



Town Council Meeting  
August 15, 2019



**A** quorum being duly present, President James Crocker, Jr. called the August 15, 2019, 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 Crocker 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 Grasseti, Paul Hebert, Matthew Levesque, Paul Neary (7:05), Paula Schnepf, Eric Steinhilber, James Tinsley, Jr., Philip Wallace

Council permitted taking out of order

**Comprehensive Wastewater Management Plan Update Daniel Santos, P.E., Director, Department of Public Works**

The plan has now been shortened to three (3) ten (10) year phases, the modeling is being done to make sure we are on target. We are proceeding with the implementation of the plan. Effluent disposal is a huge part of the plan; one of the areas is Route 28/Yarmouth Road Intersection while the State works on that intersection.

Council President Crocker asked the Council if he could rearrange the agenda to allow all the people from the Wequaquet Lake area to go to the Selectmen's Conference room with Dan Santos and Mark Ells. This will allow a question and answer session with the experts.

(A very short recess to clear the room)

Councilor Jen Cullum presented a proclamation to Ralph and Deb Krau of Hyannis for their many years of dedication and service to the Town of Barnstable. The Krau's have volunteered on numerous committees to improve their village and their Town.

Councilor Dagwan recognized the men of the group "People of Action." Jesse Barboza, Andre Barboza and Jason Gourdine came up with the idea of a Unity Day celebration on the town green. This started four years ago with a help of Chief MacDonald; and continues today with the help of the Chief of Police, Lynne Poyant, Patrol Officer Brian Morrison and many other people. We celebrated the 4<sup>th</sup> Unity Day on August 2<sup>nd</sup>. As Jason Gourdine said "it takes a village and we are going to work together." It was another great event, thank you.

Patti Machado, Recreation Director brought the first place trophy won by the Town of Barnstable's Lifeguards at this year's Cape Cod Lifesaving Competition. The competition

included sixteen (16) out of one hundred six (106) lifeguards, a very proud moment for our excellent group of lifeguards.

**Update on Implementation of Housing Production Plan Elizabeth Jenkins, Director of Planning and Development Department** was joined by Assistant Town Manager, Andy Clyburn, Planning and Development's Housing Coordinator Arden Cadrin and Director of Risk and Asset Management David Anthony presented a power point presentation focusing on four specific areas of current housing initiatives (Barnstable's Toolbox).

1. Active Affordable Housing Growth Development Trust
2. Municipal Land for Housing Development
3. Zoning Initiatives
4. Incentive Programs

**Councilor questions and comments:**

We have a tremendous challenge with housing, we have seniors that are house heavy and cannot maintain the repairs that are necessary. A critical piece is the Housing Trust; Community Preservation Committee (CPC) funds sound like the foundation for the Trust; how does that fund get augmented as we go forward [Clyburn, we have been successful recently, annually we plan to go back to the CPC ask for the Trust]. Zoning is our most powerful tool; private development is tied is not the wastewater management. Spoke to some builders, if they could have three wishes it would be to simplify the process make it more consistent, give tax incentives, and hold a full day builders workshop. [Clyburn we appreciate the input, we are working diligently towards that goal] Accessory dwelling units by right is a necessity. Housing production plan is mandated by the state, in order to meet affordable housing requirements; is there a certain percentage of multi family dwellings [Cadrin-10 percent, based on the inclusionary ordinance] what is our inventory of units [Cadrin we currently have 122 active units] First time home buyers, best kept secret in Barnstable; [Cadrin Accessory apartments has money available; and a first time home buyer assistance is available,] [Jenkins with first time home buyers often times the gap between the income and the cost of the house is just too big; with the Trust in place it can be a more successful program] Would like to see these initiatives on the website and Facebook, these are opportunities we need to make sure everyone knows. Young people are trying to find places to live; some are losing the family homes. Young people cannot support the homes. Accessory dwelling units by right, is the best way to keep the property, we need booklets and materials so we can tell people how to do it.

