin Shanley, 349 Old Jail Lane, Barnstable as a regular member to a term expiring 06/30/20; **Recreation Commission:** James Tenaglia, 441 Shootflying Hill Road, Centerville, as a regular member to a term expiring 06/30/20

**SPONSOR:** Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

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

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-105  
INTRO: 03/23/2017**

**RESOLUTION**

A resolution by the Town of Barnstable to renew the state-authorized Hyannis HyArts Cultural District for at least (5) years:

**WHEREAS**, the town wishes to renew a state-authorized cultural district through the enabling legislation (M.G.L. c. 10, § 58A)

**WHEREAS**, the town has a mixed-use geographical area that has a concentration of cultural facilities and assets.

**WHEREAS**, the town has held a public hearing and adopted a resolution proclaiming its interest in renewing a state-designated cultural district.

**WHEREAS**, the town has created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district.

**WHEREAS**, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to renew said cultural district.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of Barnstable:

**Article 1.** Endorses the submission of this application and agrees to support and promote arts and cultural programs, events and assets in the cultural district.

**Article 2.** Endorses the state-sponsored cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

**Article 3.** Has appointed a town official to represent the city within the district partnership of said cultural district. This official is the Growth Management Economic Development Program Arts & Culture Coordinator.

**Article 4.** Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district.

**Article 5.** Directs town agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

ADOPTED ON THIS DAY OF \_\_\_\_\_ OF MARCH 2017

\_\_\_\_\_  
Town Council President

\_\_\_\_\_  
Date

**SPONSOR:**

DATE	ACTION TAKEN
_____	_____
_____	_____

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

# BARNSTABLE TOWN COUNCIL

**ITEM# 2017-105**  
**INTRO: 2/23/17**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Elizabeth S. Jenkins, Interim Director, Growth Management Department (GMD)  
Melissa Hersh, Arts & Culture Coordinator, GMD Economic Development  
**DATE:** March 23, 2017  
**SUBJECT:** Hyannis HyArts Cultural District Renewal

The 'Hyannis HyArts Cultural District' was established in 2012 through the Massachusetts Cultural Council's Cultural Districts Program. The District was among the first ten Cultural Districts established in the Commonwealth and the first on Cape Cod. With this recognition we received state marketing support and in 2016 were awarded a modest state grant of \$5,000 to create, support and promote arts marketing in Barnstable. Five years later, the Hyannis HyArts Cultural District has strengthened partnerships with business and arts organizations; supported local artists with a variety of opportunities to connect directly with the public; and honored our unique community and maritime identity through projects that animate public spaces, including performances, public art projects, and walking trails. The next five years we will continue to enhance our status as a cultural destination and serve as an engine for economic development.

A MCC Cultural District is a specific area in a city or town with a concentration of cultural facilities, activities, and assets. It is a walkable, compact area that is easily identifiable to visitors and residents and serves as a center of cultural, artistic and economic activity. The statute that created cultural districts has six specific goals:

1. Attract artists and cultural enterprises
2. Encourage business and job development
3. Establish the district as a tourist destination
4. Preserve and reuse historic buildings
5. Enhance property values
6. Foster local cultural development.

The HyArts Cultural District partnership outlines goals and actions that provide a road-map for enhancing programming, improving the built environment, and supporting cultural economic development in the District. The established goals of the HyArts District are:

1. Establish new and expand existing partnerships to promote year-round arts and culture activities in downtown Hyannis.
2. Support a Multi-Use Cultural Center/Performing Arts Center
3. Attract new creative economy businesses and increase the number of artists living and working in the Cultural District
4. Preserve, enhance and showcase the historic and maritime character of downtown Hyannis.
5. Introduce new programming to actively engage residents and visitors, especially those who do not readily participate in the cultural community.
6. Recognize, promote, and enhance the reciprocal benefits of promoting arts and culture as part of the community and economic development. Explore opportunities for innovative collaborations between businesses, artists and or cultural organizations.
7. Pursue opportunities to improve aesthetics, safety, and pedestrian accessibility in downtown Hyannis' public places.
8. Maximize the benefits of cultural tourism by increasing the number of visitors and overnight stays in the Cultural District.

