



Town of Barnstable Town Council

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MEETING AGENDA TOWN HALL HEARING ROOM

June 21, 2018

7:00 PM

Councilors:

Eric R. Steinhilber
President
Precinct 2

James H. Crocker Jr.
Vice President
Precinct 5

John G. Flores
Precinct 1

Paul Hebert
Precinct 3

Britt Beedenbender
Precinct 4

Paul C. Neary
Precinct 6

Jessica Rapp Grassetti
Precinct 7

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Matthew Levesque
Precinct 10

Philip N. Wallace
Precinct 11

Paula Schnepf
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

- **Barnstable Town Council Workshop – Comprehensive Field Evaluation**

- **Barnstable Town Council Workshop – National Guard Armory**

7. ACT ON MINUTES (Including Executive Session)

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

- **Martin J. Flynn Scholarship Recipients**

9. ORDERS OF THE DAY

A. Old Business

B. New Business

10. ADJOURNMENT

NEXT REGULAR MEETING: July 19, 2018

The Town Council may vote to go into Executive Session under G.L. c. 30A §21(a)(3), to discuss the case of Vineyard Wind LLC EFSB 17-05, D.P.U 18/18-9, in which the Town of Barnstable has been granted intervention status, if the Chair declares that an open meeting may have a detrimental effect on the litigating position of the Town

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Approve Minutes –June 07, 2018

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 # 2018-151
INTRO: 06/07/18, 06/21/18**

**2018-151 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$340,000
PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM
REGARDING BUTLER AVENUE, OCEAN AVENUE, CLARK AVENUE,
PROSPECT AVENUE, HOTEL AVENUE, SUMMERBELL AVENUE, LAKE
ELIZABETH DRIVE, VALLEY AVENUE, LAUREL AVENUE, VINE AVENUE
IN CENTERVILLE**

ORDERED: That the sum of **\$340,000** be appropriated for the purpose of making temporary repairs to Butler Avenue, Ocean Avenue, Clark Avenue, Prospect Avenue, Hotel Avenue, Summerbell Avenue, Lake Elizabeth Drive, Valley Avenue, Laurel Avenue, Vine Avenue in the Village of Centerville, and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$340,000** and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, and that the Town Manager is further authorized to assess betterments and to accept any grants and/or gifts in relation thereto.

SPONSOR: Britt Beedenbender, Councilor Precinct 4

DATE	ACTION TAKEN
<u>06/07/18</u>	<u>Refer to Public Hearing 06/21/18</u>

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2018-151
INTRO: 06/07/18, 06/21/18

SUMMARY

TO: Town Council
THROUGH: Daniel W. Santos, P.E, Director, Department of Public Works
FROM: Mark S. Ells, Town Manager
DATE: June 07, 2018
SUBJECT: Appropriation and Loan Order for **\$340,000** pursuant to Temporary Repair to Private Roads Program regarding Butler Avenue, Ocean Avenue, Clark Avenue, Prospect Avenue, Hotel Avenue, Summerbell Avenue, Lake Elizabeth Drive, Valley Avenue, Laurel Avenue, Vine Avenue in Centerville, MA

BACKGROUND: The successful passage of Chapter 174 of the Acts of 1994 and the passage of House Bills 4409 and 4410 by the State Legislature of Home Rule legislation authorized the Town to expend funds to repair private roads. Under this Program the abutters to roads being repaired can be charged betterment assessments for 100% of the actual costs of repairs which they can elect to pay in one lump sum or over a period of up to 20 years (with interest). These roads will not be taken by the Town of Barnstable and will remain private roads. A majority of the property abutters to Butler Avenue, Ocean Avenue, Clark Avenue, Prospect Avenue, Hotel Avenue, Summerbell Avenue, Lake Elizabeth Drive, Valley Avenue, Laurel Avenue, and Vine Avenue in the Village of Centerville have expressed an interest in having repairs made to their private road and 73% of the abutters have signed a Consent and Acknowledgement Agreement for Betterment Assessment. The proposed work is the removal and replacement of the existing pavement, and installation of drainage structures.

The cost of improvements: Estimated as \$340,000 with a cost per 127 abutters, distributed as 127 full shares, not to exceed \$2,700 per abutter.

FISCAL IMPACT: There is no cost to the Town, as all costs will be recovered by betterments assessed on the abutters. The town will issue a bond to cover the cost of the repairs and use the revenue collected from the betterment assessments to make the annual loan repayments on the bond.