With Council permission we will take two pieces of new business out of order before public comment 2020-017 and 2020-016

<b>2020-017      APPROPRIATION ORDER IN THE AMOUNT OF \$203,117 FOR THE FISCAL YEAR 2020 BARNSTABLE PUBLIC SCHOOLS OPERATING BUDGET INTRO: 08/15/19</b>
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Meg Mayo Brown Superintendent of Barnstable Public Schools gave the rationale.

**Councilor questions and comments:**

Really would like to move forward and start the posting process before school starts up. Were these three positions requested but denied, due to appropriation; [these were not, we have reviewed the recommendations, it has become a priority] Counseling is critical,

applaud the cooperative spirit as we go forward. Due to the security issues of student information we need the tech position.

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$203,117** be raised and appropriated for the purpose of funding the Fiscal Year 2020 Barnstable Public School Operating budget; and that this sum be added to the **\$69,599,861** appropriated under Town Council Order **2019-162** resulting in a total Fiscal Year 2020 Operating budget of **\$69,802,978**.

**VOTE: REFER TO A PUBLIC HEARING ON 9/5/19 - UNANIMOUS**

<b>2020-016 RESOLVE APPROVING THE APPOINTMENT OF KAREN L. NOBER AS TOWN ATTORNEY INTRO: 08/15/19</b>
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Mark Ells, Town Manager, gave the rationale.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council, in accordance with Section 10-7(k) (1) of the Barnstable Charter, hereby approves the Town Manager's appointment of Karen L.Nober as Town Attorney effective September 16, 2019

**VOTE: PASSES UNANIMOUS**

**PUBLIC COMMENT:**

Rick Presbrey spoke to the programs to help people build homes or rent homes that no longer exist. This is now our responsibility as residents of Barnstable to make this work.

Ryan Castle supports the efforts to dedicate short term rental money to wastewater and to housing as well. This would allow the town to do more innovative programs, tie you to expand the use of the money,

Stefanie Coxe felt we just don't have enough year round housing. Would love to come back and do a presentation. Put aside the short term rental funds not only to wastewater, but also to housing.

Alisa Magnatta focused on the most vulnerable of our society. We have folks coming to look for year round housing that we just don't have any available. We need wastewater infrastructure, but we also need housing, we need other creative ways of funding the housing shortage.

Tara Wallace supported using the short term rental money towards housing as well as the wastewater issues; works with the homeless, spending more money on rent, and less on the retail stores.

Mike Falkson thanked the town officials for the sewer plan for our area around Lake Wequaquet.

Michael McNally regarding cybercrimes, and the way they are handled by this town. He stated he was followed out of the building by an undercover police officer. He has been contacted by the State Police Detectives, and told not to contact two police officers. He has called the Barnstable Police Department and has not received any return calls from the Barnstable Police. He said he went to the District Attorney's office and was asked to leave by the State Police; there is no paperwork, no restraining order, no court order, but he is still not allowed to see the District Attorney.

Frank Ward from the Wequaquet Lake area we are very thankful for the proposed sewer, hope you will support this new plan.

Tina Carey handed in a petition (Exhibit A) signed by local the merchant owners and tenants in the downtown Hyannis area regarding the sale of food and alcohol on the Village Green. The petition requests the Barnstable Town Council direct the Town Manager and the Licensing Authority to ban food and alcohol sales on the Village Green. She feels this is unfair business practices to take the money from the brick and mortar stores on Main Street.

Greg Kiely knows of two businesses that could not obtain a workforce for their businesses due to the lack of housing in the town. Housing needs to be incorporated in anything we do. Will continue to support the Council, please help us to live and raise our families here in the town.

Eldon Ziegler we are very much in favor of the wastewater and protecting our water supply. Consider working toward housing that we need for the workforce, with more housing we will need public transportation as well.

Beth Marcus supports the wastewater and housing; protecting our water resources is very important. We love living and running a business on Cape Cod, we are one hundred percent behind that effort.

Lachlan Youngs shared a copy of a Community Development Block Grant (CDBG) for a Workshop Co-op (Exhibit B). This would involve free training in craft work and learning groups. The program would teach ceramics, candles, sewing, music and jewelry. The target audience is for unemployed residents, and homeless of the Cape.