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

**BARNSTABLE TOWN COUNCIL**

**ITEM # 2017-106  
INTRO: 03/23/2017**

**2017-106 TRANSFER ORDER IN THE AMOUNT OF \$85,000.00 COMMUNITY PRESERVATION FUNDS FOR HISTORIC PRESERVATION AND RESTORATION OF THE OLDE COLONIAL COURTHOUSE, ROUTE 6A (MAIN STREET) AND RENDEZVOUS LANE, BARNSTABLE**

**ORDERED:** That pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the sum of Eighty-Five Thousand and NO/100 (**\$85,000.00**) dollars be appropriated and transferred from the amount appropriated under item number **2016-075** for the preservation and restoration of the Olde Colonial Courthouse, located at 3046 Main Street (Route 6A), and Rendezvous Lane, Barnstable. Preservation and rehabilitation methods include roof, gutters, siding, foundation, electrical system, porch and chimney repairs and removal; to be secured by an historic preservation restriction; that the Town Manager is authorized to expend the amounts appropriated for the stated purposes contingent on the awarding of a Massachusetts Preservation Project Funds grant in the amount of **\$40,000.00** representing the other 32% of a project total of **\$125,000.00**; and that the Town Manager is authorized to obtain, execute and record an historic preservation restriction on behalf of the town.

**SPONSOR:** Councilor John G. Flores, Precinct 1

DATE	ACTION TAKEN
_____	_____
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- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close Public Hearing
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote

# BARNSTABLE TOWN COUNCIL

**ITEM # 2017-106**  
**INTRO: 03/23/2017**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Lindsey Counsell, Chair, Community Preservation Committee  
**DATE:** March 23, 2017  
**SUBJECT:** Appropriation and Transfer Order in the amount of **\$85,000.00** Community Preservation Funds for Historic preservation and restoration of the Olde Colonial Courthouse, Route 6A (Main Street) and Rendezvous Lane, Barnstable

**RATIONALE:** The Community Preservation Committee voted on February 27, 2017 to support the funding request from Tales of Cape Cod in the amount of \$85,000 for historic preservation and restoration of the Olde Colonial Courthouse located at 3046 Main Street, Barnstable representing a portion of the total cost of Phase 1 work. This request for historic CPA funds is contingent on the awarding of a Massachusetts Preservation Projects Fund grant in the amount of \$40,000. This 2017 application amends the 2015 application for funds in the same amount which was approved by the Barnstable CPC and the Town Council contingent upon the receipt of a matching grant from Massachusetts Cultural Council which was ultimately not recommended for funding

This 2017 application recognizes a different matching funding source, Massachusetts Preservation Projects Fund, as well as a higher relative share of funding from the Barnstable CPC. The Old Colonial Courthouse is a “contributing property” in both the Barnstable Village Historic District and the Olde King’s Highway Historic District. The past events that have occurred in this building are of historical significance, and the current use of the building for lectures, meetings, and private events contributes to the character of the community

Phase 1 work is the same as outlined in the 2015 application including: roof repair, gutters and leaders, siding and trim, foundation repair, electrical system upgrade, basement entry gable, repair/replacement of porches and stairs and the removal of an exterior brick chimney that is no longer used

**FISCAL IMPACT:** There is no impact to the General Fund. All funds are drawn from the Community Preservation Act, Historic Preservation Funds

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



**B. NEW BUSINESS (Refer to Public hearing 04/06/17)**

**BARNSTABLE TOWN COUNCIL**

**ITEM # 2017-107  
INTRO: 03/23/17**

**2017-107 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$54,100  
COMMUNITY PRESERVATION FUNDS FOR THE FEDERATED CHURCH OF  
HYANNIS BURIAL GROUND**

**ORDERED:** That pursuant to the provisions of the Community Preservation Act, G.L. c.44B, the sum of Fifty-Four Thousand One Hundred and 00/100 (**\$54,100.00**) Dollars be appropriated and transferred from the amount set aside for historic resources in the Community Preservation Fund for the preservation, restoration and rehabilitation of The Federated Church of Hyannis burial ground to be secured by a historic preservation restriction; and that the Town Manager is authorized to expend the amounts appropriated and to execute, deliver, accept and record restrictions for the purposes authorized herein.