TOWN MANAGER RECOMMENDATION: The Town Manager requests favorable action by the Town Council.

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

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

BARNSTABLE TOWN COUNCIL

**ITEM# 2018-154
INTRO: 06/07/18, 06/21/18**

**2018-154 REPEAL OF SECTION 241-44.1 OF THE TOWN OF BARNSTABLE
ADMINSTRATIVE CODE, AGRICULTURAL COMMISSION**

ORDERED: That the Town Council hereby amends the Administrative Code by repealing Section 241-44.1, Agricultural Commission

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>06/07/18</u>	<u>Refer to Public Hearing 06/21/18</u>

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

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

BARNSTABLE TOWN COUNCIL

**ITEM# 2018-155
INTRO: 06/07/18, 06/21/18**

2018-155 REPEAL OF §241-27 OF THE TOWN OF BARNSTABLE ADMINISTRATIVE CODE, PERSONNEL BOARD AND AMENDMENTS TO CHAPTER 242 OF THE BARNSTABLE CODE, PERSONNEL AND CHAPTER 401, ARTICLE VIII, PERSONNEL REGULATIONS

ORDERED that:

SECTION 1.

The Town Council hereby amends the Administrative Code by repealing §241-27, Personnel Board.

SECTION 2.

The Town Council hereby amends Chapter 242, Personnel, as follows:

By striking the phrase “Personnel Director” wherever it appears in §§242-5, 242-6 and 242-7 and substituting in place thereof the phrase “Human Resources Director”.

By striking the phrase “Personnel Board and” where it appears in §242-5B(2), §242-7A and §242-7B.

By striking the phrase “and the Personnel Board” in §242-6A.

By striking §242-3 and §242-4 in their entirety and sequentially renumbering the remaining sections under Chapter 242.

SECTION 3.

The Town Council hereby amends Chapter 401, Article VIII, Personnel Regulations as follows:

By striking the word “Personnel” wherever it appears in Chapter 401, Article VIII, Personnel Regulations, of the Barnstable Code and by substituting in place thereof the phrase “Human Resources” except under 401-82B and §401-97B(2)-(4).

By striking the phrase “except for persons under the control of the School Committee” in §401-81H.

By striking the phrase “Personnel Board” and substituting in place thereof the phrase “Human Resources Director” in §401-82B.

By adding the phrase “to the Human Resources Department” at the end of the second sentence in §401-83.

By striking out the definition of “Personnel Board” in its entirety under §401-84.

By striking §401-85B in its entirety and substituting in place thereof the following:

“B.

Administration of classification plan. Each classified position is allocated to a grade. The Human Resources Director is responsible for classifying all positions. The Human Resources Director will recommend changes to the Town Manager for approval. When a new position is established or when a position has changed substantially as to the kind and/or level of work, the Town Manager, a department manager, an employee, or a recognized labor union may initiate a request for a change in classification by submitting a written request to the Human Resources Department accompanied by a position description questionnaire. The Human Resources Director shall document any changes in the position, its duties and/or responsibilities, evaluate the position and shall make a recommendation concerning the reclassification request to the Town Manager. The Town Manager's decision concerning the classification or reclassification request shall be final.”

By striking the phrase “Town Accountant” and substituting in place thereof “Finance Director” in §401-85C.

By striking the second sentence of §401-88A in its entirety.

By striking the first sentence under §401-89D(1)(a) and substituting in place thereof “The vacation accrual for the calendar year in which employees were hired will be as follows:”

By striking the number “five” under §401-89D(4) and substituting in place thereof the number “ten”.

By striking the phrase “Effective July 1, 1998” under §401-89E(4)(b) and by capitalizing the word “After” which follows the stricken phrase.

By striking the phrase “Effective January 1, 2016” under §401-89E(7) and by capitalizing the word “An” which follows the stricken phrase.

By striking the phrase “Effective July 1, 1998” under §401-89G(2) and by capitalizing the word “Upon” which follows the stricken phrase.

By adding the following subsections under §401-89J (1)(a):

“[4]

To care for covered service members and veterans who incurred a serious illness or injury in the line of duty; or

[5]

Any “qualifying exigency” arising out of the fact that a covered military member serving in the National Guard, Reserves, or Regular Armed Forces, called to active duty status in support of a contingency operation. Exigency defined as short notice deployment (limited to 7 calendar days from notice); military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation (limited to 5 days from FMLA leave per leave), post deployment activities (up to 90 days from end of deployment)., additional activities agreed to by the Town and employee.”

By striking the second sentence under §401-90B(4)(b).