Wendy Northcross added her voice to the chorus, we need the housing, and to help our citizens with the wastewater issues. This money is coming from our tourist base; they should contribute to the wastewater issues. The town needs to be a good steward, put the money into the piggybank to keep our destination a beautiful clean environment.

Nancy Ayotte would like to see the Council use some of the money from the stabilization fund for affordable housing. In order to maintain independence we are going to need people to help us, and who can afford to live here. Subsidize some rentals and make garage apartments. Had to jump through hoops to get an affordable apartment but it was worth it for me, please help with this problem.

Kris Clark announced the 29<sup>th</sup> annual West Barnstable Village Festival is this weekend, hosting food and crafters, round trip train rides, a classic car show and yard sales. She thanked the Town for their support; this year was the easiest experience with on line permitting.

Charlie Hetzel stated the Sea Street area has been tremendously improved; however the rents have gone up! Additional money is needed to help with the deteriorating housing; a large number of trucks per property is growing. We need the housing.  
Close public comment.

**Councilor Response to Public Comment:**

Congratulations to Ralph and Deb Krau; 4<sup>th</sup> Unity Day drew close to 400 people, it is important to exercise our right to vote; bringing more and more people each year. Thank everyone who came out tonight and spoke at public comment; fairly robust conversation about the housing piece. Thank you for your patience waiting for public comment. You have to have quality water in order for people to live here.

### **TOWN MANAGER COMMUNICATIONS (EXHIBIT C)**

On July 23<sup>rd</sup>, we experienced an extreme weather event, everyone responded quickly to the situation. Our staff provided support to our town and to our abutting communities. Thanks to all who participated in the response and in the recovery effort.

Budget action calendar for FY 2021 as scheduled

Chapter 70 aid was significantly increased

Received a signed access agreement from the Fish & Wildlife to test wells

Maher Filtration Plant Project

Airport staff briefed senior staff on Phase II PFOS investigation

Barnstable water purveyors continue efforts facing public water supply

Regional efforts to evaluate Joint Base Cape Cod (JBCC) for wastewater treatment and disposal

Cape Cod and Islands Water Protection Fund Board has a website created by the Cape Cod Commission

Vineyard Wind updated the Phase I project, pursuing a plan to have a Phase II and III

Community Health Committee of Cape Cod Healthcare

Mass Development third round of the Transformative Development Initiative (TDI)

Program for Gateway Cities

### **Councilor questions and comments:**

Housing task force, who are the members, [asked Council leadership for their recommendations, myself, Assistant Town Manager, Director of Public Works, Assistant Director of Public Works, the Town Engineer, and the Director of Finance] Comprehensive Wastewater management plan and the delay of the Vineyard Wind project, will they be set back [we are taking advantage of the project due to Vineyard Wind, if we deviate from the current initiative, we will incur additional cost, on going discussions, helps us in the logistics] clarification on (JBCC) is it just for wastewater or is the water component in the original agreement [they are offering wastewater and water] so would the town in any way benefit from the water piece [potentially, yes, it is going to get far more complicated in the future] When having your discussion with the Healthcare group, has there been any discussion about the opiate epidemic on the Cape? [I will bring that issue to them] Pursuing the other fire districts to find other water supplies needs to continue, I think that you and the staff have done a great job with that. Barnstable has a very professional staff; we need to share the professional staff we have here at Barnstable. Cape Cod Healthcare should step up to the plate, and take the responsibility to keep the kids safe. [Will work with HR Director, Bill Cole to put together a professional snapshot of our staff] Bill Cole did get kudo's for his presentation at the MMA workshop.

Director of Public Works, Dan Santos responded to questions brought up at the last meeting regarding the condition of the pavement at some of the intersections. MassDOT is aware of the issues regarding the condition of the pavement at the intersection of Route 28 and Phinney's Lane and Old Stage Road. Another area that MassDOT is focusing on is the Route 28 and Osterville West Barnstable Road which is scheduled to be updated

this fall. They also have a “pothole” program extending from Mashpee to Bearse’s Way.

