



Town of Barnstable Town Council

James H. Crocker Jr Hearing Room
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Office 508.862.4738 • Fax 508.862.4770
E-mail: council@town.barnstable.ma.us

MEETING AGENDA

June 3, 2021

7:00 PM

The June 3, 2021 meeting of the Barnstable Town Council will be held remotely and shall be physically closed to the public to avoid group congregation.

Remote Participation Instructions

1. Real-time public comment may be addressed to the Barnstable Town Council utilizing the Zoom video link or telephone number and access meeting code:

Join Zoom Meeting <https://zoom.us/j/91000678360> Meeting ID: 910 0067 8360
1-888 475 4499 US Toll-free Meeting ID: 910 0067 8360

2. Written Comments may be submitted to:

https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/Town_Council/Agenda-Comment.asp

3. The meeting will be televised live via Comcast Channel 18 or can be streamed live on the Town of Barnstable's website:

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

PUBLIC SESSION

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, and staff, commission reports, correspondence and announcements

9. ORDERS OF THE DAY

A. Old Business

B. New Business

10. ADJOURNMENT

NEXT REGULAR MEETING: June 17, 2021

Councilors:

Matthew Levesque
President
Precinct 10

Paula Schnepf
Vice President
Precinct 12

Gordon Starr
Precinct 1

Eric R. Steinhilber
Precinct 2

Paul Hebert
Precinct 3

Nikolas Atsalis
Precinct 4

David W. Bogan
Precinct 5

Paul C. Neary
Precinct 6

Jessica Rapp Grasseti
Precinct 7

Debra S. Dagwan
Precinct 8

Tracy Shaughnessy
Precinct 9

Kristine Clark
Precinct 11

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell
Cynthia.Lovell@
town.barnstable.ma.us

Administrative
Assistant:
Kelly Crahan
Kelly.Crahan@
town.barnstable.ma.us

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Approve Minutes: May 20, 2021

Please Note: The lists of matters are those reasonably anticipated by the Council President which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the extent permitted by law. It is possible that if it so votes, the Council may go into execute session. The Council may also act on items in an order other than as 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, it may be continued to a future meeting, and with proper notice.

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-141
INTRO: 05/20/2021, 06/03/2021**

2021-141 APPROPRIATION ORDER IN THE AMOUNT OF \$6,612,196 FOR CAPE COD GATEWAY AIRPORT ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$6,612,196** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Airport Enterprise Fund budget, and to meet such appropriation that **\$6,612,196** be raised from current year revenues by the Airport Enterprise Fund, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-142
INTRO: 05/20/2021, 06/03/2021

2021-142 APPROPRIATION ORDER IN THE AMOUNT OF \$73,520,899 FOR BARNSTABLE PUBLIC SCHOOL'S FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$73,520,899** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Barnstable Public Schools budget, and that to meet this appropriation that **\$72,570,368** be raised from current year revenues, and that **\$950,531** be provided from the General Fund Reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-143
INTRO: 05/20/2021, 06/03/2021

2021-143 APPROPRIATION ORDER IN THE AMOUNT OF \$15,373,934 FOR BARNSTABLE POLICE DEPARTMENT FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$15,373,934** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Barnstable Police Department budget; and to meet such appropriation that **\$15,373,934** be raised from current year revenues, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-144
INTRO: 05/20/2021, 06/03/2021

2021-144 APPROPRIATION ORDER IN THE AMOUNT OF \$2,135,301 FOR THE PLANNING AND DEVELOPMENT DEPARTMENT FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$2,135,301** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Planning and Development Department budget, and that to meet this appropriation that **\$1,913,001** be raised from current year revenues, that **\$45,000** be provided from the Wetlands Protection Special Revenue Fund, and that **\$177,300** be provided from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-145
INTRO: 05/20/2021, 06/03/2021**

2021-145 APPROPRIATION ORDER IN THE AMOUNT OF \$2,395,834 FOR THE COMMUNITY SERVICES DEPARTMENT GENERAL FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$2,395,834** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Community Services Department General Fund budget; and to meet such appropriation that **\$2,395,834** be raised from current year revenues, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-146
INTRO: 05/20/2021, 06/03/2021**

