



Town of Barnstable Town Council

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Original posted
9/15/2020@ 3:47PM.
Updated on
9/16/2020@12:05 to define
Old Business and New
Business, update Rationale
on Item 2021-017

MEETING AGENDA September 17, 2020 7:00 PM

Councilors:

Paul Hebert
President
Precinct 3

Jessica Rapp Grasseti
Vice President
Precinct 7

Gordon Starr
Precinct 1

Eric R. Steinhilber
Precinct 2

VACANT
Precinct 4

David W. Bogan
Precinct 5

Paul C. Neary
Precinct 6

Debra S. Dagwan
Precinct 8

Tracy Shaughnessy
Precinct 9

Matthew Levesque
Precinct 10

Kristine Clark
Precinct 11

Paula Schnepf
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell

Administrative
Assistant:
Kelly Crahan

The September 17, 2020 meeting of the Barnstable Town Council shall be physically closed to the public to avoid group congregation

Remote Participation Instructions

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be accessed the Channel 18 website at:
<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>
2. Real-time public comment can be addressed to the Barnstable Town Council utilizing the Zoom link or telephone number and access code for remote access below
Join Zoom Meeting <https://zoom.us/j/91362406502> Meeting ID: 913 6240 6502
913 6240 6502

PUBLIC SESSION

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. MOMENT OF SILENCE
4. PUBLIC COMMENT (For Public Comment please call **508-862-4610**)
5. COUNCIL RESPONSE TO PUBLIC COMMENT
6. TOWN MANAGER COMMUNICATIONS
 - Review of Fiscal Policy for Fiscal Year 2022 Operating and Capital Budget Planning

**Town Manager Mark S. Ells
Director of Finance Mark A. Milne**

7. ACT ON MINUTES (Including Executive Session)
8. COMMUNICATIONS- from elected officials, boards, committees, staff commission reports, correspondence and announcements

9. ORDERS OF THE DAY

A. Old Business Budget Planning

B. New Business

11. ADJOURNMENT

NEXT REGULAR MEETING: October 1, 2020

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A. OLD BUSINESS		
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Approve Minutes; September 3, 2020

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 (Public Hearing) (Roll Call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM # 2021-009

INTRO: 08/20/2020, 09/03/2020, 09/17/2020

2021-009 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$8,500,000 FOR THE PURPOSE OF FUNDING THE SOLIDS HANDLING UPGRADES CONSTRUCTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2021 FISCAL YEAR 2025 CAPITAL IMPROVEMENT PLAN

ORDERED: That the sum of **\$8,500,000** 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 \$8,500,000 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
<u>08/20/2020</u>	<u>Refer to Public Hearing 09/03/2020</u>
<u>09/03/2020</u>	<u>Continue Public Hearing to 09/17/2020</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2021-009

INTRO: 08/20/2020, 09/03/2020, 09/17/2020

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: August 20, 2020
SUBJECT: Appropriation and Loan Order in the amount of **\$8,500,000** for the purpose of funding the Solids Handling Upgrades Construction Project as outlined in the Fiscal Year 2021 Fiscal Year 2025 Capital Improvement Plan

BACKGROUND: The purpose of this project is to rehabilitate the solids handling building at the Barnstable Water Pollution Control Facility, as outlined in the 2019 Solids Handling Evaluation report. 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.

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: General Obligation Bonds will be issued to fund this project. The repayment of the loan will be included in the Water Pollution Control Enterprise Fund Annual Operating Budget. The first payment on the loan will be due in Fiscal Year 2022 and there will be no impact on the Fiscal Year 2021 budget. The estimated annual loan payment for a 20 year bond using a 2% interest rate is \$520,000. It is estimated that the annual loan repayment would impact rates by 12%.

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

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

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-012

INTRO: 09/03/2020, 09/17/2020

2021-012 RESOLVE TO ACCEPT THE GRANT OF AN ELECTRIC EASEMENT FROM FESTIVAL OF HYANNIS, LLC FOR ELECTRIC SERVICE FOR NEW TRAFFIC SIGNAL AT THE INTERSECTION ATTUCKS LANE AND WILKENS LANE.