**Councilor comments and questions:**

Thank you Dan, happy with the response from MassDOT, I have seen them out there filling in the potholes at night from 9 pm to 5 am. Could you send your wastewater update to us as a PDF? [Yes] what is the difference between a Phase and a Stage? [One and the same] Wastewater changed from a 60 years to 30 years, what drove that change [basically from the leadership, it was taking us it is too long]

**ACT ON MINUTES:**

Upon a motion duly made and seconded it was voted to approve the minutes of the July 18, 2019 as written

**VOTE: PASSES 12 Yes, one abstention (Flores)**

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

Congratulations to the Cotuit Kettlers’ winning the Cape League title

Many more arts and cultural activities going on in all our villages

Unity day was excellent, uplifting and exciting event; recognizing the amount of work the Town has put into Vineyard Wind; congratulations to the lifeguards; they help clean up of the beaches as well; Mothers Park is coming together beautifully.

<b>2020-002 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$975,000 FOR THE CONSTRUCTION OF ROADWAY AND SEWER WORK INTRO: 07/18/19, 08/15/19</b>
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Open public hearing

Dan Santos, Director of Public Works gave the rationale

Close public hearing

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$975,000** be appropriated for the purposes of funding sewer construction, street lighting, upgrading to stamped concrete medians, and landscaping work, 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 **\$975,000**, 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; 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; that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes; that the Town Manager is authorized to assess betterments for sewer construction in accordance with M.G.L. c. 80, or sewer assessments and methods and that the interest rate applied to any such betterment or sewer assessment shall equal the rate the Town incurs on the funds borrowed to finance the project not to exceed 2 percent above such rate in accordance with M.G.L. c. 83, , and, further, that the Town Manager is authorized to accept any grants or gifts in relation thereto.

**VOTE: PASSES 13 YES**

**2020-003 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,300,000 FOR THE CONSTRUCTION OF SEWER INFRASTRUCTURE INTRO: 07/18/19, 08/15/19**

Open public hearing  
Dan Santos, Director of Public Works gave the rationale  
Close public hearing

**Councilor questions and comments:**

Will these be available for SRF funds, [we have asked for that]

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$1,300,000** be appropriated for the purpose of funding the construction of sewer infrastructure in Rt. 28 near the Yarmouth Rd. intersection, 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 **\$1,300,000**, 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; 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; that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes; that betterments may be assessed in accordance with M.G.L. c. 80, or sewer assessments may be assessed in accordance with M.G.L. c. 83, and that the interest rate applied to any such betterment or sewer assessment shall equal the rate the Town incurs on the funds borrowed to finance the project, and, further, that the Town Manager is authorized to accept any grants or gifts in relation thereto.

**VOTE: PASSES 13 YES**

**2020-006 AUTHORIZING THE TOWN TREASURER, UPON THE APPROVAL OF THE TOWN MANAGER TO ENTER INTO A LEASE-TO-PURCHASE AGREEMENT TO ACQUIRE FIVE (5) MARKED POLICE VEHICLES INTRO: 07/18/19, 08/15/19**

Open public hearing, Councilor Tinsley recused and left the dais. Councilor Tinsley has recused himself and left the dais.  
Chief Matt Sonnabend gave the rationale  
Close public hearing

A substitute motion was duly seconded as follows:

**MOVED:** That in accordance with the recommendation of the Town Manager, the Town Treasurer is authorized to enter into a Tax Exempt Lease Purchase Agreement (TELP) with Santander Bank, NA for the acquisition of Five (5) Marked Police Vehicles financed by the issuance of debt under G. L. c. 44 s. 21C, or otherwise authorized by law, for a term of 36 months.

**VOTE: PASSES 12 YES, (Tinsley recused)**

**2020-008 ORDER TO CREATE A STABILIZATION FUND FOR COMPREHENSIVE WATER MANAGEMENT, WASTEWATER MANAGEMENT AND FOR COMMUNITY HOUSING INTRO: 07/18/2019**

Councilor Schnepf gave the rationale, she spoke to this item to ensure some flexibility in all the critical areas not just water and wastewater but also for housing. This is an opportunity for the town.