2021-146 APPROPRIATION ORDER IN THE AMOUNT OF \$3,368,382 FOR THE GOLF COURSE ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$3,368,382** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Golf Course Enterprise Fund budget; and to meet such appropriation that **\$2,990,457** be raised from Enterprise Fund revenues, that **\$286,500** be transferred from the set-aside for recreation and open space within the Community Preservation Fund, and that **\$91,425** be provided from the Golf Course Enterprise Fund reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-148
INTRO: 05/20/2021, 06/03/2021**

2021-148 APPROPRIATION ORDER IN THE AMOUNT OF \$1,261,370 FOR THE MARINE & ENVIRONMENTAL AFFAIRS DEPARTMENT GENERAL FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$1,261,370** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Marine & Environmental Affairs Department General Fund budget, and to meet such appropriation, that **\$913,370** be raised from current year revenue and that **\$348,000** be provided from the Waterways Special Revenue Fund, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-149
INTRO: 05/20/2021, 06/03/2021

2021-149 APPROPRIATION ORDER IN THE AMOUNT OF \$714,586 FOR THE MARINA ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$714,586** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Marina Enterprise Fund budget; and to meet such appropriation that **\$626,716** be raised from Enterprise Fund revenues, that **\$46,981** be provided from the Capital Trust Fund, that **\$30,000** be raised in the General Fund, and that **\$10,889** be provided from the Marina Enterprise Fund reserves as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-150
INTRO: 05/20/2021, 06/03/2021

2021-150 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$27,465 FOR THE MARINA ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$27,465** be appropriated and transferred from the Marina Enterprise Fund reserves to the General Fund for the reimbursement of capital costs paid for by the General Fund on behalf of the Marina Enterprise Fund in Fiscal Year 2021.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-151
INTRO: 05/20/2021, 06/03/2021**

2021-151 APPROPRIATION ORDER IN THE AMOUNT OF \$876,812 FOR THE SANDY NECK PARK ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$876,812** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Sandy Neck Park Enterprise Fund budget; and to meet such appropriation that **\$836,958** be raised from Enterprise Fund revenues, and that **\$39,854** be provided from the Sandy Neck Enterprise Fund reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-152

INTRO: 05/20/2021, 06/003/2021

2021-152 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$108,000 FOR THE SANDY NECK PARK ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$108,000** be appropriated and transferred from the Sandy Neck Park Enterprise Fund reserves to the General Fund for the reimbursement of capital costs paid for by the General Fund on behalf of the Sandy Neck Park Enterprise Fund in Fiscal Year 2021.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-153
INTRO: 05/20/2021, 06/03/2021

2021-153 APPROPRIATION ORDER IN THE AMOUNT OF \$2,353,579 FOR THE INSPECTIONAL SERVICES DEPARTMENT FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$2,353,579** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Inspectional Services Department budget, and to meet such appropriation, that **\$2,353,579** be raised from current year revenue as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-154
INTRO: 05/20/2021, 06/03/2021

2021-154 APPROPRIATION ORDER IN THE AMOUNT OF \$10,470,034 FOR THE PUBLIC WORKS DEPARTMENT GENERAL FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$10,470,034** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Public Works Department General Fund budget, and to meet such appropriation, that **\$10,390,393** be raised from current year revenue, that **\$54,640** be provided from the Embarkation Fee Special Revenue Fund, and that **\$25,000** be provided from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-155
INTRO: 05/20/2021, 06/03/2021**

2021-155 APPROPRIATION ORDER IN THE AMOUNT OF \$3,407,469 FOR THE SOLID WASTE ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$3,407,469** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Solid Waste Enterprise Fund budget, and to meet such appropriation that **\$2,978,376** be raised from the Enterprise Fund revenues, and that **\$429,093** be provided from the Solid Waste Enterprise Fund reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-156
INTRO: 05/20/2021, 06/03/2021

2021-156 APPROPRIATION ORDER IN THE AMOUNT OF \$4,299,130 FOR THE WATER POLLUTION CONTROL ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$4,299,130** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Department of Public Works Water Pollution Control Enterprise Fund budget, and to meet such appropriation that **\$4,253,136** be raised from the Enterprise Fund revenues, and that **\$45,994** be provided from the Water Pollution Control Enterprise Fund reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-157
INTRO: 05/20/2021, 06/03/2021**

