



Town Council Meeting
January 18, 2018



A quorum being duly present, Council President Eric Steinhilber called the January 18, 2018, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

An announcement was made by President Steinhilber regarding the meeting being televised live and questioning if anyone was actively taping the session to please make their presence known. This session is recorded and broadcast on Channel 18.

PRESENT: Britt Beedenbender, James Crocker, Jr., Jennifer Cullum, Debra Dagwan, John Flores, Jessica Rapp Grassetti, Paul Hebert, Matthew Levesque, Paula Schnepf, Eric Steinhilber, Philip Wallace. **ABSENT:** Paul Neary and James Tinsley, Jr.

The Pledge of Allegiance was led by President Steinhilber followed by a moment of silence.

Hometown Community Hero Presentation

Councilor Jennifer Cullum proposed the idea for each precinct Councilor to pick a Hometown Community Hero from their precinct. Her pick was Keith Rosary, Grand Master and owner of the International Martial Arts Academy. Keith Rosary holds 7 black belts and his A+ Program for children 4-18. He felt children are spending too much time with electronic gadgets and not enough time in physical activities. He added the A+ program helped reinforce family values. He listed the many accomplishments of the academy participants which included world titles and national titles. Councilor Cullum said she hoped this presentation and future presentations would help residents reconnect with the community. She mentioned the A+ program instilled self-esteem and confidence.

President Eric Steinhilber and Councilor Jennifer Cullum presented Keith Rosary with the Hometown Community Hero certificate.

Participants from the academy showed off their skills utilizing staffs, swords and nunchucks.

PUBLIC COMMENT:

Spencer Knowles discussed regulating cannabis with smart and safe zoning. He mentioned his letter dated January 18th, 2018 which explained the group Smart and Safe Cannabis Zoning. (EXHIBIT A)

Close public comment

COUNCIL RESPONSE TO PUBLIC COMMENT:

TOWN MANAGER COMMUNICATIONS: Update for period December 22, 2017 through January 18, 2018

- FY 2018 Operating Budget
- FY 2018 Abatement Application
- GFOA Award – Barnstable’s 17 consecutive Year receiving this prestigious financial award.
- Massachusetts Department of Fish and Wildlife
- Watershed Permitting Popponeset Bay
- Town of Yarmouth Lewis Bay Watershed permitting
- Vineyard Wind
- January 3rd, 2018 Aquiculture changes – annual review of regulations
- Public Service Announcement – Temporary signs on Public Property

Councilor questions and comments:

In conversation with Town of Yarmouth please stress ongoing funding.

ACT ON MINUTES: Upon a motion duly made and seconded it was voted to approve the minutes of the December 21, 2017 meeting.

VOTE: PASSES UNANIMOUS 1 ABSTAIN (DAGWAN)

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

School Committee vacancy – three candidate interviews to be schedules for future council meeting. January 27th, 2018 Marstons Mills 4 pm – 6 pm Ham and Bean supper. Regarding wastewater collaboration – please form team to investigate drainage problems on Route 6A.

2018-052 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 12/21/17, 01/18/18

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member board/committee/commission: **Shellfish Committee:** Albert Surprenant as a regular member to a term expiring 6/30/20; **Board of Governors of the Steamship Authority:** Robert R. Jones, as a representative member of Barnstable, to a term expiring 12/31/2021.

VOTE: PASSES UNANIMOUS

2018-054 ORDER TO AMEND CHAPTER 168 REGULATORY AGREEMENT DISTRICTS MAP TO INCLUDE MAP 311 PARCEL 092 INTRO: 01/18/2018

Elizabeth Jenkins, Director of Planning and Development gave the rationale. She spoke about the public benefits and economic opportunities regarding this property.

Upon a motion duly made and seconded it was

ORDERED:

Section 1

By amending the map entitled "Regulatory Agreement Districts" dated December 28, 2011 by replacing the map with the map entitled "Regulatory Agreement Districts Map" dated January 2, 2018 as prepared by the GIS Unit. The Regulatory Agreement Districts Map dated January 2, 2018 adds the property at Map 311, Parcel 092 to the Regulatory Agreement Districts.

Section 2

Section 168-1 "Purpose and intent; legislative authority; boundary; single-family residence exception" introductory paragraph be amended by replacing the words "attached map, dated December 28, 2011, entitled "Regulatory Agreement Districts" with the words "Regulatory Agreement Districts Map dated January 2, 2018."

Section 3

Section 168-1 B be amended by replacing the words "Regulatory Agreement Districts Map dated December 28, 2011" with the words "Regulatory Agreement Districts Map dated January 2, 2018."

