



Town of Barnstable Town Council

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Precinct 2

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Precinct 13

Administrator to the
Town Council:
Barbara A. Ford

Administrative
Assistant:
Cynthia A. Lovell

MEETING AGENDA TOWN HALL HEARING ROOM March 5, 2015 7:00 PM

Updated on
03/04/15 to
add Item
2015-074

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF SILENCE

4. PUBLIC COMMENT

5. COUNCIL RESPONSE TO PUBLIC COMMENT

6. TOWN MANAGER COMMUNICATIONS

7. ACT ON MINUTES (Including Executive Session)

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

- **Kris Clark, Chair, Land Acquisition and Preservation Committee**

9. ORDERS OF THE DAY

A. Old Business

B. New Business

10. ADJOURNMENT

NEXT REGULAR MEETING: March 19, 2015

A. OLD BUSINESS

2015-048	Amendment of the Zoning Map of the Town of Barnstable Massachusetts to Extend the HB Highway Business District along Route 132 (Iyannough Road) to Attucks Lane and Adjust the B Business District . to Follow Property Lines (Refer to public hearing 03/19/15).....	3-5
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B. NEW BUSINESS

2015-072	Appropriation and Transfer Order of \$615,000 (Six Hundred and Fifteen Thousand and no cents) be appropriated for the purpose of constructing a new 60,000 gallon above ground jet fuel tank farm, and the removal of the existing 20,000 gallon underground jet fuel tank farm at the airport; to be added to the amount appropriated under Council Order 2013-102, and that the sum of \$615,000.00 be transferred from the Airport's Reserve Fund for additional funds for the Airport Fuel Farm Construction Project (Refer to public hearing 03/19/15).....	6-8
2015-073	Acceptance of a grant in the amount of \$72,711 from the Massachusetts Department of Mental Health for the Training and Technical Assistance Centers, CIT Program and other Behavioral Health Jail Diversion Programs (May be acted upon).....	9-11
2015-074	Acceptance of a grant in the amount of \$3,500 from the Cape Cod Healthcare Foundation, Inc. and the Cape and Islands District Attorney's office to fund the Seventh Grade Youth Summit (May be acted upon).....	12-13

Approve Minutes – February 26, 2015

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 (Refer to Public Hearing 03/19/15)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-048
INTRO: 12/04/14, 03/05/15

2015-048 AMENDMENT OF THE ZONING MAP OF THE TOWN OF BARNSTABLE TO EXTEND THE HB HIGHWAY BUSINESS DISTRICT ALONG ROUTE 132 (IYANNOUGH ROAD) TO ATTUCKS LANE AND ADJUST THE B BUSINESS DISTRICT TO FOLLOW PROPERTY LINES.

ORDERED: That Chapter 240, Article II, Section 6, The Zoning Map of the Town of Barnstable Massachusetts is hereby amended to extend the HB, Highway Business Zoning District along Route 132 and to adjust the B Business Zoning District to follow property lines as shown on maps entitled;

- “Proposed Amendment of the Zoning Map of the Town of Barnstable Massachusetts - Index Map – to Extend the HB Highway Business District along Route 132 and Adjust the B Business District to Follow Property Lines” and
- Proposed Amendment of the Zoning Map of the Town of Barnstable Massachusetts - Barnstable – Sheet 1 of 7 – to Extend the HB Highway Business District along Route 132 and Adjust the B Business District to Follow Property Lines” and
- Proposed Amendment of the Zoning Map of the Town of Barnstable Massachusetts – Hyannis - Sheet 3 of 7 – to Extend the HB Highway Business District along Route 132 and Adjust the B Business District to Follow Property Lines” and
- Proposed Amendment of the Zoning Map of the Town of Barnstable Massachusetts – Centerville - Sheet 4 of 7 – to Extend the HB Highway Business District along Route 132 and Adjust the B Business District to Follow Property Lines”

Proposed maps dated July 22, 2014 as prepared by the Town of Barnstable GIS (Geographical Information System) Unit