2021-157 APPROPRIATION ORDER IN THE AMOUNT OF \$7,385,062 FOR THE WATER SUPPLY ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$7,385,062** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Department of Public Works Water Supply Enterprise Fund budget, and to meet such appropriation that **\$7,025,062** be raised from the Enterprise Fund revenues, that **\$318,229** be provided from the Comprehensive Water Management Stabilization Fund, that **\$41,771** be provided from the Capital Trust Fund, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-158
INTRO: 05/20/2021, 06/03/2021

2021-158 APPROPRIATION ORDER IN THE AMOUNT OF \$1,202,939 FOR THE COMPREHENSIVE WASTEWATER MANAGEMENT PLAN FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$1,202,939** be appropriated for the purpose of funding the Fiscal Year 2022 Comprehensive Wastewater Management Plan operating budget, and to meet such appropriation, that **\$1,202,939** be provided from the Sewer Construction and Private Way Maintenance and Improvement Fund reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-159
INTRO: 05/20/2021, 06/03/2021

2021-159 APPROPRIATION ORDER IN THE AMOUNT OF \$282,975 FOR THE TOWN COUNCIL DEPARTMENT FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$282,975** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Town Council budget and to meet such appropriation, that **\$282,975** be raised from current year revenue, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Second Reading) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-160
INTRO: 05/20/2021**

2021-160 AMENDMENTS TO THE ADMINISTRATIVE CODE, CHAPTER 241, ARTICLE III, MULTIPLE-MEMBER APPOINTIVE ORGANIZATION, AND CHAPTER 241, ARTICLE IV, MUNICIPAL ORGANIZATION

ORDERED:

SECTION 1

That the Town Council hereby amends the Administrative Code, Chapter 241, Article III, Multiple-Member Appointive Organization, § 241-25, Licensing Authority, by striking subsection C. (2) in its entirety and inserting the following new subsection C. (2) in its place:

“C. Interrelationships

(2) Town Manager: The Licensing Authority interacts with the Town Manager for the purposes of receiving administrative support for its deliberations and responsibilities, to include but not be limited to the office of the Town Manager, including the Licensing program within that office, Legal and Health.”

SECTION 2

That the Town Council hereby amends the Administrative Code, Chapter 241, Article IV, Municipal Organization, § 241-46, Offices and standards, by striking subsection B, Municipal organization, in its entirety and inserting the following new subsection B in its place:

“B. Municipal organization. The municipal agencies of the Town consist of the office of the Town Manager and the seven municipal departments under the jurisdiction of the Town Manager. The seven departments and their respective divisions are as follows:

- (1) Administrative Services, encompassing Legal, Information Technology, Human Resources and Finance;
- (2) Community Services, encompassing Recreation, Golf and Senior Services;
- (3) Inspectional Services, encompassing Building, Health and Weights and Measures;
- (4) Marine and Environmental Services, encompassing Harbormaster and Natural Resources;
- (5) Planning and Development, encompassing Regulatory Review, Comprehensive Planning, Community Development, Economic Development, Conservation and Parking;
- (6) Police; and

(7) Public Works, encompassing Administration and Technical Support, Highway, Solid Waste, Structures and Grounds, Water Pollution Control and Water Supply.”

SECTION 3

That the Town Council hereby amends the Administrative Code, Chapter 241, Article IV, Municipal Organization, § 241-47.1, Town Manager, subsection D, Department heads, by striking subsection (1)(l) in its entirety.

SECTION 4

That the Town Council hereby amends the Administrative Code, Chapter 241, Article IV, Municipal Organization, by deleting § 241-47.29, Licensing Department, in its entirety.

SECTION 5

That the Town Council hereby amends the Administrative Code, Chapter 241, Article IV, Municipal Organization, § 241-47.1, Town Manager, by adding the following new subsection E:

“E. Licensing program. There shall be placed within the office of the Town Manager a Licensing program, which seeks to protect the public interest through enforcement of laws and regulations relating to licensing of certain businesses. The Licensing program operates pursuant to applicable provisions of the Town Code and the following state laws: MGL Chapter 100 concerning auctions; and MGL Chapters 136, 138 and 140 concerning licensing. The Licensing program provides administrative support, conducts inspections and compliance activities, and enforces laws and regulations regulating business entities licensed by the Town Manager and the Licensing Authority. The Licensing program provides enforcement of all licensing and issues related to special events on Town-owned property and public ways, private parking lots, underground storage tanks, narrative bus tours, outdoor dining and Pedi cabs. The Licensing program interacts with the Police, Planning and Development and Inspectional Services departments concerning licensing activities. The Licensing program interacts with various boards and committees with concurrent jurisdiction, such as Site Plan Review, Board of Health and Zoning Board of Appeals, and provides administrative and compliance support for the Licensing Authority.”