RESOLVED: that the Town accept the grant of a perpetual easement to the Town under the care, custody and control of its Department of Public Works (DPW) for the construction, maintenance, repair and use of a new electric service to serve a new traffic signal at the intersection of Attucks Lane and Wilkens Lane from Festival of Hyannis, LLC, as shown on a plan prepared by the DPW Survey Section dated February 10, 2020 and that the Town Manager is authorized to accept, sign deliver and record documents for the purposes set forth herein.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>09/03/2020</u>	<u>Continue to 09/17/2020</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-012

INTRO: 09/03/2020, 09/17/2020

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: August 20, 2020
SUBJECT: Resolve to accept the grant of an electric easement from Festival of Hyannis, LLC for electric service for new traffic signal at the intersection Attucks Lane and Wilkens Lane

BACKGROUND: As part of a project funded by a MassWorks grant, the Department of Public works will be installing a new traffic signal at the intersection of Attucks Lane and Wilkens Lane which requires an easement to access the nearest power source (utility pole) which is located on private property owned by Festival of Hyannis, LLC. The nearest power source (utility pole) is located on private property owned by Festival of Hyannis, LLC., so it was necessary to obtain an easement to install the electric service conduits and connect to the existing power source (utility pole) to power the traffic signal.

ANALYSIS: As part of a project funded by a MassWorks grant, the Department of Public works will be installing a new traffic signal at the intersection of Attucks Lane and Wilkens Lane. The nearest power source (utility pole) is located on private property owned by Festival of Hyannis, LLC. The Department of Public Works staff approached Festival of Hyannis, LLC about securing an easement to power the traffic signals. Festival of Hyannis, LLC agreed to gift an easement to the Town. The traffic signal will improve the safety of the intersection and has been designed to accommodate anticipated future growth in the vicinity.

FINANCIAL IMPACT: This easement will be acquired at no cost to the Town, additionally, the construction of the traffic signal, including the electrical service, is being funded by a MassWorks Grant.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends acceptance of this easement.

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

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-013

INTRO: 09/03/2020, 09/17/2020

2021-013 ACCEPTANCE OF FISCAL YEAR 2021 MASSTRAILS GRANT IN THE AMOUNT OF \$180,950 FROM THE COMMONWEALTH OF MASSACHUSETTS FOR DESIGN OF THE CAPE COD RAIL TRAIL.

RESOLVED: That the Town Council does hereby accept the Fiscal Year 2021 MassTrails Grant award in the amount of **\$180,950** from the Commonwealth of Massachusetts Department of Conservation and Recreation for the purpose of design and permitting of the Cape Cod Rail Trail Phase 3 extension from Yarmouth to Mary Dunn Road in Barnstable Village, and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

SPONSOR: Mark Ells, Town Manager

DATE	ACTION TAKEN
<u>09/03/2020</u>	<u>Continue to 09/17/2020</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-013

INTRO: 09/03/2020, 09/17/2020

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Dan Santos, Director, Department of Public Works
DATE: September 3, 2020
SUBJECT: Acceptance of a Fiscal Year 2021 MassTrails Grant in the amount of **\$180,950** from the Commonwealth of Massachusetts for design of the Cape Cod Rail Trail

BACKGROUND: The Town of Barnstable was awarded a **\$180,950** MassTrails grant from the Commonwealth of Massachusetts. MassTrails is an inter-agency initiative of the Commonwealth lead by the Governor's Office, Executive Office of Energy and Environmental Affairs, Department of Transportation, and Department of Conservation and Recreation. MassTrails seeks to expand and connect the Commonwealth's networks of off-road, shared-use pathways and recreational trails for all users across Massachusetts.

ANALYSIS: This project supports design and permitting costs associated with a 12 foot wide shared- use path known as the Cape Cod Rail Trail Phase 3, which will extend the trail from its current terminus in Yarmouth to Mary Dunn Road in Barnstable Village. The grant funds apply to the Town of Barnstable's share of the design and permitting costs. This project will link the Town of Barnstable to the existing Cape Cod Rail Trail from Wellfleet to Yarmouth, and to future segments that will one day create a continuous path from the Cape Cod Canal to Provincetown. This connection will offer safe multi-modal travel for residents and visitors to local businesses, lodging, shopping, employment and recreational facilities via existing and future links. Funding for construction of the path is on the Federal Fiscal Year 2023 TIP.