By striking the phrase “Personnel Director under §401-90D(1)(b)(2) and substituting in place thereof the phrase “department manager or their designee.”

By adding the phrase “or their designee under §401-90D(3)(a).

By adding the phrase “that requires a pre-employment physical” after “position” under §401-90D(4).

By striking the sentence fifth sentence under §401-92D(2) which currently reads: “The Personnel Director shall make every effort to conduct an exit interview with each employee who resigns and will verify the employee's reasons for leaving.”

By striking the phrase “and be removed two years after the appraisal year” under §401-

By striking the “Effective July 1, 1998 under §401-94D(2).

By striking “Personnel Board” under §401-97B(2)-(4) and substituting in place thereof “Human Resources Director.”

By striking §401-79 Personnel Board in its entirety and sequentially renumbering the remaining sections in Chapter 401, Article VIII

SPONSOR:

DATE

ACTION TAKEN

06/07/18

Refer to Public Hearing 06/21/18

___ Read Item

___ Rationale

___ Council Discussion

___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2018-155
INTRO: 06/07/18, 06/21/18

SUMMARY

TO: Town Council
FROM: Appointments Committee
DATE: June 7, 2018
SUBJECT: Elimination of the Personnel Board and the Updating of the Personnel Regulations

ANALYSIS: The duties of the Personnel Advisory Board include:

1. Advise the Town Manager on problems arising in personnel management and be available to the Manager for discussion of critical personnel policy decisions.
2. Conduct any special study it deems advisable for the improvement of personnel management in the Town government.
3. Render assistance to the Town Manager in the officer's role in collective bargaining, when requested, by providing information and data in matters related to the collective bargaining process.

These duties were more necessary when the Human Resources function was provided by 2-3 employees. The increase in the size and professionalization of the Human Resources operation over the past 15-20 years has rendered most, if not all of the responsibilities of the Personnel Advisory Board redundant or no longer necessary. A testament to this is the fact the Board has not met since July of 2016 due to a lack of quorum. During that time, Human Resources has been able to provide all the necessary advice, policy development, collective bargaining work, and job evaluation without any major issues.

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

BARNSTABLE TOWN COUNCIL

ITEM# 2018-156
INTRO: 06/07/18, 06/21/18

**2018-156 REPEAL OF CHAPTER 241-45.2 OF THE TOWN OF BARNSTABLE
ADMINSTRATIVE CODE, RENEWABLE ENERGY COMMISSION**

ORDERED: That the Town Council hereby amends the Administrative Code by repealing Chapter 241-45.2, Renewable Energy Commission

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>06/07/18</u>	<u>Refer to Public Hearing 06/21/18</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2018-157
INTRO: 06/07/18, 06/21/18

2018-157 REPEAL OF CHAPTER 241-44.5 OF THE TOWN OF BARNSTABLE ADMINISTRATIVE CODE, LAND ACQUISITION AND PRESERVATION COMMITTEE

ORDERED: That the Town Council hereby amends the Administrative Code by repealing Chapter 241-44.5, Land Acquisition and Preservation Committee

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>06/07/18</u>	<u>Refer to Public Hearing 06/21/18</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM #2018-158
INTRO: 06/07/18, 06/21/18

2018-158 AMEND §241-45.1A OF THE ADMINISTRATIVE CODE AMENDMENT, HUMAN SERVICES COMMITTEE, BY REDUCING THE NUMBER OF MEMBERS FROM NINE TO SEVEN

ORDERED: That §241-45.1A of the Administrative Code (Composition and term of office) be amended by striking the phrase “of at least nine” in the first sentence therein and by substituting in place thereof the number “seven.”

So the first sentence of §241-45.1A would read “There shall be a Human Services Committee consisting of seven members, representing Barnstable’s diverse community.”

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>06/07/18</u>	<u>Refer to Public Hearing 06/21/18</u>

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

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2018-164
INTRO: 06/07/18, 06/21/18

2018-164 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Board of Assessors:** William Garreffi, 22 Thornberry Lane, Centerville as a regular member to a term expiring 06/30/2021; **Board of Health:** John Norman, 1625 Old Post Road, Marstons Mills as a regular member to a term expiring 06/30/2021; **Planning Board:** Steven Costello, 255 Scudder Road, Osterville, as a regular member to a term expiring 06/30/2021; **Sandy Neck Board:** Ann Canedy, 70 Van Duzer Road, Cummaquid as a regular member to a term expiring 06/30/2021; Robert Lovell, 12 New London Ave, Marstons Mills as a regular member to a term expiring 06/30/2021; Thomas O’Neill, 58 Holway Drive, West Barnstable as a regular member to a term expiring 06/30/2021