SECTION 6

That the Town Council hereby amends the Administrative Code, Chapter 241, Article IV, Municipal Organization, § 241-47.21, Inspectional Services Department, by adding the following new subsection C:

“C. Weights and Measures Division.

1. Purpose. The Weights and Measures Division seeks to protect the public interest through enforcement of laws and regulations relating to weights and measures of certain businesses.
2. Authorities and Responsibilities.

The Weights and Measures Division operates pursuant to applicable provisions of the Town Code and the following state laws: MGL Chapters 94 through 99 concerning weights and measures. The Weights and Measures Division is responsible for code compliance and

enforcement of all laws pertaining to the sale of commodities by weight or measure, the inspection and testing of weighing and measuring devices, the operation and use of electronic retail checkout systems, the method of sale of commodities and the labeling of prepackaged commodities.

3. Interrelationships.

- (1) Town Manager. The Weights and Measures Division interacts with the office of the Town Manager, including the Licensing program within that office, concerning administrative support, code compliance and enforcement of all issues relating to weights and measures.
- (2) Other departments. The Weights and Measures Division interacts with the Police and Planning and Development concerning the provision of measurement devices for various purposes. Other interaction is with the Town Clerk, Public Works and Tax Collector in provision of measurement devices activities for various purposes.
- (3) Other. The Weights and Measures Division interacts with community groups and agencies, private enterprises, state agencies and other municipalities to seek effective accomplishment of goals and objectives.”

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Second Reading 06/03/2021</u>

____ Read Item
____ Rationale
____ Council Discussion
____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2021-160
INTRO: 05/20/2021

TO: Town Council
THROUGH: Mark S. Ells, Town Manager
FROM: Karen L. Nober, Town Attorney
SUBJECT: Amendments to the Administrative Code, Chapter 241, Article III, Multiple-Member Appointive Organization, and Chapter 241, Article IV, Municipal Organization

RATIONALE: The Fiscal Year 2022 Operating Budget proposes to make several changes to the Town's organizational structure. This item amends the Administrative Code to align it with the proposed organizational structure.

Specifically: the Interrelationships section for the Licensing Authority is proposed to be updated to reflect current program and division names; the Licensing Department is proposed to be eliminated as a department and included as a program within the Town Manager's Office; the Director of Licensing position is proposed to be eliminated as a Department Head; and the Weights and Measures Division, currently within the Licensing Department, is proposed to be a division within the Inspectional Services Department.

STAFF SUPPORT: Mark A. Milne, CPA, Director of Finance; David Anthony, Director of Property and Risk Management; Lynne M. Poyant, Director of Communications

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-161
INTRO: 05/20/2021, 06/03/2021

2021-161 APPROPRIATION ORDER IN THE AMOUNT OF \$1,192,789 FOR THE TOWN MANAGER DEPARTMENT GENERAL FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$1,192,789** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Town Manager General Fund budget and to meet such appropriation, that **\$1,192,789** be raised from current year revenue, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-162

INTRO: 05/20/2021, 06/03/2021

2021-162 APPROPRIATION ORDER IN THE AMOUNT OF \$799,097 FOR THE PUBLIC, EDUCATION & GOVERNMENT (PEG) ACCESS CHANNELS ENTERPRISE FUND FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$799,097** be appropriated for the purpose of funding the Town’s Fiscal Year 2022 Public, Education & Government (PEG) Access Channels Enterprise Fund budget, and to meet such appropriation, that **\$799,097** be raised from the PEG Enterprise Fund revenues, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-163
INTRO: 05/20/2021**

2021-163 APPROPRIATION ORDER IN THE AMOUNT OF \$6,456,364 FOR THE ADMINISTRATIVE SERVICES DEPARTMENT FISCAL YEAR 2022 OPERATING BUDGET