**Councilor questions and comments:**

Keeping flexibility is important, housing won't happen without the infrastructure; torn on this one, we added the private way improvement fund to it; now we are looking to add housing to the wastewater fund. To take away from the number one issue on Cape Cod which is our water and wastewater, we have to leave this as it is, that's how I feel. Housing is just as important as the water, these go hand and hand, housing is so important, I will support this idea. Water is the number one issue facing us today, we do have a trust now for the housing, and we have to devote the money to our water. I won't be supporting this today. When you use this revenue source, the water and wastewater plan is the focus, who or what will determine access to the funds. Would it operate like CPC, how the town will decide on how to spend this money, without the guidelines I would ask that you put this off to another meeting. Appreciate the effort put forth, it's a grey area, how far does it go does it depend on the leadership. Everyone is speaking about all different forms of housing. The water has a sense of urgency. We are under federal and state mandate to take care of our water. We live on the aquifer; water is the lifeblood of any community. This would be for a three year commitment; we don't know how much we are going to get out of this fund. I won't be supporting this item. Number one issue is the quality of water; everyone should share in the water quality. Short term rental is displacing the year round rentals. I will support this item. Everyone asked us to take action on this maybe we can only take a small percentage in a particular year. We are losing the accessory apartments, we have heard so much tonight, that this should be voted on, we need to listen to the people, consider the flexibility. We get a chance to test it. Reconsider and give this a chance.

**A motion was made and seconded to go past 11 AM.**

**VOTE: Passes 12 Yes, 1 No (Tinsley)**

The Trust fund is dedicated to housing, there is money going forward for housing, septic can't go anywhere, there isn't enough money. The barriers to sewer are right here at this Town Council level, we need money for sewers. So I won't be supporting this agenda item.

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Council vote to accept Paragraph 4 of Chapter 40, Section 5B of the General Laws and dedicate, without further appropriation, into a special purpose Water, Wastewater and Community Housing Stabilization Fund, created herein for the purpose of planning, designing, construction and other means for the comprehensive management of drinking water and wastewater, and for the preservation, acquisition, rehabilitation and creation of community housing as defined under G.L. c. 44B §2, one hundred percent of the local option rooms excise tax that the Town receives on the transfer of occupancy from short-term rental properties, pursuant to its acceptance of General Laws Chapter 64G, Section 3A, as amended by Chapter 337 of the Acts of 2018; provided that said dedication shall take effect beginning in Fiscal Year 2020 which begins on July 1, 2019; and provided further that the Town may not revoke its acceptance of this Act for at least three fiscal years; or to take any other action relative thereto.

**VOTE: FAILS 5 YES, 8 NO (Crocker, Cullum, Flores, Levesque, Neary, Steinhilber, Tinsley, Wallace)**

**2019-209 ORDER TO CREATE A STABILIZATION FUND FOR COMPREHENSIVE WATER AND WASTEWATER MANAGEMENT INTRO: 06/06/2019, 06/20/19**

Open public meeting

Finance Director, Mark Milne, gave the rationale, he explained that if we do not pass one of these items tonight the money will revert to the General Fund.

Close public hearing

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Council vote to accept Paragraph 4 of Chapter 40, Section 5B of the General Laws and dedicate, without further appropriation, into a special purpose Water and Wastewater Stabilization Fund, created herein for the purpose of planning, designing, construction and other means for the comprehensive management of drinking water and wastewater, one hundred percent of the local option rooms excise tax that the Town receives on the transfer of occupancy from short-term rental properties, pursuant to its acceptance of General Laws Chapter 64G, Section 3A, as amended by Chapter 337 of the Acts of 2018; provided that said dedication shall take effect beginning in Fiscal Year 2020 which begins on July 1, 2019; and provided further that the Town may not revoke its acceptance of this Act for at least three fiscal years; or to take any other action relative thereto.