VOTE: REFER TO PUBLIC HEARING ON FEBRUARY 1ST, 2018 – PASSES UNANIMOUS

2018-055 TRANSFER ORDER OF \$250,000 FROM THE REMAINING FUNDS UNDER TOWN COUNCIL ORDER 2011-067 FOR THE DREDGING OF MILL POND AND OTHER RELATED COSTS INTRO: 01/18/18

Dan Santos, Director of Public Work gave the rationale. He explained dredging is a protective way to help mitigate nitrogen in the public water ways.

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$250,000** be transferred from the remaining funds under Town Council order **2011-067** for the dredging of Mill Pond, including the payment of costs incidental or related thereto, and that the Town Manager is authorized to contract for and expend the funds made available for these purposes and be authorized to accept any gifts or grants in relation thereto.

Councilor questions and comments:

Great project what causes the sediment? (Over time about 100 years the sediment settles at the bottom of the pond) What is the cost of permitting? (Cost not yet available)

VOTE: PASSES UNANIMOUS

2018-056 ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$3,476 FROM THE CAROLINE FRIES FUND OF THE CAPE COD FOUNDATION TO THE BARNSTABLE YOUTH COMMISSION INTRO: 01/18/18
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Lynne Poyant, Director of Community Services gave the rationale.

Upon a motion duly made and seconded it

RESOLVED: That the Town of Barnstable hereby accepts a grant in the amount of **\$3,476** from the Caroline Fries Fund of The Cape Cod Foundation for the Barnstable Youth Commission's Youth Summit and does hereby authorize the Town Manager to contract for and expend said funds for that purpose.

VOTE: PASSES UNANIMOUS

2018-057 AUTHORIZATION TO EXPEND A \$10,000.00 GRANT FROM MASSWILDLIFE'S HABITAT MANAGEMENT GRANT PROGRAM INTRO: 01/18/18

Darcy Karle, Conservation Administer spoke about the continued control burning and introduced Martin Wunderly, Conservation Agent. Martin Wunderly gave the rationale. He gave an overview of the PowerPoint Presentation.

Upon a motion duly made and seconded it

RESOLVED: That the Town Council hereby authorizes the Town Manager to expend a grant in the amount of \$10,000.00 from the MassWildlife Habitat Management Grant Program by the State of Massachusetts to conduct prescribed burning in an effort to improve pitch pine/oak woodland habitat at Crocker Neck Conservation area, located east and south of #9999 Cotuit Cove Rd., Cotuit, MA Map 005 Parcels 017 and 018.

VOTE: PASSES UNANIMOUS

2018-058 AMENDMENT TO §241-17 OF THE ADMINSTRATIVE CODE- HOUSING COMMITTEE INTRO: 01/18/18

Upon a motion duly made and seconded it was

ORDERED: That §241-17 be amended as follows:

Section 1

By striking §241-17A Term of Office in its entirety and by substituting in place thereof the following:

A. Term of office. There shall be a Housing Committee, composed of five regular members, plus two alternate members. The alternate members shall have voting rights at meetings if there is an absence of a regular member or members. The regular and alternate members may include, but shall not be limited to, individuals who fall into any of the following categories or affiliations: banking industry, real estate, industry, housing authority, minority groups, single head of household, private developers, nonprofit civic groups and tenants' associations.

Section 2

By adding at the end of the first sentence of §241-17B Authorities and Responsibility the phrase "and functions as the Town's local housing partnership for the Commonwealth's Local Initiative Program."

By striking in its entirety the second sentence of §241-17B

By striking in the third sentence of §241-17B the phrase "for subsidized housing" and by inserting §§20-23 after the phrase "MGL Chapter 40B"

Section 3

By striking out subparagraphs 1 and 2 of §241-17C Interrelationships in their entirety and by substituting in place thereof the following:

C.
Interrelationships

(1)

Town Council: The Housing Committee interacts with the Town Council to provide advice to the Council regarding policies and programs aimed at increasing the Town's supply of a diverse housing stock to meet the documented housing needs of its residents and meeting its requirements under MGL Chapter 40B §§20-23, The Committee meets annually, or more frequently as is necessary, with the Town Council to apprise the Town Council of issues pertaining to affordable housing and to discuss policies to effectuate fair and affordable housing in the Town.

Editor's Note: See Ch. 9, Affordable Housing.

(2)

Town Manager: The Housing Committee interacts with the Manager to provide advice regarding policies and program aimed at meeting its requirements under MGL Chapter 40B §§20-23 and for increasing the Town's supply of a diverse housing stock to meet the documented housing needs of its residents. The Manager provides staff support to the Committee through the Planning and Development Department, and other appropriate staff.