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>06/07/18</u>	<u>First Reading</u>
_____	_____

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

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2018-165
INTRO: 06/07/18, 06/21/18

2018-165 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member board/committee/commission: **Cultural Council:** Kimberly Rumburger as a regular member to a term expiring 06/30/2021; Georgia Kreth as a regular member to a term expiring 06/30/2021

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>06/07/18</u>	<u>First Reading</u>
_____	_____

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

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-166
INTRO: 06/07/18, 06/21/18**

2018-166 ADMINISTRATIVE CODE AMENDMENT- TERM LIMITS FOR CHAIRS OF MULTIPLE MEMBERS BOARDS, COMMITTEES AND COMMISSIONS

ORDERED:

Section 1.

That §241-8E of the Administrative Code be amended by adding the following sentence after the first full sentence contained therein: “No Chair shall serve more than three (3) consecutive terms.” So that §241-8E shall read:

- E. Multiple-member board internal organization. Each multiple-member board shall, at a minimum, annually elect from its membership a chair, vice chair and clerk. Boards may further elect a treasurer, and such other officer or officers as are deemed necessary or as is required by statute. No Chair shall serve more than three (3) consecutive terms. The annual election shall occur in July of each year, or as near after appointment of new members by the Town Council. The Town Council shall be notified of the officers of the board upon their election. The chair shall preside over all meetings of the board, and shall be the official representative of the board in all proceedings before the Town Council and other officials of the Town. The vice chair shall perform the chair's functions, in the absence of the chair. The clerk shall be responsible for the certification of the board's meeting minutes, observance of the public records law, and maintenance of other records of the board.

Section 2.

That this amendment shall take effect on July 1, 2018.

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>06/07/18</u>	<u>First Reading</u>
_____	_____

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

B. NEW BUSINESS (Refer to Public Hearing 07/19/18)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-167
INTRO: 06/21/18**

**2018-167 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$29,000
PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM
REGARDING LAURA ROAD IN CENTERVILLE**

ORDERED: That the sum of **\$29,000** be appropriated for the purpose of making temporary repairs to Laura Road in the Village of Centerville, and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$29,000** and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, and that the Town Manager is further authorized to assess betterments and to accept any grants and/or gifts in relation thereto.

SPONSOR: Eric R. Steinhilber, Council President, Precinct 2

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2018-167
INTRO: 06/21/18

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E. Director, Department of Public Works
DATE: June 21, 2018
SUBJECT: Appropriation and Loan Order in the amount of **\$29,000** Pursuant To Temporary Repair to Private Roads Program regarding Laura Road in Centerville

BACKGROUND: The successful passage of Chapter 174 of the Acts of 1994 and the passage of House Bills 4409 and 4410 by the State Legislature of Home Rule legislation authorized the Town to expend funds to repair private roads. Under this Program the abutters to roads being repaired can be charged betterment assessments for 100% of the actual costs of repairs which they can elect to pay in one lump sum or over a period of up to 20 years (with interest). These roads will not be taken by the Town of Barnstable and will remain private roads. A majority of the property abutters to Laura Road in the Village of Centerville have expressed an interest in having repairs made to their private road and 80% of the abutters have signed a Consent and Acknowledgement Agreement for Betterment Assessment. The proposed work is the removal and replacement of the existing pavement, and installation of drainage structures.

The cost of improvements: Estimated as \$29,000 with a cost per 5 abutters, distributed as 5 full shares, not to exceed \$5,800 per abutter.

FISCAL IMPACT: There is no cost to the Town, as all costs will be recovered by betterments assessed on the abutters. The town will issue a bond to cover the cost of the repairs and use the revenue collected from the betterment assessments to make the annual loan repayments on the bond.

TOWN MANAGER RECOMMENDATION: The Town Manager requests favorable action by the Town Council.

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

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2018-168
INTRO: 06/21/18**

2018- 168 RESOLVE AUTHORIZING SALE OF TAX POSSESSION PARCELS

RESOLVED: The Assistant Town Manager is hereby authorized to dispose of all right, title and interest in the following surplus Town Land for the respective prices indicated below, each being the highest bids received that was not withdrawn and to execute, deliver and record any and all documents necessary in accordance with the terms of this Order.