SPONSOR: Vice President Ann Canedy

DATE	ACTION TAKEN
<u>12/04/14</u>	<u>Refer to Planning Board</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-048
INTRO: 12/04/14, 03/05/15

SUMMARY

TO: Town Council
FROM: Jo Anne Miller Buntich, Director, Growth Management Department
THROUGH: Thomas K. Lynch, Town Manager
DATE: November 24, 2014, 2014
SUBJECT: Amendment of the Zoning Map to Extend HB Highway Business District and Adjust Business B District in the area of 132 and Attucks Lane

BACKGROUND: This zoning map amendment will extend the Highway Business Zoning District to encompass three parcels of land that are now zoned residential but are developed and used commercially through use variances. Use variances are now prohibited within 300 feet of Route 132 severely limiting reuse making business investment difficult

ANALYSIS: The parcels to be rezoned total 7.8 acres in area. They are; 1582 Iyannough Road (Route 132) Barnstable, MA (Assessor's Map 254 parcel 014), 1520 Iyannough Road (Route 132), Barnstable, Hyannis & Centerville, MA (Assessor's Map 253 parcel 020) and 131 Attucks Lane, Barnstable MA (Assessor's Map 254 parcel 012)

RATIONALE Presently the parcels are zoned Residence D-1 and Residence F-1. The Highway Business zoning allow banks, not including drive-through banking, and professional offices as-of-right. Banks and other commercial uses are allowed by special permit from the Zoning Board of Appeals. Allowing these business uses as-of-right with the option for a special permit for other commercial uses allows redevelopment and reinvestment where the existing use variance prohibition and residential zoning no longer provide that option.

The adjustment to the neighboring parcel Business B Zoning District is for consistency and would now follow property lines and roadway lines. The two parcels are addressed 1470 Iyannough Road (Route 132), Barnstable MA (Assessor's Map 274 parcel 001) and 241 Attucks Lane, Barnstable MA (Assessor's Map 274 parcel 025).