ORDERED: That the amount of **\$6,456,364** be appropriated for the purpose of funding the Town's Fiscal Year 2022 Administrative Services Department budget, and to meet such appropriation, that **\$6,456,364** be raised from current year revenue, as presented to the Town Council by the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-164
INTRO: 05/20/2021**

2021-164 APPROPRIATION ORDER IN THE AMOUNT OF \$250,000 FOR THE FISCAL YEAR 2022 TOWN COUNCIL RESERVE FUND

ORDERED: That the amount of **\$250,000** be appropriated for the purpose of funding the Town Council's Fiscal Year 2022 Reserve Fund and to meet such appropriation, that **\$250,000** be provided from the General Fund reserves.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-166
INTRO: 05/20/2021**

2021-166 APPROPRIATION ORDER IN THE AMOUNT OF 3,641,181 FOR THE COMMUNITY PRESERVATION COMMITTEE FISCAL YEAR 2022 ADMINISTRATIVE EXPENSE BUDGET AND MINIMUM PROGRAM SET-ASIDES

ORDERED: That, pursuant to the provisions of General Law Chapter 44B Section 6, for the fiscal year beginning July 1, 2021, the following sums of the annual revenues of the Community Preservation Fund be set aside for further appropriation and expenditure for the following purposes: **\$522,873** for open space and recreation; **\$522,873** for historic resources; **\$522,873** for community housing; **\$1,872,562** for a budget reserve, and that the sum of **\$200,000** be appropriated from the annual revenues of the Community Preservation Fund for the administrative expenses the Community Preservation Committee, to be expended under the direction of the Town Manager, or the Community Preservation Committee with the prior approval of the Town Manager.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-167
INTRO: 5/20/2021**

2021-167 APPROPRIATION ORDER IN THE AMOUNT OF \$1,664,958 FOR THE COMMUNITY PRESERVATION FUND FISCAL YEAR 2022 DEBT SERVICE BUDGET

ORDERED: That the Town Council hereby appropriate the amount of **\$1,664,958** or the purpose of paying the Fiscal Year 2021 Community Preservation Fund debt service requirements, and to meet such appropriation, that **\$1,587,546** be provided from current year revenues of the Community Preservation Fund and that **\$77,412** be provided from the reserve for the historic preservation program within the Community Preservation Fund.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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

B. NEW BUSINESS (Second Reading) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-168
INTRO: 05/20/2021**

2021-168 FISCAL YEAR 2022 REVOLVING FUND SPENDING LIMITATIONS

RESOLVED: That the Town Council hereby authorizes the following spending limitations for Fiscal Year 2022 Revolving Funds:

- Senior Services Classroom Education Fund - **\$100,000**
- Recreation Program Fund - **\$525,000**
- Shellfish Propagation Fund - **\$200,000**
- Consumer Protection Fund - **\$600,000**
- Geographical Information Technology Fund - **\$10,000**
- Arts and Culture Program Fund - **\$50,000**
- Asset Management Fund - **\$500,000**

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/20/2021</u>	<u>First Reading Refer to Second Reading 06/03/2021</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-169

INTRO: 05/20/2021, 06/03/2021

2021-169 ACCEPTANCE OF PROVISION OF GENERAL LAWS CH. 40, § 3 RELATING TO TOWN REVENUE

RESOLVED: That the Town Council hereby accepts the proviso in General Laws Chapter 40, Section 3, allowing monies received from the rental or lease of any public building or property, or space within a building or property, other than a building or property under the control of the School Committee, to be held in a revolving fund and expended for the upkeep and maintenance of any facility under the control of the board, committee or department head in control of the building or property.

SPONSOR: Mark S. Ells, Town Manager

DATE ACTION TAKEN

05/20/2021 First Reading Refer to Second Reading 06/03/2021

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-169
INTRO: 05/20/2021, 06/03/2021

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Mark A. Milne, CPA, Director of Finance
DATE: May 20, 2021
SUBJECT: Acceptance of Provision of General Laws Ch. 40, § 3 Relating To Town Revenue

RATIONALE: Massachusetts General Laws Ch. 40, §3 allows for monies received from the rental or lease of any public building or property, or space within a building or property to be held in a revolving fund and expended for the upkeep and maintenance of any facility under the control of the board, committee or department head in control of the building. Any balance in the fund at the close of the fiscal year must be closed to the General Fund.