Street Address	Assessors Map & Parcel	Price Not Less Than
39 North Precinct, Centerville	148/130	\$12,500
0 Pioneer Path, West Barnstable	128/017/004	\$4,348
0 Guildford Road, Centerville	172/080	\$5,500
139 Guildford Road, Centerville	172/079	\$779
4 Windrush Lane, Osterville	093/072	\$3,510
10 Bosuns Way, Marstons Mills	046/120	\$1,879
39 St. Francis, Circle, Hyannis	291/032	\$500
0 Patriots Way, Centerville	193/230	\$7,679
131 Brittney Drive, Cotuit	026/017	\$10,109
0 Brittney Drive, Cotuit	026/004	\$30,109
0 Bridget's Path, Centerville	169/096	\$17,500
15 Woodbury Ave, Hyannis	307/047	\$22,000
1411 Phinneys Lane, Hyannis	274/038	\$12,700
227 Old Yarmouth Road, Hyannis	344/043	\$131,000
Two Parcel Bundle		\$150,000
96 Pine Ridge Road, Cotuit	018/015	
39 Cherry Tree Road, Cotuit	018/024	
Four Parcel Bundle		\$31,500
125 Oakwood Street, Cotuit	018/049	
117 Oakwood Street, Cotuit	018/050	
121 Oakwood Street, Cotuit	018/055	
63 Pine Ridge Road, Cotuit	018/052/002	

BARNSTABLE TOWN COUNCIL

ITEM# 2018-168
INTRO: 06/21/18

SUMMARY

TO: Town Council
THROUGH: Mark S. Ells, Town Manager
FROM: M. Andrew Clyburn, Assistant Town Manager
DATE: June 21, 2018
SUBJECT: Resolve authorizing the sale of Tax Possession Parcels

RATIONALE: On 29 January 2018, the Town of Barnstable issued a Request for Proposals (RFP) listing twenty three tax possession parcels for sale. An information session was conducted on 28 February 2018 for all prospective interested parties. On 28 March 2018, bids were received for twenty two of the twenty three parcels. Two of the twenty two parcels were found to have unresolved title issues. Therefore, twenty tax possession parcels are being sold by the Town of Barnstable through sixteen separate transactions. This item authorizes the Assistant Town Manager to dispose of all right, title and interest in surplus Town land; and to execute and deliver any and all documents necessary in accordance with the terms of this Order.

STAFF ASSISTANCE: Ruth Weil, Town Attorney

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2018-169
INTRO: 06/21/18**

**2018-169 ACCEPTANCE OF A \$50,000 GRANT FROM THE MASSACHUSETTS
DEPARTMENT OF MENTAL HEALTH**

RESOLVED: That the Barnstable Town Council does hereby accept a grant in the amount of \$50,000 from the Massachusetts Department of Mental Health to fund a Component Jail/Arrest Diversion Project under the Massachusetts Jail/Arrest Diversion Project.

SPONSOR: Mark S. Ells, Town Manager

DATE ACTION TAKEN

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

BARNSTABLE TOWN COUNCIL

ITEM# 2018-169
INTRO: 06/21/18

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew Sonnabend, Chief of Police
DATE: June 21, 2018
SUBJECT: Acceptance of a Grant in the amount of \$50,000 to the Barnstable Police Department from Massachusetts Department of Mental Health

BACKGROUND: The Barnstable Police Department has been awarded a one-year grant through the Department of Mental Health (“DMH”) to fund a Component Jail Arrest Diversion Project in the Town of Barnstable. The Department has had a similar grant since December 2014. The FY2019 Department of Mental Health grant will be used as follows:

- To train 4 police officers in Crisis Intervention Team Training;
- To train 1 police officer to become a Mental Health First Aid instructor;
- To train 16 police officers in Mental Health First Aid;
- To provide outreach to persons in mental health crisis and/or in drug addiction recovery;
- To fund supervisory, planning, and stakeholder meetings with Barnstable Police Officers trained in Community Crisis Intervention Team (CCIT) and outreach agencies that provide wraparound services;

Over the past two years and since initially awarded a DMH grant, the CIU has successfully established an Innovative Jail Diversion Program and Community Crisis Intervention Team designed to divert persons in mental health and/or substance abuse crisis away from the Criminal Justice System and towards appropriate services and support by using a collaborative inter-agency approach. Additionally, Community Service Officers continue to be employed during the summer months to assist the CIU in serving persons in mental health and/or substance abuse crisis, while at the same time improving quality-of-life issues for the residents, businesses, and the overall community of the Town of Barnstable.