**SPONSOR:** Councilor James Tinsley, Precinct 9

DATE	ACTION TAKEN
_____	_____
_____	_____

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

## **BARNSTABLE TOWN COUNCIL**

**ITEM # 2017-107**  
**INTRO: 03/23/17**

### **SUMMARY**

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Lindsey Counsell, Chair Community Preservation Committee  
**DATE:** March 23, 2017  
**SUBJECT:** Appropriation and Transfer Order in the amount of **\$54,100** Community Preservation Funds for the Federated Church of Hyannis Burial Ground

**BACKGROUND:** The Federated Church of Hyannis is seeking approval from the Town Council through the Town Manager for CPA historic preservation funding in the amount of \$54,100 for Phase I work including: inventory, mapping and assessment of the condition of between 300 to 380 gravestones in the Universalist Cemetery located on the grounds of the Federated Church of Hyannis; and, to replace and extend the current fencing to provide better protection. The burial ground is listed with the Massachusetts Historical Commission as a historic burial ground with gravestones mainly from the 1800's when Hyannis was a thriving maritime village with many sea captains, early settlers of Hyannis, and war veterans buried here. Restoration of the cemetery will provide the public with another historic space to learn about local history. The inventory, mapping and assessment will serve as a basis for requesting quotes from cemetery conservators and will also provide a necessary component in application for National Register of Historic Places designation which would open up additional sources of grant opportunities.

**ANALYSIS:** Appropriation as requested will commence preservation and rehabilitation of the historic burial ground.

**FISCAL IMPACT:** This appropriation has no impact on the general fund since the entire amount is appropriated and transferred from the community preservation fund.

**TOWN MANAGER RECOMMENDATION:** The Town Manager recommends acceptance of this appropriation

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

**B. NEW BUSINESS (Refer to Planning Board)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-108  
INTRO: 03/23/17**

**2017-108 AMENDING CHAPTER 240 OF THE ZONING ORDINANCE TO ESTABLISH A TEMPORARY MORATORIUM ON THE CULTIVATION, MANUFACTURE, SALE AND DISTRIBUTION OF RECREATIONAL MARIJUANA AND ASSOCIATED ACTIVITIES**

**SECTION 1.**

**WHEREAS**, by vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law provided that it is effective on December 15, 2016 and the Cannabis Control Commission was required to issue regulations regarding implementation by September 15, 2017

**WHEREAS**, Chapter 351 of the Acts of 2016, approved by the Governor on December 30, 2016 and effective immediately as an emergency law, extended the time period for the issuance of regulations by six months until March 15, 2018 (Section 11 of Chapter 351 of the Acts of 2016)

**WHEREAS**, currently under the Town's Zoning Ordinance Recreational Marijuana Establishments and Marijuana Retailers are not permitted uses

**WHEREAS**, any regulations promulgated by the State Cannabis Control Commission are expected to provide guidance to municipalities in regulating Recreational Marijuana Establishments and Marijuana Retailers

**WHEREAS**, the regulation of Recreational Marijuana Establishments and Marijuana Retailers raises novel and complex legal, planning and public safety issues and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and Marijuana Retailers

**WHEREAS**, the Town needs adequate time to address the novel and complex issues associated with the regulation of Recreational Marijuana Establishments and Marijuana Retailers, as well as to address the potential impact of the state regulations on local zoning and to undertake a planning process to consider amending the Zoning Ordinance regarding the regulation of Recreational Marijuana Establishments and Marijuana Retailers and other uses related to the regulation of recreational marijuana

**WHEREAS**, the Town intends adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments and Marijuana Retailers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Ordinance in a manner consistent with sound land use planning goals and objectives.

## SECTION 2.

That Chapter 240, Article XIII of the Zoning Ordinance is hereby amended by adding a new §240-129.1 as follows:

§240-129.1 Temporary Moratorium on Recreational Marijuana Establishments and Marijuana Retailers and Associated Activities.