STAFF ASSISTANCE: Growth Management Department Planning Staff

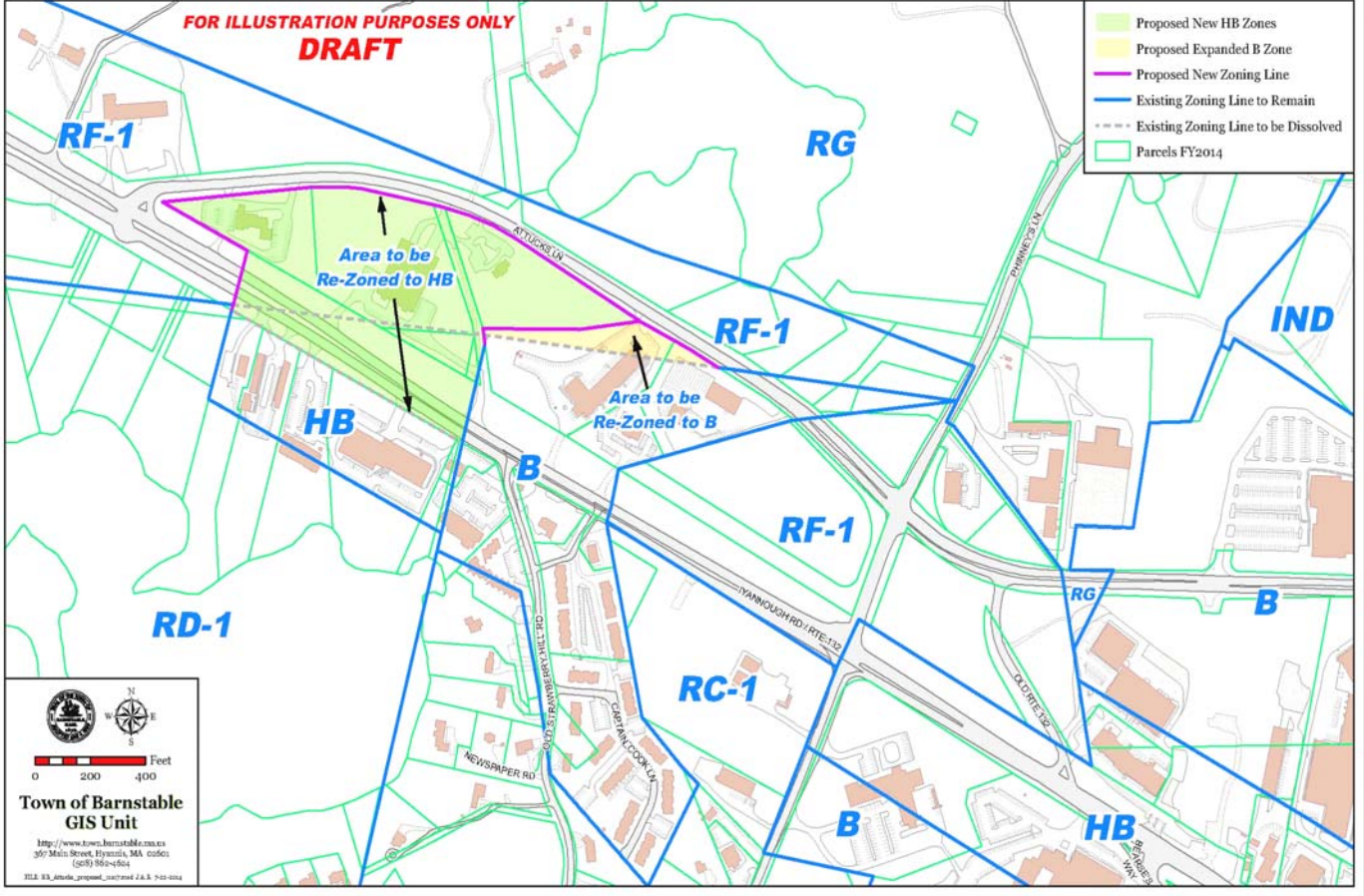


PROPOSED HB ZONE - ATTUCKS LANE

July 22, 2014

**FOR ILLUSTRATION PURPOSES ONLY
DRAFT**

- Proposed New HB Zones
- Proposed Expanded B Zone
- Proposed New Zoning Line
- Existing Zoning Line to Remain
- Existing Zoning Line to be Dissolved
- Parcels FY2014



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B. NEW BUSINESS (Refer to Public hearing 3/19/15)

BARNSTABLE TOWN COUNCIL

**ITEM NO: 2015-072
INTRO: 03/05/15**

2015-072 APPROPRIATION AND TRANSFER ORDER OF SIX HUNDRED FIFTEEN THOUSAND DOLLARS AND NO CENTS (\$615,000.00) BE APPROPRIATED FOR THE PURPOSE OF CONSTRUCTING A NEW 60,000 GALLON ABOVE GROUND JET FUEL TANK FARM, AND THE REMOVAL OF THE EXISTING 20,000 GALLON UNDERGROUND JET FUEL TANK FARM AT THE AIRPORT; TO BE ADDED TO THE AMOUNT APPROPRIATED UNDER COUNCIL ORDER 2013-102, AND THAT THE SUM OF \$615,000.00 BE TRANSFERRED FROM THE AIRPORT'S RESERVE FUND

ORDERED: That the sum of Six Hundred Fifteen Thousand Dollars and No Cents (\$615,000.00) be appropriated for the purpose of constructing a new 60,000 gallon above ground jet fuel tank farm, and the removal of the existing 20,000 gallon underground jet fuel tank farm at the airport; to be added to the amount appropriated under Council Order 2013-102, and that to meet this appropriation, that the sum of \$615,000.00 be transferred from the Airport's Reserve Fund, and furthermore that the Barnstable Municipal Airport Commission is authorized to contract for and expend the appropriation made available for these purposes, and for these purposes be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Town Manager, Thomas K. Lynch

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM NO: 2015-072
INTRO: 03/05/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: (1) R. W. Breault, Jr., Airport Manager
(2) Barnstable Municipal Airport Commission
DATE: February 4, 2015
SUBJECT: Appropriation and Transfer Order for Additional Funds for the Airport Fuel Farm Construction Project