ANALYSIS: This DMH grant will pay for valuable training for members of the Barnstable Police Department in Community Crisis Intervention Team and Mental Health First Aid training and will pay overtime costs for valuable consultation and grant management to reflect on the overall program.

FISCAL IMPACT: There will be no negative financial impact. The total grant award of \$50,000 covers the period of 7/1/18-6/30/19.

This DMH grant will specifically pay for:

- Overtime costs to provide valuable training for 4 members of the Barnstable Police Department in Community Crisis Intervention Team training (\$17,760);
- Overtime costs to train 1 Mental Health First Aid Instructor and to conduct MHFA training to 16 officers (\$12,480);
- Overtime costs for valuable consultation, monthly stakeholder meetings and grant management (\$13,248);
- Outreach with a Bay Cove clinician for 8 hours/mo. (\$5,760)
- Miscellaneous Expenses for Supplies and Printing \$(752)

The police department provides In-Kind Contributions as follows:

- 1 Sergeant assigned to the CIU;
- 2 full-time officers assigned to the CIU;

- 10 Seasonal Community Service Officers; and
- 1 Financial Administrator.

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

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police, Sergeant Jennifer Ellis, Anne E. Spillane

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-170
INTRO: 06/21/2018**

2018-170 RESOLVE TO CHANGE PRECINCT ONE (1) POLLING LOCATION TO THE ZION BAPTIST CHURCH, LOCATED AT 805 ATTUOKS LANE, HYANNIS, MA 02601

RESOLVED: The Barnstable Town Council does hereby change the polling location for Precinct One (1) beginning on the September 4, 2018 election to the Zion Baptist Church, located at 805 Attucks Lane, Hyannis, MA 02601.

SPONSOR: Ann Quirk, Town Clerk

BARNSTABLE TOWN COUNCIL

ITEM # 2018-170
INTRO: 06/21/2018

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Ann Quirk, Town Clerk
DATE: June 21, 2018
SUBJECT: Change of Polling Location for Precinct 1 to the Zion Baptist Church, 805 Attucks Lane, Hyannis, MA 02601.

RATIONALE: This change is coming about to remove elections from our public schools and to meet the 2010 ADA Standards for Accessible Design. The Town Clerk and a member of the Town's Disability Commission determined this location meets the 2010 ADA Standards for Accessible Design. Under state law, notification to households with one or more registered voters will be mailed. A printed description of the changed polling location will be posted at several locations within Precinct 1. With the availability of absentee ballots, there will be other avenues for all voters to cast ballots in advance of the September 4th election.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of this change of polling location for Precinct 1 to the Zion Baptist Church.

STAFF ASSISTANCE: Ann Quirk, Town Clerk

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-171
INTRO: 06/21/2018**

2018-171 RESOLVE TO CHANGE PRECINCT TEN (10) POLLING LOCATION TO THE SEVENTH DAY ADVENTIST COMMUNITY BUILDING, LOCATED AT 2736 FALMOUTH ROAD (ROUTE 28), MARSTONS MILLS, MA

RESOLVED: The Barnstable Town Council does hereby change the polling location for Precinct Ten (10) beginning on the September 4, 2018 election to the Seventh Day Adventist Community Building, located at 2736 Falmouth Rd, Marstons Mills, MA.

SPONSOR: Ann Quirk, Town Clerk

BARNSTABLE TOWN COUNCIL

ITEM # 2018-171
INTRO: 06/21/2018

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Ann Quirk, Town Clerk
DATE: June 21, 2018
SUBJECT: Change of Polling Location for Precinct 10 to the Seventh Day Adventist Community Building, located at 2736 Falmouth Rd, Marstons Mills, MA.

RATIONALE: This change is coming about to remove elections from our public schools and to meet the 2010 ADA Standards for Accessible Design. The Town Clerk and a member of the Town's Disability Commission determined this location meets the 2010 ADA Standards for Accessible Design. Under state law, notification to households with one or more registered voters will be mailed. A printed description of the changed polling location will be posted at several locations within Precinct 10. With the availability of absentee ballots, there will be other avenues for all voters to cast ballots in advance of the September 4th election.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of this change of polling location for Precinct 10 to the Seventh Day Adventist Community Building.