A local option proviso within Massachusetts General Laws Ch. 40, §3, if accepted by the Town Council, would permit any unexpended balance at the end of the fiscal year to remain in the revolving fund and be used for the upkeep and maintenance of any facility. This would dedicate these funds for this purpose.

The Town owns several properties which it currently leases. Leasing the facilities provides the town a revenue source as well as the avoidance of utility expenses and routine maintenance costs which are covered by the tenants. In addition, having the facilities occupied offers the additional protection against vandalism, keeps the Town's insurance cost down and the asset's deterioration by neglect. The properties in this group include; but are not limited to, the Old Town Hall, YMCA, Cape Cod Maritime Museum, Trayser Museum, CJ's Ranch and the Mills Airfield in Marstons Mills.

The Town Council adopted this proviso for school facilities that are under the authority of the School Committee back in June 2011 under Town Council Order 2011-141.

FISCAL IMPACT: Allowing any unexpended lease and rental income remaining in the revolving fund at the end of the fiscal year will allow for the funds to be dedicated for the upkeep of town facilities as opposed to having them close to the General Fund surplus.

STAFF SUPPORT: Mark A. Milne, CPA, Director of Finance

A. OLD BUSINESS (Public Hearing) (Roll Call Majority Full Council)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-177
INTRO: 05/20/2021, 06/03/2021**

2021-177 APPROPRIATION ORDER IN THE AMOUNT OF \$400,000 FOR THE PURPOSE OF FUNDING DISPOSAL COSTS AT THE SOLID WASTE DIVISION OF THE DEPARTMENT OF PUBLIC WORKS

ORDERED: That the amount of **\$400,000** be appropriated for the purpose of funding disposal costs at the Solid Waste Division of the Department of Public Works, and that to fund this appropriation that \$400,000 be provided from the Solid Waste Enterprise Fund reserves.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>05/06/2021</u>	<u>Refer to Public Hearing 06/03/2021</u>

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- _____
- _____

BARNSTABLE TOWN COUNCIL

ITEM# 2021-177
INTRO: 05/20/2021

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: May 20, 2021
SUBJECT: Appropriation Order in the amount of **\$400,000** to fund disposal costs at the Solid Waste Division of the Department of Public Works

BACKGROUND: The Solid Waste Division operates the Transfer Station & Recycling Center. The services provided at the Transfer Station are funded by fees charged to users and sticker holders. These fees are used to cover the costs associated with operating and disposing of items and materials we accept. The appropriated budget is calculated using estimated material totals and expected disposal costs. Changes to these figures can impact the budget in various ways. In Fiscal Year 2021, the Transfer Station has seen unexpected increases to the amount of hard to recycle items (CHARM), Household Hazardous Waste and Construction & Demolition (C&D) material disposed of at the facility. This unexpected increase has significantly increased the cost of disposal incurred by the Solid Waste Division.

ANALYSIS: Preparation of the Solid Waste Division budget for Fiscal Year 2021 did not anticipate significant increases to amounts materials being disposed. The Solid Waste Division charges fees for disposal of items and offers stickers for a fee to residents. The fees charged are calculated to cover the costs of disposal for materials at the facility. The requested appropriation will cover the disposal costs for the remainder of Fiscal Year 2021. Revenue projections for Fiscal Year 2021 are expected to result in a revenue surplus which will offset the appropriation request and result in a favorable budget variance.

FISCAL IMPACT: Funding for this appropriation is provided from the Solid Waste enterprise Fund's reserves which currently have a balance of \$1,135,241. As a result of the increase in activity, revenue collected at the transfer station is expected to exceed the budget estimate by a projected \$900,000. This will replenish most of the reserves used to balance the Fiscal Year 2021 operating budget including this request.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, requests favorable action by the Town Council.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director, Department of Public Works;
Patrick J. Kelliher, Supervisor, Solid Waste Division

B. NEW BUSINESS (Refer to Public Hearing 06/17/2021)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-178
INTRO: 06/03/2021**

2021-178 SUPPLEMENTAL APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$4,775,023 FOR THE PURPOSE OF FUNDING THE STRAWBERRY HILL ROAD SEWER EXPANSION PROJECT