BACKGROUND: The existing 20,000 gallon jet fuel underground storage tank (UST) does not contain enough capacity to meet the fuel sales demand. Fuel demand has increased at the airport reaching almost 1,000,000 gallons of jet fuel sold during FY2014 and is projected to continue to grow. Installation of the three (3) new storage tanks will meet the growing aviation demand and enhance service to airlines and general aviation customers. More importantly, these tanks will greatly reduce potential threat of ground water pollution, which is always a paramount environmental concern. The existing 20,000 gallon jet fuel UST was installed in 1985 and converted to jet fuel service in 1992. Following construction of the new storage tanks, the existing 20,000 gallon jet fuel UST will be removed from the ground and any contamination located will be remediated.

The Cape Cod Commission approved a Development of Regional Impact (DRI) for Barnstable Municipal Airport Improvement Projects on January 25, 2007 and as amended. One of the approved projects was the "creation of a new, larger fuel storage facility" which was further described under condition G.3. to require that "at no time shall the amount of fuel attributable to this fuel storage facility be more than 60,000 gallons in total." This new larger capacity fuel farm is within the overall limit of DRI Condition HMW1 that imposed a cumulative hazardous materials storage limit of 154,253 gallons across all Airport and tenant operations. The DRI found that the project complied with the Massachusetts Environmental Policy Act (MEPA) per a Certificate of a Final Environmental Impact Report (FEIR) dated July 2, 2004. In addition, the project was approved, with conditions, at a formal site plan review meeting held on October 16, 2014; has received an amended License from the Town of Barnstable for the storage of fuel dated November 25, 2014; has received approval from the Hyannis Fire Department; and will be constructed in accordance with the requirements of the NFPA and State Fire Marshall.

The Town Council approved Appropriation Order #2011-073 on April 7, 2011 for the design of the jet fuel "Fuel Farm" at the Airport in the amount of \$60,000 based upon an engineering estimate; and approved Appropriation Order #2013-102 on April 25, 2013 for the construction of the new "Fuel Farm" in the amount of \$810,000, based upon the best industry information available at that time from fuel farm manufacturers, jet fuel providers, other recent fuel farm construction costs, and jet fuel industry professionals.

The Barnstable Municipal Airport Commission (BMAC) contracted with Jacobs Engineering Group, Inc. (Jacobs) on December 17, 2013 for the purpose of designing a new 60,000 gallon above ground fuel storage facility and the removal of the existing 20,000 gallon underground fuel storage facility. The contract did not include construction phase services. The design and permitting was completed within budget, and put out to bid with bid opening on January 7, 2015. The Town received six bids, with the apparent low bidder being Lawrence-Lynch Corporation, based in Falmouth, Massachusetts in the amount of \$1,179,900.46. This amount does not include engineering construction phase services in the amount of \$126,350; and it does not include a 10% contingency factor primarily due to potential hazardous materials remediation that may be found during the removal of the old fuel farm in the amount of \$117,990; hopefully this will not materialize and would not be spent.

ANALYSIS: The requested transfer of additional funds from the Airport Reserves in the amount of \$615,000 should be sufficient to complete the entire project in compliance with the Cape Cod Commission Development of Regional Impact; it will provide a state-of-the-art fuel farm of sufficient capacity to allow unimpeded safe jet fueling operations to meet current and projected demand; and that meets local and Hyannis Fire Department, and Board of Health requirements; and meets NFPA and State Fire Marshall construction standards. Completion of the project as outlined will also remove the potential of any future jet fuel spills or tank leakage from the existing underground jet fuel storage facility that is over 22 years old. The new facility has 110% secondary containment (concrete berm and pad); the fuel farm and fuel transfer pad storm water drainage system will include an inline isolation valve that will isolate and contain a large release of fuel and expedite clean-up activities; and the drainage system will also discharge to an oil water separator. The secondary containment system will include interstitial monitoring with visible alarms to detect any malfunction in the primary ballistic resistant storage tanks. Routine inspections by Airport maintenance and operations personnel will also aid in early leak detection.