So that §241-17 as amended shall read as follows:

“§ 241-17. Housing Committee.

A.

Term of office. There shall be a Housing Committee, composed of five regular members, plus two alternate members. The alternate members shall have voting rights at meetings if there is an absence of a regular member or members. The regular and alternate members may include, but shall not be limited to, individuals who fall into any of the following categories or affiliations: banking industry, real estate, industry, housing authority, minority groups, single head of household, private developers, nonprofit civic groups and tenants' associations.

B.

Authorities and responsibilities. The Housing Committee facilitates the coordination of the factors that affect equal access to housing and issues relating to the development of affordable housing and functions as the Town's local housing partnership for the Commonwealth's Local Initiative Program.. The Committee also provides advice to the Town Council regarding the Town's policies and programs for meeting its requirements under MGL Chapter 40B §§20-23. The Housing Committee is an advisory committee of the Town.

C.

Interrelationships.

(1)

Town Council: The Housing Committee interacts with the Town Council to provide advice to the Council regarding policies and programs aimed at increasing the Town's supply of a diverse housing stock to meet the documented housing needs of its residents and meeting its requirements under MGL Chapter 40B §§20-23, The Committee meets annually, or more frequently as is necessary, with the Town Council to apprise the Town Council of issues pertaining to affordable housing and to discuss policies to effectuate fair and affordable housing in the Town.

Editor's Note: See Ch. 9, Affordable Housing.

(2)

Town Manager: The Housing Committee interacts with the Manager to provide advice regarding policies and program aimed at meeting its requirements under MGL Chapter 40B §§20-23 and for increasing the Town's supply of a diverse housing stock to meet the documented housing needs of its residents. The Manager provides staff support to the Committee through the Planning and Development Department, and other appropriate staff.

(3)

Other boards: The Housing Committee meets as necessary with the Planning Board, Zoning Board of Appeals, Conservation Commission, Board of Health, Historical Commission, Old King's Highway Historic District Committee, and the Housing Authority, to ensure compliance with the fair and affordable housing policies of the Town."

VOTE: REFER TO SECOND READING ON FEBRUARY 1ST, 2018 – PASSES UNANIMOUS

2018-059 RESOLVE APPROVING THE HOUSING DEVELOPMENT ZONE AND ZONE PLAN FOR SUBMISSION TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INTRO: 01/18/18

Elizabeth Jenkins, Director of Planning and Development gave the rationale and mentioned Arden Cadrin, Housing Coordinator, spoke about housing information. She discussed state tax and local opportunities and noted some of the incentives were only available to gateway cities. These incentives are financial not regulatory incentives.

Councilor Comments and Questions:

What is the process for the state and local tax exemption? (We exercise the same process that use utilize for the TIF program) What is the timeline? (30 days) Any stipulations with the 16 gateway communities who utilize the 10 million dollars for development to stimulate development? (The development is limited to pre-shovel group)

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council, pursuant to M.G. L. Chapter 40V and Massachusetts Regulations 760 CMR 66.00, hereby approves the Downtown Hyannis Housing Development (HD) Zone and HD Zone Plan for the town of Barnstable, dated Friday, January 12, 2018, authorizes the Town Manager to forward said HD Zone and HD Zone Plan for certification to the Massachusetts Department of Housing and Community Development (DHCD) for its approval and endorsement and acknowledges that upon the approval and endorsement of said Zone designation and Zone Plan by DHCD, the Town will be authorized to negotiate tax increment exemptions from property taxes in the designated HD Zone for a period not to exceed twenty (20) years for projects that meet the guidelines set forth under M.G. L. Chapter 40V and the regulations set forth in 760 CMR 66.00.

VOTE: PASSES UNANIMOUS

2018- 2018-060 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 01/18/18

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Old Kings Highway Historic District Commission:** Polly Brazelton, Barnstable, as an alternate member to a term expiring 06/30/18; **Shellfish Committee:** Patricia Farinha, Hyannis, as a regular member holding a family permit to a term expiring 06/30/20; **Water Quality Advisory Committee:** Barry

Gallus, Cotuit, as a regular member to a term expiring 06/30/18; **Zoning Board of Appeals:** Kyle Evancoe, Barnstable, as an associate member to a term expiring 06/30/18.
VOTE: REFER TO SECOND READING ON FEBRUARY 1ST, 2018 – PASSES UNANIMOUS

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was
VOTED TO ADJOURN: PASSES UNANIMOUS

Adjourned at 9:05 PM

Respectfully submitted,

Janet E. Murphy
Assistant Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: February 1, 2018

EXHIBITS:

A Spencer Knowles Letter date January 18, 2018