



Town Council Meeting  
January 23, 2020



**A** quorum being duly present, President Paul Hebert called the January 23, 2020, Town Council meeting to order at 7:00 p.m. in the James H. Crocker, Jr. Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

An announcement was made by President Hebert 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 (7:39 PM), David Bogan, Kristine Clark, Jennifer Cullum, Debra Dagwan, Jessica Rapp Grasseti, Paul Hebert, Matthew Levesque, Paul Neary, Paula Schnepf, Tracey Shaughnessy, Gordon Starr; Eric Steinhilber.

The Pledge of Allegiance was led by President Hebert; he asked for people to keep Sheila Gobeil, wife of Len Gobeil in our thoughts and prayers, it was followed with a moment of silence.

President Hebert and Councilor Levesque recognized Don Cox, President, Massachusetts Military Support Foundation, his wife Donna Cox and Steve Xiarhos, Nicholas G. Xiarhos Memorial Foundation from board of the Massachusetts Military Support Foundation Inc. They presented a veteran's pin to Don Cox for his aide and assistance to military personnel. Don Cox thanked all the individuals and sponsors for their wiliness to help all the military members and families. He added there are those that struggle every day and was glad there was available services and support.

President Hebert mentioned that residents and council members should be on the same level meaning what happens in the Town affects every resident equally. He addressed issues about low turn-out rate for Public Comments during Council meetings, low turn-out for joining the town's boards, committee or commissions. He noted there were times in which respect and civility was not shown. He added there will be hard decisions in the future and risks will need to be taken but it is for the betterment of the Town. He asked for a working document regarding the short term rentals so that it is an open process with transparency. We urged residents to recognize we are one town moving towards the future legally, while protecting our citizens and neighborhoods.

**PUBLIC COMMENT:**

John Crow, President of the Osterville Village Association urged Council to open the drafting to the public of the regulations regarding short term rentals.

Molly Sprawl from Centerville Concerned Citizens thanked President Hebert and Mark Ellis regarding future presentations to help educate the town regarding the new 5G technology.

Cheryl Powell Chair of the Hyannis Historic District Commission thanked Council for appointing new members.

Bo Chu serenaded Council, residents and citizens with America the Beautiful. He mentioned he was very happy to have received housing.

Close public comment

**COUNCIL RESPONSE TO PUBLIC COMMENT:**

The short term rentals were not regulated but please have faith in the system which is a balanced approach. The next Zoning subcommittee will be on February 6<sup>th</sup> where there will be a sample ordinance at 5:30 p.m.

**TOWN MANAGER COMMUNICATIONS:**

Dan Santos, Public Works Director gave an update to the Comprehensive Waste Water Management Plan. He explained the draft was sent to the Massachusetts Environmental Protect Agency (MEPA). The MEPA will either accept it as is or request more information. He reiterated the plan was for 3 ten year phases. He noted there were non-traditional focus areas which utilized technology other than sewerage. He also touched on dredging as a cleaner technology and added there were other non-traditional opportunities such as cranberry bogs, and preamable active barriers.

Budget Fiscal Year 2020

Town Wide Reappraisal Project

2020 Economic Summit

Parking Concerns

Public Water Supply Well Rehabilitation – Mary Dunn well #4

Drinking Water regulations

Elizabeth Jenkins, Planning and Development Director gave an overview of the short term rental agreements. She mentioned the 1989 Cape Cod Commission Act and the Home Rule Authority enabled Towns to have flexibility to regulate their regulatory agreements. She noted Regional Chapter 168 established regulations with town and development. There needed to be public benefit, a purpose with flexibility to regulations in the Hyannis Growth and Incentive Area – Capetown Plaza. She added all projects must go through the Planning Board before they can be executed as a regulatory contract.

**Councilor questions and comments:**

Is there an application fee? [Yes tiered level depends on size of project]

*Councilor Neary off dais at approximately 8:23 PM*

**ACT ON MINUTES:**

Upon a motion duly made and seconded it was to approve the minutes of the January 9, 2020 as written.

**VOTE: 11 YES 1 ABSTAIN (STEINHILBER) - PASSES**

*Councilor Neary returns to dais at approximately 8:25 PM*

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

Marstons Mills Ham and Bean Supper – January 25  
Golf Commission is now treating turf with organic treatments  
Municipal Plastic Water Bottle Ban letter to Town Manager  
Council on Aging – AARP Tax Aide (508) 862-4750  
Comprehensive Financial Commission now televised  
Long Pond in Marstons Mills remedial options proposal

Three minute recess

**2020-068 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$2.5 MILLION IN COMMUNITY PRESERVATION FUNDS TO INCREASE THE NUMBER AND AVAILABILITY OF COMMUNITY HOUSING UNITS IN THE TOWN OF BARNSTABLE INTRO: 12/19 /2019, 01/23/2020**

Deborah Converse, Hyannis Area Chamber of Commerce Chief Executive Officer spoke about increasing housing availability in Barnstable. She mentioned the Affordable Housing/Growth & Development Trust Fund Board was created by agenda item # 2007-158. She added the trust would be accepting the funding from the Community Preservation Committee (CPC) She noted the CPC would fund the initiating projects and programs. Andrew Clyburn, Assistant Town Manager gave the rationale. He explained the Council vote was needed to transfer the funding from the CPC to the trust.

Open public comment

Bo Chu said he represented the public, had lots of ideas and would like to participate if possible.

Jake Dewey was supportive of this project as it was one more tool in the tool box.