**VOTE: PASSES 13 YES**

**2020-009 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION: INTRO: 07/18/19, 08/05/19**

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: **Historical Commission:** Jack Kay, 74 Summerbell Avenue, Centerville, as an alternate member to a term expiring 6/20; **Hyannis Main Street Waterfront Historic District Commission:** Jack Kay, 74 Summerbell Avenue, Centerville, as an alternate member to a term expiring 6/20; **Infrastructure and Energy Committee:** Rob Wilson, 197 Old Falmouth Road, Marstons Mills, as a regular member to a term expiring 06/22

**VOTE: PASSES UNANIMOUS**

**2020-010 RESOLUTION ACCEPTING RIGHT OF WAY EASEMENTS FOR BUSINESS LANE AND THORNTON DRIVE INTRO: 07/18/19**

Dan Santos, Director of Public Works gave the rationale

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Manager is authorized to accept, execute, deliver and record on behalf of the Town exclusive permanent rights and easements from the following owners for the following properties for utility sewers to be held under the care, custody and charge of the Department of Public Works

Owner

Address

S. Paula Tobey Clark  
Trustee, 217 Thornton Drive  
Revocable Trust

119 Thornton Drive, Hyannis

Libero J. Molinari  
a/k/a Libero Molinari and  
Nancy A. Molinari  
a/k/a Nancy Molinari

93 Thornton Drive, Hyannis

Victory Chapel Christian  
Fellowship Church of  
Cape Cod, Inc.

35 Business Lane, Hyannis

**VOTE: PASSES UNANIMOUS**

**2020-011 APPROPRIATION ORDER IN THE AMOUNT OF \$162,180.00 OF  
COMMUNITY PRESERVATION FUNDS FOR CREATION OF OPEN SPACE AT  
BARNSTABLE HOLLOW FIELD LOCATED AT 0 MILLWAY, BARNSTABLE - MAP  
299, PARCEL 039 INTRO: 07/18/19, 08/15/19**

Lindsey Counsell gave the rationale,  
Open public hearing

Steven Thomas is in favor of the project but we were not notified of the project, plan shows a staircase to our parking lot. There is quite a gully where people go down to the field. I didn't see a place for trash and a port-a-potty; a green chain link fence does not fit in with the Old King's Highway.

Janet Advent delighted that the hollow is proposed for upgrades, the roadway does need attention and replacement of the guardrail, but the sharing of the parking lot for the church is an issue; we will need better communications so we don't interfere with each other

Bob Frazee uses the hollow, disappointed to see the sad shape of the hollow; if it were restored we could reclaim it as a usable space. I support this item

Gordon Starr had a meeting at Sturgis Library, to let people know what was going to happen at the hollow. People were for the project but just want to have a voice in what happens.

Close public hearing

**Councilor questions and comments:**

I am in favor of recreational space, but we don't have a plan on paper yet. Is there some urgency that this has to be voted tonight?

**A motion was made and seconded to bring a plan before the Council with an amount of money to a date certain of September 19<sup>th</sup>**

If we were to delay the vote tonight does that put the money in jeopardy? [Counsell it would have to go back to CPC, it would just delay a couple of months, we just want to make sure we have the right plan.]

Spoke with Precinct one people who want to move forward, this is an ongoing project; we are just voting the appropriation tonight; this will not exceed the money, this is an in-house project.

[Dan Santos will work with Councilor Flores and participate in meeting to see what the people want] Did your committee vote unanimous [Lindsey, of the people attending it was unanimous

**VOTE: FAILS 3 YES, 10 NO**

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of the Community Preservation Act, G. L. c 44B, the sum of One Hundred Sixty-two Thousand One Hundred-eighty and NO/100 **(\$162,180.00)** dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund and that the Department of Public Works is authorized to contract for and expend the appropriation made available for the creation of open space on the field at 0 Millway, Barnstable - Map 299, Parcel 039 by eliminating the baseball field and transforming the underutilized site into a multi-use greenspace subject to oversight by the Community Preservation Committee.