### A. Definitions.

As used in this §240-129.1, the following terms shall have the meaning indicated:

“Marijuana accessories” Equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise introducing marijuana into the human body

“Marijuana cultivator” An entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers

“Marijuana establishment” A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business

“Marijuana Manufacturing” To compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

“Marijuana products” Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures

“Marijuana product manufacturer” An entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers

“Marijuana testing facility” An entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants

“Recreational Marijuana retailer” An entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers

- B. No building permit, special permit, variance, site plan approval decision or other permit may be issued under this zoning ordinance for Recreational Marijuana Establishments and Marijuana Retailers or associated activities as those terms are defined herein.
- C. The moratorium shall be in effect through and including June 30, 2018.
- D. During the moratorium period, the Town shall undertake a planning process to address the complex and novel planning, legal and public safety issues related to the Recreational Marijuana Establishments and Marijuana Retailers, to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments and Marijuana Retailers and related uses, determine whether the Town shall restrict any, or all, licenses for Recreational Marijuana Establishments and Marijuana Retailers, determine whether the Town will prohibit on-site consumption at Recreational Marijuana Establishments and Marijuana Retailers and shall consider adopting new provisions of the Zoning Ordinance to address the direct and secondary impact and operation of Recreational Marijuana Establishments and Marijuana Retailers and related uses
- E. Applications for permits submitted after the first publication of the notice of the public hearing which results in the adoption of this moratorium but before its effective date shall be dealt with in due course until the effective date of this moratorium, and if a permit or other relief is granted prior to such effective date, it shall be subject to the effectiveness of this moratorium and shall be issued subject to any reliance thereon being at the peril of the recipient. During the effective period of this moratorium, any application shall be denied on the basis of this moratorium. In no event shall any permit or other relief applied for after the first publication of the notice of the public hearing create or result in any protections with respect to the land, its uses or structures upon it
- F. Unless extended, continued or modified by a subsequent action of Town Council, this section shall cease to be effective on July 1, 2018.
- G. Severability. The provisions of this ordinance are severable. If any provision, paragraph, sentence, or clause of this ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this ordinance

**SPONSOR:** John G. Flores, Councilor, Precinct 1

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council

# BARNSTABLE TOWN COUNCIL

**ITEM# 2017-108**  
**INTRO: 03/23/17**

## SUMMARY

**TO:** Town Council  
**THROUGH:** Mark S. Ells, Town Manager  
**FROM:** Ruth Weil, Town Attorney  
**DATE:** March 23, 2017  
**SUBJECT:** Moratorium on Recreational Marijuana Establishments and Marijuana Retailers

**RATIONALE:** By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law had provided that it is effective on December 15, 2016 and the Cannabis Control Commission was required to issue regulations regarding implementation by September 15, 2017. Thereafter, Chapter 351 of the Acts of 2016, approved by the Governor on December 30, 2016 and effective immediately as an emergency law, extended the time period for the issuance of regulations by six months until March 15, 2018. (Section 11 of Chapter 351 of the Acts of 2016)

The regulation of recreational marijuana establishments and marijuana retailers raises novel and complex public safety, health, planning and legal issues. This proposed moratorium allows the Town time to engage in a thoughtful planning process in a responsible and deliberate way, with the benefit of the regulations from the Cannabis Control Commission, which regulations, once promulgated, will provide guidance to municipalities regarding the implementation of the ballot question.

The proposed moratorium would be in effect until June 30, 2018, unless further extended.

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2017-109  
INTRO: 03/23/17**

**2017-109 RESOLVE TO APPROVE THE APPOINTMENT OF ELIZABETH S. JENKINS  
AS THE DIRECTOR OF THE GROWTH MANAGEMENT DEPARTMENT**

**RESOLVED**, that the Town Council hereby approves the appointment by the Town Manager of Elizabeth S. Jenkins as the Director of the Growth Management Department.

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

<u>DATE</u>	<u>ACTION TAKEN</u>
_____	_____

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

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

**BARNSTABLE TOWN COUNCIL**

**ITEM # 2017-110  
INTRO: 03/23/17**

**2017-110 ACCEPTANCE OF GRANTS TOTALING \$850 FROM BARNSTABLE POLICE MASS COP, BARNSTABLE POLICE ASSOCIATION AND BARNSTABLE PROFESSIONAL FIREFIGHTERS ASSOCIATION TO SUPPORT THE 2017 SEVENTH GRADE YOUTH SUMMIT AND COMMUNITY PREVENTION FORUM.**

**RESOLVED:** That the Town of Barnstable hereby accepts grants totaling **\$850** from the Barnstable Police - Mass Cop, Barnstable Police Association and Barnstable Professional Firefighters Association to support the Barnstable Youth Commission’s 2017 Youth Summit and Community Substance Abuse Prevention Forum and does hereby authorize the Town Manager to contract for and expend said funds for that purpose.

