



# Town of Barnstable Town Council

367 Main Street, 2<sup>nd</sup> floor,  
James H. Crocker, Jr. Hearing Room  
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)

## MEETING AGENDA

**October 29, 2020**

**7:00 PM**

**The October 29, 2020 meeting of the Barnstable Town Council shall be physically closed to the public to avoid group congregation**

### **Remote Participation Instructions**

Alternative public access to this meeting shall be provided in the following manner:

The meeting will be televised via Channel 18 and may be viewed via streaming at:

<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

Please note that this meeting is being recorded and Broadcast live on Channel 18. In accordance with MGL Chapter 30A §20, I must inquire whether anyone is taping this meeting and if so, make their presence known

## SPECIAL TOWN COUNCIL MEETING

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. MOMENT OF SILENCE
4. ORDERS OF THE DAY

**A. Old Business**

**B. New Business**

### **Fiscal Policy Review on Comprehensive Wastewater Management Plan**

- **Mark S. Ells, Town Manager**
- **Mark A. Milne, Director of Finance**

5. ADJOURNMENT

**NEXT REGULAR MEETING: November 5, 2020**

#### Councillors:

Paul Hebert  
President  
Precinct 3

Jessica Rapp Grassetti  
Vice President  
Precinct 7

Gordon Starr  
Precinct 1

Eric R. Steinhilber  
Precinct 2

VACANT  
Precinct 4

David W. Bogan  
Precinct 5

Paul C. Neary  
Precinct 6

Debra S. Dagwan  
Precinct 8

Tracy Shaughnessy  
Precinct 9

Matthew Levesque  
Precinct 10

Kristine Clark  
Precinct 11

Paula Schnepf  
Precinct 12

Jennifer L. Cullum  
Precinct 13

Administrator:  
Cynthia A. Lovell

Administrative  
Assistant:  
Kelly Crahan

ITEM NO.	INDEX TITLE	PAGE
<b>A. OLD BUSINESS</b>		
<b>NONE AT THIS TIME</b>		
<b>B. NEW BUSINESS</b>		
2021-028	Appropriation and Transfer Order in the amount of <b>\$68,760</b> for the Inspectional Services Department Fiscal Year 2021 Operating Expense Budget to fund a contract for the comprehensive monitoring of Short Term Rental Properties <b>(Refer to Public Hearing 11/05/2020)</b> .....	3-4
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2021-033	Appointments to a Board/Committee/Commission: <b>Youth Commission:</b> Michaela Stampfl, c/o Hyannis Youth and Community Center, as a regular member to a term expiring 6/2021; Isabelle Rudy, c/o Hyannis Youth and Community Center, as a regular member to a term expiring 6/2021 <b>(First Reading) (Refer to second reading 11/05/2020)</b> .....	14
2021-034	Reappointments to a Board/Committee/Commission: <b>Mid Cape Cultural Council:</b> Lynne Belfiore as a regular member to a term expiring 9/13/2023 <b>(First Reading) (Refer to second reading 11/05/2020)</b> .....	15

Approve Minutes; October 15, 2020

**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.

**B. NEW BUSINESS (Refer to Public Hearing 11/5/2020)**

**BARNSTABLE TOWN COUNCIL**

**ITEM # 2021-028  
INTRO: 10/29/2020**

**2021-028 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$68,760 FOR THE INSPECTIONAL SERVICES DEPARTMENT FISCAL YEAR 2021 OPERATING EXPENSE BUDGET TO FUND A CONTRACT FOR THE COMPREHENSIVE MONITORING OF SHORT TERM RENTAL PROPERTIES**

**ORDERED:** That the sum of **\$68,760.00** be appropriated and added to the Fiscal Year 2021 Inspectional Services Department Operating Budget of \$2,164,880, resulting in a revised Fiscal Year 2021 Operating Budget of \$2,233,640, and that to meet this appropriation, that \$68,760 be transferred from the General Fund Reserves.

**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 # 2021-028**  
**INTRO: 10/29/2020**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Brian Florence, Building Commissioner  
**DATE:** October 29, 2020  
**SUBJECT:** Appropriation and Transfer Order in the amount of **\$68,760** for the Inspectional Services Department Fiscal Year 2021 Operating Expense Budget to fund a contract for the comprehensive monitoring of Short Term Rental Properties

**BACKGROUND:** The Town Council is considering the adoption of a Short Term Rental (STR's) Registration Ordinance separate and apart from §170 Rental Properties in order to regulate so called STR's.

**ANALYSIS:** In order to monitor and manage the Short Term Rental Registration process in a manner that would reduce the need for internet monitoring staff, the Inspectional Services Department is recommending the new ordinance be managed and enforced by contracting with an outside vendor who is overseen by the Inspectional Services Department. Such outside services would provide a registration platform for registrants engaged in providing vacation rentals.