Close public comment

**Councilor questions and comments:**

Please dovetail with Asset Management to review properties for possible purchase. We need flexibility moving forward. We need projects for 55 plus as well. Please look at empty schools as possible housing projects. How can businesses get involved they could be looking for help and housing would be an asset for them in the hiring phase. [We are looking into the business aspect for housing needs] [Future might be able to introduce program to renters and bankers] We need to build density developments 20 plus/40 plus not just single family. What is the total amount in the trust? [2019 – 4 million dollars]

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 Million Five Hundred Thousand (**\$1,500,000**) Dollars be appropriated and transferred from the set-aside for Community Housing Funds within the Community Preservation Fund and the sum of One Million (**\$1,000,000**) Dollars be appropriated and transferred from the undesignated amount in the Community Preservation Fund to the Affordable Housing/Growth & Development Trust Fund, and that the Affordable Housing/Growth & Development Trust Fund Board is authorized to contract for and expend the appropriation to increase the number and availability of community housing

units within the Town of Barnstable by both funding and initiating projects and programs for that purpose, subject to oversight by the Community Preservation Committee.

**VOTE: PASSES 13 YES**

**2020-074 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$16,500 FOR THE BARNSTABLE DEPARTMENT OF PUBLIC WORKS FISCAL YEAR 2020 OPERATING EXPENSE BUDGET FOR THE PURPOSE OF FUNDING MAINTENANCE AT THE FORMER COTUIT ELEMENTARY SCHOOL, LOCATED AT 140 OLD OYSTER ROAD, COTUIT, MA INTRO: 01/09/2020, 01/23/2020**

Dan Santos Public Works Director gave the rationale.

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$16,500** be added to the Fiscal Year 2020 Department of Public Works General Fund Operating Expense Budget for the purpose of funding Fiscal Year 2020 expenses related to maintenance of the former Cotuit Elementary School and that to fund this appropriation, \$16,500 be transferred from the General Fund reserves.

**VOTE: PASSES 13 YES**

**2020-076 APPROPRIATION ORDER IN THE AMOUNT OF \$169,266.00 COMMUNITY PRESERVATION FUNDS FOR HARD AND SOFT COSTS ASSOCIATED WITH PRESERVATION, REHABILITATION AND RESTORATION WORK TO THE WEST BARNSTABLE COMMUNITY BUILDING LOCATED AT 2377 MEETINGHOUSE WAY, WEST BARNSTABLE, MA INTRO: 01/09/2020, 01/23/2020**

Deborah Converse explained the Public Works Department will receive the funding for the replacement windows. Mark Marinaccio, Building Design Engineer gave the rationale. We are replacing the windows with historically accurate windows which will be energy efficient.

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-Nine Thousand Two Hundred Sixty-Six and NO/100 (**\$169,266.00**) dollars be appropriated and transferred from the amount set aside for historic preservation in the Community Preservation Fund and that the Town Manager is authorized to add this appropriation to the sum of One Hundred Fifty-Eight Thousand, Seven Hundred and Thirty and NO/100 (**\$158,730.00**) appropriated under Agenda Item 2016-114 and expend the total appropriation of Three Hundred Twenty-Seven Thousand, Nine Hundred and Ninety Six and NO/100 (**\$327,996.00**) made available for preservation, rehabilitation and restoration work on the historic resource consisting of the West Barnstable Community Building, 2377 Meetinghouse Way, West Barnstable for the replacement of failed metal windows with historic wood replicated windows, subject to oversight by the Community Preservation Committee.

**VOTE: PASSES 13 YES**

**2020-077 AUTHORIZATION TO ACCEPT AND EXPEND A GRANT IN THE AMOUNT OF \$1,500 TO THE RECREATION DIVISION FROM THE MASSACHUSETTS CULTURAL COUNCIL'S LOCAL CULTURAL COUNCIL GRANT PROGRAM FOR STUDENT ART SPOTLIGHT DISPLAY PANELS INTRO: 01/23/2020**

Lynne Poyant, Community Services Director gave the rationale. She discussed the partnership between the Recreation Division and the Barnstable School. She added art and culture were key ideas for the spotlight display panels at the Hyannis Youth and

Community Center.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council hereby authorizes the Recreation Director of the Recreation Division to accept and expend on a reimbursement basis the grant of **\$1,500** from the Massachusetts Cultural Council's Local Cultural Council Grant Program for the purpose of funding Student Art Spotlight Display Panels.

**VOTE: PASES UNANIMOUS**

**2020-078**

**APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION:**

**INTRO: 01/23/2020**

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: **Airport Commission:** Bradley Bailey, 34 Quisset Road, Centerville, as a regular member to a term expiring 6/22; **Housing Committee:** Jacob Dewey, 53 Arbor Way, Hyannis, as an alternate member to a term expiring 6/21; **Hyannis Main Street Waterfront Historic District Commission:** Cecelia Carey, 939 Mary Dunn Road, Hyannis as a regular member to a term expiring 6/22; David Sorensen, 59 Sheaffer Road, Centerville as a member holding a Board of Real Estate License to a term expiring 6/20; Timothy Ferreira, 150 Old Yarmouth Road, Hyannis, as a regular member to a term expiring 6/20; **Recreation Commission:** Timothy Lus, 1480 Falmouth Road, Centerville, as a regular member to a term expiring 6/21; **Shellfish Committee:** Tyler Hagenstein, 96 Grove Street, Cotuit as a professional fisheries training member to a term expiring 6/21;

**VOTE: REFER TO SECOND READING ON 02/06/2020 – PASSES UNANIMOUS**

**VOTE: ADJOURNMENT:**

Upon a motion duly made and seconded it was

**VOTED TO ADJOURN:**

**Adjourned at 9:45 P.M.**

Respectfully submitted,

Janet E. Murphy

Assistant Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: February 6, 2020

EXHIBITS:

A. Town Manager update for period January 10, 2020 through January 23, 2020