FISCAL IMPACT: In consultation with the Town Finance Director, there are sufficient funds within the Airport Enterprise Fund's reserve account to cover the cost of this appropriation. Unfortunately, and despite our best efforts to obtain funding support from the Federal Aviation Administration or the Massachusetts DOT Aeronautics Division, no federal or state funds are available for this project. We are actively looking for grants or gifts from the aviation industry to help offset our costs.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of this appropriation order.

BOARD AND COMMISSION ACTION: The Barnstable Municipal Airport Commission approved this request on February 4, 2015.

STAFF ASSISTANCE: Airport Manager R. W. (Bud) Breault, Jr.
Assistant Airport Manager Frank Sanchez

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-073
INTRO: 03/05/15**

2015-073 ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$72,711 FROM THE MASSACHUSETTS DEPARTMENT OF MENTAL HEALTH FOR THE TRAINING AND TECHNICAL ASSISTANCE CENTERS, CIT PROGRAMS AND OTHER BEHAVIORAL HEALTH JAIL DIVERSION PROGRAMS

RESOLVED: That the Barnstable Town Council does hereby accept a grant in the amount of \$72,711 from the Massachusetts Department of Mental Health entitled: *Training and Technical Assistance Centers, CIT Programs and Other Innovative Police-Based Behavioral health Jail Diversion Program Grant.*

SPONSOR: Town Manager Thomas K. Lynch

DATE ACTION TAKEN

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-073
INTRO: 03/05/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Paul B. MacDonald, Chief of Police
DATE: February 26, 2015
SUBJECT: Acceptance of a Grant in the amount of \$72,711 to the Barnstable Police Department from Massachusetts Department of Mental Health

BACKGROUND: The Barnstable Police Department has been awarded a grant through the Department of Mental Health (“DMH”) for the development of an Innovative Jail Diversion Program and Crisis Intervention Team in the Town of Barnstable. The Community Impact Unit (“CIU”) applied for the grant in December 2014. In addition to the generous donation provided by the Lorusso Foundation, the Department of Mental Health grant will be used as follows:

- To train the CIU members as Mental Health First Aid Instructors;
- To train members of the Barnstable Police Department in an 8-hour Mental Health First Aid course;
- To train six officers in Community Crisis Intervention Team Training; and
- To fund a part-time behavioral health clinician to work in collaboration with the CIU.

The CIU was formed in May 2014 and is comprised of two patrol officers and one sergeant who are assigned to downtown Hyannis, the nucleus of social service agencies for the Cape Cod Region. The Noah Shelter, Salvation Army, Duffy Health Care, Vinfen, Cape Cod Hospital, Housing Assistance Corporation, Baybridge Clubhouse, and the Cape Cod Psyche Center are all located in downtown Hyannis. The result is a disproportionate number of individuals in mental health or other social crisis congregating in the immediate area. In the first seven months of operation, the CIU encountered 247 different individuals who were homeless or at risk of homelessness in Hyannis.

Through their work with these individuals and local social agencies, the CIU has identified widespread mental health and/or substance abuse disorders within the homeless community. It is important to note that mental health and/or substance abuse issues are not exclusive to the homeless population and are, in fact, pervasive in each community within the Town of Barnstable. As first responders, police officers are often the first persons to encounter individuals in crisis. Rather than strictly addressing these individuals from a law enforcement standpoint, the CIU has been identifying and referring individuals in mental health and social crisis to the appropriate agencies and services.

The Community Impact Unit’s goal is to establish 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. To this end, the CIU has identified the specific needs required to reinforce their efforts to serve persons in mental health and/or substance abuse crisis, which is at the core of their efforts and concerns, while at the same time improving quality-of-life issues for the residents, businesses, and the overall community of the Town of Barnstable.

ANALYSIS: The reward of the DMH grant will pay for valuable training for members of the Barnstable Police Department. Initially, the three CIU members attended the National Mental Health First Aid

Instructor Training in Nashville, Tennessee in February 2015. This intensive train-the-trainer program certifies each member of the CIU to teach an 8-hour Mental Health First Aid course to members of the Barnstable Police Department. The course is designed to help officers identify signs of mental illness, diffuse situations, and redirect individuals to appropriate services. The results are improved outcomes for individuals in crisis as well as enhanced safety to the individual and responding officers and to the overall community. Per the grant, the CIU plans to train at least 25 officers in Mental Health First Aid by the end of FY2016.