**VOTE: PASSES 12 yes, 1 abstention (Schnepp)**

**\*\*Reconsider the vote; needed to be roll call PASSES UNANIMOUS (Beendenbender off dais)**

**VOTE: PASSES 11 YES, 2 ABSTAIN (Schnepp, Dagwan)**

**2020-012 APPROPRIATION AND TRANSFER ORDER FOR \$30,000.00 FOR THE OUTBOARD ENGINE REPLACEMENT ON THE HARBORMASTER PATROL BOAT INTRO: 08/15/2019**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$30,000** be appropriated for the replacement of an outboard engine for the Harbormaster's south side patrol boat and that to meet this appropriation that **\$30,000** be transferred from the waterways improvement fund.

**VOTE: REFER TO A PUBLIC HEARING ON 9/5/19-unanimous**

**2020-013 APPROPRIATION ORDER IN THE AMOUNT OF \$136,055 COMMUNITY PRESERVATION FUNDS FOR HISTORIC PRESERVATION AND RESTORATION OF ANNUAL TOWN REPORT VOLUMES YEARS 1868 TO 1994 INTRO: 08/15/19**

:Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of the Community Preservation Act, G. L. c 44B, the sum of One Hundred Thirty-six Thousand and fifty-five dollars and NO/100 **(\$136,055.00)** be appropriated and transferred from the amount set aside for historic preservation in the Community Preservation Fund to be expended for the preservation of historic assets consisting of Annual Town Reports for years 1868 to 2016 including without limitation scanning, de-acidification and encapsulation in mylar; and that the Town Manager is authorized to expend the amounts appropriated for the stated purposes subject to oversight by the Community Preservation Committee.

**VOTE: REFER TO A PUBLIC HEARING ON 9/5/19-unanimous**

**2020-014 ACCEPTANCE OF GIFT IN THE AMOUNT OF \$4,902.50 FROM THE LUKE VINCENT POWERS FOUNDATION TO THE RECREATION DIVISION FOR THE PURPOSE OF PURCHASING A BIG BELLY SOLAR TRASH CONTAINER FOR LUKE'S LOVE PLAYGROUND INTRO: 08/15/19**

Lynne Poyant, Community Service Director gave the rationale

**Councilor questions and comments:**

The big belly invites people to bring their household trash. The idea is that this would contain the trash. By the Long Beach area, we had two trash containers, and it was always over filled, people dump everything. Pack in and pack out has almost no trash.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town of Barnstable hereby accepts a gift of **\$4,902.50** from the Luke Vincent Powers Foundation to the Recreation Division for the purpose of purchasing a Big Belly solar trash container for Luke's Love Playground and does hereby authorize the Town Manager to contract for and expend said funds for that purpose.

**VOTE: PASSES 11 YES 2 NO, (Rapp Grassetti and Beedenbender)**

<b>2020-015      APPROPRIATION ORDER OF \$242,822.00 FOR THE REHABILITATION AND RESTORATION WORK TO THE PAINE BLACK HOUSE, 2135 MEETINGHOUSE WAY, WEST BARNSTABLE, MA INTRO: 08/15/19</b>
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Upon a motion duly made and seconded it was

**ORDERED:** That the sum of \$242,822.00 be appropriated for the purpose of rehabilitation and restoration work at the Paine Black House, 2135 Meetinghouse Way, West Barnstable, MA, and that to fund this appropriation, that pursuant to the provisions of the Community Preservation Act, G. L. c 44B, the sum of One Hundred Seventy-seven Thousand and seventy-eight dollars and NO/100 (\$177,078.00) be transferred from the amount set aside for historic preservation in the Community Preservation Fund, including without limitation the interior door and fireplace rehabilitation and restoration, ADA bathroom and access ramp, subject to oversight by the Community Preservation Committee, and that Sixty Five Thousand Seven Hundred and Forty Four and no/100 (\$65,744.00) be transferred from the Capital Trust Fund, and that the Department of Public Works is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: REFER TO A PUBLIC HEARING ON 9/5/19 - unanimous**

**VOTE: ADJOURNMENT:**

Upon a motion duly made and seconded it was

**VOTED TO ADJOURN:**

**Adjourned at 11:45 PM**

Respectfully submitted,

Ann M. Quirk  
Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: September 5, 2019

**EXHIBITS:**

- A. Petition
- B. CDBG application
- C. Town Manager update