STAFF ASSISTANCE: Ann Quirk, Town Clerk

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-172
INTRO: 06/21/2018**

2018-172 RESOLVE TO CHANGE PRECINCT TWELVE (12) POLLING LOCATION TO THE SEVENTH DAY ADVENTIST COMMUNITY BUILDING, LOCATED AT 2736 FALMOUTH ROAD (ROUTE 28), MARSTONS MILLS, MA

RESOLVED: The Barnstable Town Council does hereby change the polling location for Precinct Twelve (12) beginning on the September 4, 2018 election to the Seventh Day Adventist Community Building, located at 2736 Falmouth Rd, Marstons Mills, MA.

SPONSOR: Ann Quirk, Town Clerk

BARNSTABLE TOWN COUNCIL

ITEM # 2018-172
INTRO: 06/21/2018

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Ann Quirk, Town Clerk
DATE: June 21, 2018
SUBJECT: Change of Polling Location for Precinct 12 to the Seventh Day Adventist Community Building, located at 2736 Falmouth Rd, Marstons Mills, MA.

RATIONALE: This change is coming about to remove elections from our public schools and to meet the 2010 ADA Standards for Accessible Design. The Town Clerk and a member of the Town's Disability Commission determined this location meets the 2010 ADA Standards for Accessible Design. Under state law, notification to households with one or more registered voters will be mailed. A printed description of the changed polling location will be posted at several locations within Precinct 12. With the availability of absentee ballots, there will be other avenues for all voters to cast ballots in advance of the September 4th election.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of this change of polling location for Precinct 12 to the Seventh Day Adventist Community Building.

STAFF ASSISTANCE: Ann Quirk, Town Clerk

B. NEW BUSINESS (Refer to Public Hearing 07/19/18)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-173
INTRO: 06/21/18**

2018-173 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$4,425,000 FOR THE CONSTRUCTION OF A WATER FILTRATION PLANT AT THE MAHER WELLFIELD

ORDERED: That the sum of **\$4,425,000** be appropriated for the purpose of constructing a water filtration plant at the Maher wellfield, including the payment of costs incidental or related thereto, and that to meet this appropriation, the Town Treasurer with the approval of the Town Manager, is authorized to borrow **\$4,425,000**, 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 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2018-173
INTRO: 06/21/18

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works and Hans Keijser, Supervisor, Water Supply Division.
DATE: June 21, 2018
SUBJECT: Appropriation and Loan Order in the amount of **\$4,425,000** for the construction of a water filtration plant at the Maher wellfield

BACKGROUND: In 2015, USEPA-mandated testing of the Hyannis Water System for Contaminants of Emerging Concern (CEC's) identified the presence of perfluorinated compounds and 1,4 Dioxane in the Maher wellfield.

On May 19, 2016, the USEPA announced the *final* Federal Health Advisory for perfluorinated compounds in drinking water. The new advisory level was significantly lower than the provisional level.

As the result of the final USEPA Health Advisory, the use of 3 wells at the Maher wellfield, that exceed the new standard, has been significantly curtailed. The Town has entered into an agreement with the Town of Yarmouth to provide water from their system through an interconnection in the vicinity of the Maher wellfield.

At the present time the source of the CEC contamination has not been determined. The DEP has directed and is overseeing investigations at the Barnstable Municipal Airport and the Barnstable County Fire Training Academy to identify the source and potentially responsible parties

ANALYSIS: This funding request is supplemental to the previous appropriation of \$6,500,000 to construct a carbon treatment system at the Maher wellfield and pilot testing for 1,4-Dioxane treatment. Due to the high cost of purchasing Yarmouth water (estimated at \$1.25 Million annually), the DPW proposes to design and construct a water filtration building at the location of the Maher wellfield treatment plant. The systems will be housed in a structure, allowing for year-round use. The building will be sized to accommodate treatment systems for the removal of perfluorinated compounds by means of activated carbon filtration, 1,4-dioxane removal by advanced oxidation and Ultraviolet Light (UV) and the removal of iron and manganese through greensand filtration. The Water Supply Division has recently completed a system-wide study to evaluate long-term water supply needs for the Hyannis Water System and have concluded that the most effective option is to continue operating existing wells with treatment and to develop a new well site.

The Hyannis Water Board at their regularly scheduled meeting on Tuesday, March 20th, 2018 voted unanimously to support this funding request.

FISCAL IMPACT: Funding for this project will be provided from a bond issue via the SRF funding program. This project is second on the list of the 2018 Intended Use Plan (IUP). The FY19 Operating Budget will not be affected by this appropriation. The costs of operating of the treatment systems will be accounted for in the FY20 Operating Budget. The annual rate study, which is conducted in the fall, will consider the annual debt service expense for the bond and operating costs for the treatment systems, and recommend adjustments to the rate structure during the FY20 rate hearings.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of the appropriation and loan order.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public Works and Hans Keijser, Supervisor, Water Supply Division.