Becoming Mental Health First Aid instructors will also enable members of the CIU to teach the course to other first responders on a regional basis, which will help reduce negative attitudes about mental illness and build mental health literacy with those who commonly serve the mentally ill in the course of their job duties.

Additionally, the DMH grant will pay for six Barnstable Police officers to attend a 40-hour Community Crisis Intervention Team Training in Taunton, MA. The training is a more comprehensive curriculum including identifying different types of mental illness, family support, community resources, emergency petitions, court and probation intervention, interview and de-escalation techniques, and interactive role play. The training is narrowly tailored to educate officers to navigate the region-specific bureaucracy of agencies involved in treating mental illness.

Lastly, the DMH grant will fund the employment of a part-time behavioral health clinician assigned to the CIU. The clinician's responsibilities will include outreach and ride-alongs with the CIU as well as crisis intervention and participation in the Jail Diversion Program and Crisis Intervention Team.

FISCAL IMPACT: There will be no negative financial impact. The total grant award of \$72,711 is delivered in two parts. The first part in the amount of \$30,096 covers the period of 2/13/15 to 6/30/15 and includes the cost of the First Aid Mental Health Training for the three officers of the CIU; for 6 officers to attend Crisis Intervention Training; and for a Clinician to work 12 hours a week with the CIU. The second part in the amount of \$42,615 covers the period of 7/1/15-6/30/16 and includes the training of 25 officers in mental health first aid and for a Clinician to work 19 hours a week with the CIU.

TOWN MANAGER RECOMMENDATION: Town Manager Thomas K. Lynch recommends acceptance of this grant.

STAFF ASSISTANCE: Paul B. MacDonald, Chief of Police; Sgt. Jean Challies, Officer Jennifer Ellis
Officer Jason Sturgis, Anne E. Spillane

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-074
INTRO: 03/05/15**

2015-074 ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$3,500 FROM THE CAPE COD HEALTHCARE FOUNDATION, INC. AND THE CAPE AND ISLANDS DISTRICT ATTORNEY'S OFFICE TO FUND THE SEVENTH GRADE YOUTH SUMMIT

RESOLVED: That the Barnstable Town Council does hereby accept a joint grant awarded by the Cape Cod Healthcare Foundation, Inc. and the Cape and Island's District Attorney's Office in the amount of \$3,500 for the purpose of funding the Seventh Grade Summit to be held on March 19th and March 20th 2015 at the Hyannis Youth and Community Center

SPONSOR: Town Councilor, Jennifer Cullum

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-074
INTRO: 03/05/15

SUMMARY

TO: Town Council
FROM: Cape Cod Healthcare Foundation, Inc.; Cape and Islands District Attorney's Office
THROUGH: Councilor Jennifer Cullum
DATE: March 5, 2015
SUBJECT: Acceptance of Grant in the Amount of \$3,500 from the Cape Cod Healthcare Foundation, Inc and the Cape and Islands District Attorney's Office to Fund the Seventh Grade Youth Summit

BACKGROUND: On March 19 and 20 The Barnstable Youth Commission is holding a drug prevention forum entitled the Seventh Grade Youth Summit at the HYCC. The cost of the event is expected to be approximately \$3500, to fund a drama troupe entitled Improbable Players and prevention speaker Brenda Conlan and various other minor costs associated with the event, such as lanyards, etc.

Cheryl Bartlett (through the Cape Cod Healthcare Foundation, Inc) and the Cape and Islands District Attorney's Office have generously offered to fund the entire event. Acceptance of this grant would allow these funds to held in a revolving account and be used for event purposes only.

TOWN MANAGER RECOMMENDATION: Town Manager Thomas K. Lynch recommends acceptance of this grant.

FISCAL IMPACT: None

CANCELLED