**SPONSOR:** Mark S. Ells, Town Manager  
Jennifer L. Cullum, Town Councilor - Precinct 13

DATE	ACTION TAKEN
_____	_____
_____	_____

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



# BARNSTABLE TOWN COUNCIL

**ITEM # 2017-110**  
**INTRO: 03/23/17**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Lynne M. Poyant, Director of Community Services  
**DATE:** March 23, 2017  
**SUBJECT:** Acceptance of grants totaling **\$850** to the Barnstable Youth Commission from Barnstable Police - Mass Cop, Barnstable Police Association and Barnstable Professional Firefighters Association to support the 2017 Youth Summit and Community Substance Abuse Prevention Forum.

**RATIONALE:** The Barnstable Youth Commission (BYC) has received grants of \$500 from Barnstable Police – Mass Cop, \$250 from the Barnstable Police Association and \$100 from the Barnstable Professional Firefighters Association. These funds will be used to fund door prizes at this year’s Seventh Grade Youth Summit which was held on March 17, 2017.

For the past two years, the Barnstable Youth Commission successfully held its annual Seventh Grade Youth Summit and Community Substance Abuse Prevention Forum. These two events endeavored to brief students about the serious dangers of drug and alcohol abuse concerns whilst simultaneously educating parents and community leaders on the detrimental effects that they can have as well. The Youth Commission strived to locate speakers who were engaging, educated, and well-versed in their topics. The Commission specifically aimed to have speakers, for the students, who did not lecture for lengthy periods of time and got them actively involved in the subject matter. Following the widespread success and media coverage of the summit, the Youth Commission planned to continue the event for the indefinite future. In order to get all students together at the same time, the Youth Commission moved the events to Cape Cod Community College. As it is the College’s vacation week, the Youth Commission has full use of the College Campus. The Youth Summit is a full school day of activities with provided lunch for all Youth Summit participants. First Student Bus has also generously provided transportation to and from Barnstable Intermediate School and the College.

This year’s featured speaker was **Chris Herren, a basketball legend from Fall River, Massachusetts**, who dreamed of one day playing for his hometown team, the Boston Celtics. An All-American, Chris broke scoring records, was recruited by top colleges, featured in Sports Illustrated and became the focus of an acclaimed book, *Fall River Dreams*. Herren realized his lifelong dream of playing in the NBA when he was drafted by the Denver Nuggets in 1999 and was traded to the Boston Celtics after his rookie season, but lost it all due to substance abuse. **Alcohol and drug-free since August 1, 2008**, he has refocused his life to put his sobriety and family above all else. He shared his harrowing story of abuse and recovery in his memoir, *Basketball Junkie*, as well as in numerous interviews throughout the Emmy nominated ESPN Films documentary *Unguarded*, of which he is the subject. A tale of descent into addiction, a miraculous recovery and his new life mission: to share his story with audiences in the hopes of reaching at least one person and making a difference in their life.

During the Youth Summit, students are encouraged to visit the tables of almost twenty vendors who share information about their programs and services available to them. Each student is provided with a “bingo card” that they then get stamped by the vendors. The completed card is turned into the

Barnstable Youth Commission table where they are entered into a raffle for door prizes (i.e. a mini iPad, GoPro cameras, etc.).

The Barnstable Youth Commission is extremely grateful for the generous gifts from our community partners from Barnstable Police – Mass Cop and the Barnstable Police Association in support of the 2017 Youth Summit.

**FISCAL IMPACT:** There is no immediate financial impact to the Town’s operating budget as a result of accepting this grant.

**TOWN MANAGER RECOMMENDATION:** Mark S. Ells, Town Manager recommends acceptance of these grants

**STAFF ASSISTANCE:** Patti Machado, Leisure Services Director  
Lt. Jean Challies, Barnstable Police Department