**FISCAL IMPACT:** This is anticipated to be an annual cost that will be added to the Inspectional Services Department operating budget. The budget may change depending upon the number of vacation rentals in a given year and vendor contract increase over time. The contract will be funded from the General Fund reserves in Fiscal Year 2021. The General Fund reserves are expected to be certified at around \$18 million. The town should receive the certification from the State Department of Revenue in the month of October. Starting in Fiscal Year 2022 the cost of the contract will be provided for from a new registration fee on short term rentals. It is anticipated that the new registration fee will not begin until January 2021 resulting in the need to fund the contract from reserves on a temporary basis. The registration fees collected in Fiscal Year 2021 will offset the reserves used to fund this contract at the end of the year.

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

**STAFF ASSISTANCE:** Brian Florence, Building Commissioner

**B. NEW BUSINESS (Refer to Public Hearing 11/19/2020)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-029  
INTRO: 10/29/2020**

**2021-029 ALLOCATION OF TAX LEVY FISCAL YEAR 2021 – TAX FACTOR**

**RESOLVED**, that the Town Council hereby votes to classify the Town of Barnstable under the Classification Act at a Factor of 1 (one) for the Fiscal Year 2021

**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# 2021-029**  
**INTRO: 10/29/2020**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Mark A. Milne, Finance Director  
**DATE:** October 29, 2020  
**SUBJECT:** Allocation of Tax Levy Fiscal Year 2021 – Tax Factor

**BACKGROUND:** According to Massachusetts General Law, Chapter 40, Section 56, of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Town Council is annually charged with determining the Allocation of Local Property Taxes by the adoption of a Residential Factor. This tax levy-shifting tool will not change the overall amount of money that will be raised through property taxes; rather it allows the town to shift a portion of the tax levy between classes of property. The residential factor commonly referred to as the “Split Tax Rate” allows the Town Council to create separate tax rates; one for residential property owners and a separate one for commercial, industrial and personal property (CIP) owners. Under a residential “Factor of 1”, all property owners would pay taxes at the same rate per \$1,000 of valuation. The maximum permissible shift would increase the CIP tax rate by 175%. Since 2007, the Town Council’s policy has been to select a Residential Factor of “1”.

**STAFF ASSISTANCE:** Mark Milne, Finance Director; Edward O’Neil, Director of Assessing

**B. NEW BUSINESS (Refer to Public Hearing 11/19/2020)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-030  
INTRO: 10/29/2020**

**2021-030 ALLOCATION OF TAX LEVY FISCAL YEAR 2021 – RESIDENTIAL  
EXEMPTION**

**RESOLVED**, that the Town Council hereby votes to adopt a Residential Exemption of twenty percent (20%) for fiscal year 2021.

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

<b>DATE</b>	<b>ACTION TAKEN</b>
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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# 2021-030**  
**INTRO: 10/29/2020**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Eells, Town Manager  
**THROUGH:** Mark A. Milne, Finance Director  
**DATE:** October 29, 2020  
**SUBJECT:** Allocation of Tax Levy Fiscal Year 2021– Residential Exemption

**BACKGROUND:** According to Massachusetts General Law, Chapter 40, Section 56, of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Town Council may adopt a Residential Exemption as part of determining the allocation of the tax levy between residential property owners. This tax levy-shifting tool will not change the overall amount of property taxes raised through the residential class of property. It allows the town to shift a portion of the residential property tax levy between residential property owners based on statutory criteria. The maximum exemption allowed is 35 percent of the average assessed value of all Class One (Residential) parcels. This exemption would be applied to all residential parcels which are qualified as the principal residence of the taxpayer. Principal residence is a taxpayer's domicile, that is, their fixed place of habitation, permanent home, and legal residence, as used for federal and state income tax purposes. This option shifts property taxes between residential taxpayers only and does not affect the Commercial, Industrial and Personal Property class of taxpayers. The Town Council has voted to adopt a 20% residential exemption for the past 15 fiscal years..

**STAFF ASSISTANCE:** Mark Milne, Finance Director, Edward O'Neil, Director of Assessing

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2020-031  
INTRO: 10/29/2020**

**2021-031 ACCEPTANCE OF AN FISCAL YEAR 2021 GRANT IN THE AMOUNT OF \$50,000 FROM THE MASSACHUSETTS DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE OF FUNDING A COMPONENT JAIL/ARREST DIVERSION PROJECT**

**RESOLVED:** That the Town Council does hereby accept a grant in the amount of **\$50,000** from the Massachusetts Department of Mental Health for the purpose of funding a Component Jail/Arrest Diversion Project under the Massachusetts Jail/Arrest Diversion Project, and that the Town Manager is authorized to contract for and expend the grant funds for the purpose stated herein

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

DATE	ACTION TAKEN
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- Read item
- Rationale
- Council Discussion
- Move/Vote

# BARNSTABLE TOWN COUNCIL

ITEM# 2020-031  
INTRO: 10/29/2020

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Matthew Sonnabend, Chief of Police  
**DATE:** October 29, 2020  
**SUBJECT:** Acceptance of a Fiscal Year 2021 grant in the amount of **\$50,000** from the Massachusetts Department of Mental Health for the purpose of funding a Component Jail/Arrest Diversion Project

**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 Fiscal Year 2021 Department of Mental Health grant will be used as follows:

- To train 3 police officers in Community Crisis Intervention Team Training;
- To train 1 police officer as a Mental Health First Aid Instructor;
- To train 6 police officers in Mental Health First Aid;
- To provide outreach to persons in mental health crisis and/or in drug addiction recovery, and have a Mental Health Clinician accompany CIU officers weekly;
- 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

Since initially awarded a DMH grant, the Community Impact Unit 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, our summer Community Service Officers for have been very successful in assisting 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. New this year, 2 CSO’s will work on weekends over the winter to continue their presence downtown.