ORDERED: That the sum of **\$4,775,023** be appropriated for the purpose of funding the Strawberry Hill Road Sewer Expansion Project, 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 \$4,775,023 under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-178
INTRO: 06/03/2021

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: June 03, 2021
SUBJECT: Supplemental Appropriation and Loan Order in the amount of **\$4,775,023** for the Strawberry Hill Road Sewer Expansion Project

BACKGROUND: Vineyard Wind plans to begin construction this fall on a project which will install over 5.1 miles of underground 220kV Transmission Cable within Town roadways from Covell's Beach to the interconnection point at the substation proposed on Independence Drive. The Town is scheduled to install sewer infrastructure along the proposed duct bank route from Covell's Beach to Route 132 in order to realize cost savings and minimize construction disturbance. The project involves the construction of approximately 20,500 LF of gravity sewer, 6,400 LF of sewer force main, replacement of approximately 4,000 LF of water main and the installation of one new submersible pump station on a Town-controlled easement at 528 Craigville Beach Road. Bids were opened for the project on May 26, 2021 and the apparent low bidder's total bid price is \$11,710,006.49.

ANALYSIS: Vineyard Wind plans to begin construction this Fall and upon completion, will be required to resurface all disturbed roadways. As a result, it will be cost advantageous for the Town to participate with Vineyard Wind to complete planned utility improvements along the project length as part of this project. Additionally, Vineyard Wind's duct bank will congest the roadways and makes it difficult to install these utilities after their work has been completed. The sewer design has been closely coordinated with the Vineyard Wind duct bank design and completion of the work on a parallel track with the Vineyard Wind construction will minimize disturbance to residence and result in cost savings.

FINANCIAL IMPACT: Funding for this project will be provided from a bond issue. The repayment of the bond will be provided from the resources generated by the Town's Sewer Construction and Private Ways Maintenance and Improvement Fund. The first loan payment on the bond issue is anticipated to be in Fiscal Year 2023 and will be included in the Fiscal Year 2023 operating budget. Completion of construction will result in an estimated \$5,000 increase in operating expenses for the Water Pollution Control Division as well as the need for the addition of 0.25 FTE for the Water Pollution Control Division which will be reflected in a future year Sewer Enterprise fund operating budget. The project is listed on the 2021 Clean Water State Revolving Fund Intended Use Plan and is eligible for \$13,275,023 from the Trust, potentially at 0% interest. Additionally, the Town has been notified that the project is eligible for a subsidy of \$3,318,756 through the Cape Cod and Islands Water Protection Fund. Prior appropriations for the construction of this project include \$8,500,000 for sewer construction (2019-213) and \$1,000,000 for water construction (2019-212).

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of this supplemental appropriation and loan order.

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

B. NEW BUSINESS (Refer to Public Hearing 06/17/2021)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-179
INTRO: 06/03/2021**

2021-179 SUPPLEMENTAL APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,850,000 FOR THE PURPOSE OF FUNDING THE SOLIDS HANDLING UPGRADES CONSTRUCTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2021 TO FISCAL YEAR 2025 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$2,850,000** be appropriated for the purpose of funding the Solids Handling Upgrades Construction Project as outlined in the Fiscal Year 2021 – Fiscal Year 2025 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 \$2,850,000 under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-179
INTRO: 06/03/2021

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: June 03, 2021
SUBJECT: Supplemental Appropriation and Loan Order in the amount of **\$2,850,000** for the Solids Handling Upgrades Construction Project

BACKGROUND: The purpose of this project is to rehabilitate the solids handling building at the Barnstable Water Pollution Control Facility. This project involves the demolition and replacement of septic and sludge processing equipment that is at or past the end of its design life. This includes gravity belt thickeners, polymer systems, chemical feed pumps, odor control systems, grit classifiers, sludge tank blowers, septic receiving station, instrumentation, controls, electrical panels, and all associated piping and valves. The septic waste receiving station will be rehabilitated and a new metering and billing system will be installed. The project addresses several safety and code deficiencies identified within the building. Instrumentation and automation will be updated, allowing for processing to occur for more hours per day which will increase the solids handling capacity of the facility. The project includes structural repairs to the building, including the sludge holding tanks. Bids were opened for the project on May 12, 2021 and the apparent low bidder's total bid price is \$10,020,767.