B. NEW BUSINESS (Refer to Public Hearing 07/19/18)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-174
INTRO: 06/21/2018**

2018-174 APPROPRIATION ORDER IN THE AMOUNT OF \$700,000 COMMUNITY PRESERVATION FUNDS FOR REHABILITATION OF JUDY WALDEN SCARAFIELD AT MCKEON PARK, HYANNIS

ORDERED: That pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the sum of Seven Hundred Thousand and NO/100 (**\$700,000.00**) Dollars be appropriated and transferred from the undesignated amount in the Community Preservation Fund effective upon receipt of a signed public active recreation use agreement; and that following receipt of a signed agreement for public active recreation use the Town Manager through the Department of Public Works is authorized to contract for and expend the amount appropriated for rehabilitation consisting of soil sampling/lab testing, erosion control, installation of sod and topsoil, grading, installation of irrigation and drainage systems, engineering design and permitting, excluding dugouts, of the open space and recreation land consisting of the baseball field at the Judy Walden Scarafield Field at McKeon Park in Hyannis, subject to oversight by the Community Preservation Committee.

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

BARNSTABLE TOWN COUNCIL

ITEM # 2018-174
INTRO: 06/21/2018

SUMMARY

TO: Town Council
FROM: Town Manager
THROUGH: Community Preservation Committee
DATE: June 21, 2018
SUBJECT: Appropriation Order in the amount of **\$700,000** Community Preservation Funds for rehabilitation of Judy Walden Scarafile Field at McKeon Park, Hyannis

BACKGROUND: The Hyannis Athletic Association is seeking approval from the Town Council through the Town Manager for \$700,000 CPA Undesignated funds for the rehabilitation of the Judy Walden Scarafile Field at McKeon Park. The 3-phased field rehabilitation project cost total is \$1,755,000. This \$700,000 funding amount represents a portion of total budget for Phase I of \$875,000 and a portion of the CPA funding request of \$800,000 which was reduced \$100,000 due to the ineligibility of the construction of two dugouts that had been included. The remaining amount for Phase 1, and all of the amounts for Phase 2 & 3 will be fundraised by the Hyannis Athletic Association, a portion of which has been raised or promised, and previous capital improvements in the amount of \$852,500 offered as matching funds. The CPA funding request for Phase I work includes: soil sampling/lab testing, erosion control, installation of sod and topsoil, grading, installation of irrigation and drainage systems, engineering design and permitting. Maintenance of the field will be at no cost to the Town as the Hyannis Harbor Hawks will continue maintenance for the term of an anticipated three-party user agreement.

Phase 2 and 3 work planned to be funded by Hyannis Athletic Association includes: new bullpens, handicap-accessible restroom building, new terraced seating, repair of wall, new handicap-accessible bleachers, replacement of Major League Baseball (MLB) scout's seating & stands, enlargement and landscaping of patio area, new batting cages, and new landscaping/beautification.

The playing surface of the Judy Walden Scarafile Field has been referred to as substandard due to identified poor field conditions. The existing field drainage is inadequate, and there is poor overall grading, drop offs at home plate and baselines, consistent with the rating received in the Comprehensive Field Study completed by the Engineering firm Weston and Sampson. Although field conditions are poor, this is a highly used field, with the Harbor Hawks playing 25 home games each year; St. John Paul II High School playing 15 games; and numerous other local baseball organizations using the field from May-September, including youth teams and adult leagues. The Cape Cod Baseball League draws the highest the highest caliber collegiate baseball players from colleges across the country. McKeon Park has attendance, with approximately 30,000 spectators filling the park each season. The Hyannis Athletic Association, the organization providing in-kind donations, ongoing maintenance and improvements of the facility is now seeking funding for upgrades. The Hyannis Harbor Hawks (formerly the Hyannis Mets) began in 1976 and are cultural part of Cape Cod. Numerous letters of support were received for this project. As an ancillary economic benefit to downtown Hyannis, on game days or when teams are in town, visitors also walk to the downtown to enjoy shops, restaurants and hotels before and after events. Proposed rehabilitation of the Judy Walden Scarafile Field at McKeon Park will ensure the long term viability and safety of the field, and improvements to the field and park as a whole, will make this area of Hyannis more attractive to players and fans alike.

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 this appropriation.

STAFF ASSISTANCE: On behalf of the Community Preservation Committee