**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 7/1/20-6/30/21.

This DMH grant will specifically pay for:

- Overtime costs to provide valuable training for 3 members of the Barnstable Police Department in Community Crisis Intervention Team training (\$7,200);
- Overtime costs to train 1 Mental Health First Aid Instructor and to conduct MHFA training to 6 officers (\$7,480);

- Overtime costs for valuable consultation, monthly stakeholder meetings and grant management (\$19,296);
- Outreach with a Clinician for 32 hours/mo (\$15,360).

The police department provides In-Kind Contributions as follows:

- 1 Lieutenant assigned to the Community Services Division, which includes oversight of the CIU, SROs, and the Hyannis Youth and Community Center;
- 1 Sergeant assigned to the CIU;
- 2 full-time officers assigned to the CIU;
- 10 Summer Community Service Officers; 2 Winter CSOs, 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; Lieutenant Michael L Riley; Anne E. Spillane

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2021-032  
INTRO: 10/29/2020**

**2021-032 ACCEPTANCE OF AN FISCAL YEAR 2021 GRANT IN THE AMOUNT OF \$20,853 FROM THE CENTER FOR TECH AND CIVIC LIFE FOR THE PURPOSE OF PLANNING AND OPERATIONALIZING SAFE AND SECURE ELECTION ADMINISTRATION IN THE TOWN OF BARNSTABLE IN 2020**

**RESOLVED:** That the Town Council does hereby accept a grant in the amount of **\$20,853** from the Center for Tech and Civic Life for the purpose of planning and operationalizing safe and secure election administration in the Town of Barnstable in 2020, and that the Town Manager is authorized to contract for and expend the grant funds for the purpose stated herein.

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

DATE	ACTION TAKEN
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- Read item
- Rationale
- Council Discussion
- Move/Vote

# BARNSTABLE TOWN COUNCIL

**ITEM# 2021-032**  
**INTRO: 10/29/2020**

## SUMMARY

**TO:** Town Council  
**FROM:** Mark S. Ells, Town Manager  
**THROUGH:** Ann Quirk, Town Clerk  
**DATE:** October 29, 2020  
**SUBJECT:** Acceptance of a grant in the amount of **\$20,853** from the Center for Tech and Civic Life for the purpose of planning and operationalizing safe and secure election administration in the Town of Barnstable in 2020

**BACKGROUND:** On October 9, 2020, the Barnstable Town Clerk was notified by the Center for Tech and Civic Life that the Town was awarded \$20,853 for the purpose of planning and operationalizing safe and secure election administration for the 2020 November election.

The grant proceeds can be used for ballot drop boxes, non-partisan voter education, poll worker recruitment, hazard pay and/or training expenses, polling place rental and cleaning expenses for early voting or Election Day, temporary staffing, vote-by-mail/Absentee voting equipment or supplies, and election administration equipment. The Town may allocate the funds for any of these needs as it determines necessary. The grant project period is June 15, 2020 through December 31, 2020 and all funds must be expended by December 31, 2020.

**FISCAL IMPACT:** The grant may not supplant previously budgeted funds. There is no Town matching requirement and no impact on the Fiscal Year 2021 Operating Budget.

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

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

**B. NEW BUSINESS (First Reading) (Refer to Second Reading 11/05/2020)**

**BARNSTABLE TOWN COUNCIL**

**ITEM # 2021-033  
INTRO: 10/29/2020**

**2021-033 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION:**

**RESOLVED:** That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Youth Commission:** Michaela Stampfl, c/o Hyannis Youth and Community Center, as a regular member to a term expiring 6/2021; Isabelle Rudy, c/o Hyannis Youth and Community Center, as a regular member to a term expiring 6/2021

**SPONSOR:** Appointments Committee

DATE	ACTION TAKEN
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- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote

**B. NEW BUSINESS (First Reading) (Refer to Second Reading 11/05/2020)**

**BARNSTABLE TOWN COUNCIL**

**ITEM # 2021-034  
INTRO: 10/29/2020**

**2021-034 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION:**

**RESOLVED:**That the Town Council reappoints the following individuals to a multiple-member board/committee/commission: **Mid Cape Cultural Council:** Lynne Belfiore as a regular member to a term expiring 9/13/2023

**SPONSOR:** Appointments Committee

DATE	ACTION TAKEN
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- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council Discussion
- \_\_\_ Move/Vote