ANALYSIS: The solids handling building was built in 1990 and has reached the end of its design life. The building, the associated processes, and thickened sludge disposal practices were evaluated as part of a 2014 CIP request. The project was put on hold to ensure that future flows identified in the Comprehensive Wastewater Management Plan would be accounted for while designing this project. Now complete, the evaluation recommends a full scale renovation of the building and equipment in order to extend the useful life on the facility by another 20 to 30 years. The solids handling building is critical to the wastewater treatment process, acting as the "guts" of the wastewater treatment facility by pumping and processing sludge from a variety of sources. The building handles up to 12,000,000 gallons of septage, 1,000,000 gallons of grease, and 11,000,000 of wastewater sludge per year. Because of the corrosive and abrasive nature of the work carried out in the building, the condition of the equipment in this building is degrading rapidly.

FINANCIAL IMPACT: This project will be funded with the issuance of a bond. The additional amount requested in this appropriation and loan order will be added to the \$8,500,000 appropriation and loan order authorized under Town Council order 2021-009. The project is listed on the 2021 Clean Water State Revolving Fund Intended Use Plan. The Town has been notified that the project is eligible for a subsidy of \$2,213,763 through the Cape Cod and Islands Water Protection Fund. The repayment of the bond issue will be added to future Sewer Enterprise Fund operating budgets. It is anticipated that the first loan payment on the bond issue will occur in Fiscal Year 2023 and this will be included in the Fiscal Year 2023 rate study.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this supplemental appropriation and loan order.

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

B. NEW BUSINESS (Refer to Public Hearing 06/17/2021)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-180
INTRO: 06/03/2021**

2021-180 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$22,000,000 FOR THE PURPOSE OF FUNDING THE ROUTE 28 EAST SEWER EXPANSION PROJECT

ORDERED: That the sum of **\$22,000,000** be appropriated for the purpose of funding the Route 28 East Sewer Expansion Project, 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 \$22,000,000 under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-180
INTRO: 06/03/2021

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: June 03, 2021
SUBJECT: Appropriation and Loan Order in the amount of **\$22,000,000** for the Route 28 East Sewer Expansion Project

BACKGROUND: The Project will expand sewer westerly along Route 28 to the intersection of Route 28 and Phinney's Lane. The project includes the installation of approximately 11,000 LF of new sewers within Route 28, Phinney's Lane, and West Main Street. The project also includes the construction of a new pump station to be located at the Town owned property at 1456 Falmouth Road and approximately 12,000 LF of sewer force mains from the pump station at 1456 Falmouth Road to the Water Pollution Control Facility. The pump station and force mains will be sized to eventually serve the majority of the of the western sewer expansion (more than 7,000 properties). The project also includes modifications at the Water Pollution Control Facility to accommodate the new force mains. This project is identified in Phase 1 of the Town's Comprehensive Wastewater Management Plan (CWMP).

ANALYSIS: The Route 28 East project is a critical component of the Town's sewer expansion plan, and will eventually serve more than 7,500 properties as described in the Town's Comprehensive Wastewater Management Plan (CWMP). This project will immediately allow for about 85 properties to connect to the municipal sewer system. Future phases of the sewer expansion plan cannot move forward until the critical infrastructure installed as part of this project are completed.

FINANCIAL IMPACT: Funding for this project will be provided from a bond issue. The repayment of the bond will be provided from the resources generated by the Town's Sewer Construction and Private Ways Maintenance and Improvement Fund. The first loan payment on the bond issue is anticipated to be in Fiscal Year 2023 and will be included in the Fiscal Year 2023 operating budget. Completion of construction will result in an estimated \$10,000 increase in operating expenses for the Water Pollution Control Division as well as the need for the addition of 0.5 FTE for the Water Pollution Control Division which will be reflected in a future year Sewer Enterprise Fund operating budget. The project is listed on the 2021 Clean Water State Revolving Fund Intended Use Plan, and the project may be eligible for 0% interest loan through the Massachusetts Clean Water Trust. Additionally, the Town has been notified that the project is eligible for a subsidy of \$4,276,500 through the Cape Cod and Islands Water Protection Fund.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this appropriation and loan order.

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