FISCAL IMPACT: The funding match required for this grant program is met through Community Preservation Act funds appropriated for this project.

STAFF ASSISTANCE: Dan Santos, Director, Department of Public Works

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-014
INTRO: 09/03/2020, 09/17/2020

**2021-014 ACCEPTANCE OF FISCAL YEAR 2021 COASTAL POLLUTANT
REMEDIAION GRANT IN THE AMOUNT OF \$173,255.50 FROM THE
COMMONWEALTH OF MASSACHUSETTS FOR CONSTRUCTION OF
STORMWATER IMPROVEMENTS ON SOUTH COUNTY ROAD.**

RESOLVED: That the Town Council does hereby accept the Fiscal Year 2021 Coastal Pollutant Remediation Grant award in the amount of **\$173,255.50** from the Commonwealth of Massachusetts Department of Coastal Zone Management for the purpose of constructing stormwater improvements along South County Road in Marstons Mills, and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

SPONSOR: Mark Ells, Town Manager

DATE	ACTION TAKEN
<u>09/03/2020</u>	<u>Continue to 09/17/2020</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-014
INTRO: 09/03/2020, 09/17/2020

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, Director, Department of Public Works
DATE: September 3, 2020
SUBJECT: Acceptance of a Coastal Zone Management Fiscal Year 2021 Coastal Pollutant Remediation Grant in the amount of **\$173,255.50** from the Commonwealth of Massachusetts

BACKGROUND: The Town of Barnstable was awarded a **\$173,255.50** Coastal Pollutant Remediation grant from the Commonwealth of Massachusetts. Coastal Zone Management (CZM) is an inter-agency initiative of the Commonwealth lead by the Governor's Office, Executive Office of Energy and Environmental Affairs. CZM seeks to improve water quality of the states coastal waterways by implementing pollutant remediation projects throughout the Commonwealth.

ANALYSIS: This project supports bidding and construction costs associated with a series of four (4) vegetated, biofiltration swales along South County Road in Marstons Mills,, which have been designed to treat the first one-inch of stormwater runoff, prior to overflowing into the Town's drainage system. This project is a continuation of the Town's efforts to improve stormwater quality within the Three Bays watershed. The grant funds apply to the Town of Barnstable's share of the construction costs. Design and permitting was already completed as part the Fiscal Year 2020 CPR Grant received by the Town.

FISCAL IMPACT: The funding match required for this grant program is met through previously awarded SNEP Grant funds already received by and accepted by the Town.

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

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-015

INTRO: 09/03/2020, 09/17/2020

2021-015 ACCEPTANCE OF 2020 MASSACHUSETTS DREDGING GRANT IN THE AMOUNT OF \$500,000 FROM THE COMMONWEALTH OF MASSACHUSETTS FOR THE DEAD NECK / SAMPSON'S ISLAND DREDGING PROJECT

RESOLVED: That the Town Council does hereby accept the 2020 Massachusetts Dredging Grant award in the amount of **\$500,000.00** from the Commonwealth of Massachusetts Executive Office of Housing and Economic Development for the purpose of executing Phase 3 of the Dead Neck / Sampson's Island Dredging Project and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

SPONSOR: Mark Ells, Town Manager

DATE	ACTION TAKEN
<u>09/03/2020</u>	<u>Continue to 09/17/2020</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-015
INTRO: 09/03/2020, 09/17/2020

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director, Department of Public Works
DATE: September 3, 2020
SUBJECT: Acceptance of a 2020 Massachusetts Dredging Grant in the amount of **\$500,000** from the Commonwealth of Massachusetts for the Dead Neck / Sampson's Island Dredging Project

BACKGROUND: The Town of Barnstable has been awarded a **\$500,000.00** Massachusetts Dredging Grant from the Commonwealth of Massachusetts for the execution of the third and final phase of the Dead Neck / Sampson's Island Dredging Project. The Massachusetts Dredging Grant provides construction-phase funding to coastal communities for saltwater dredging projects. Grants are competitively awarded, with a focus on shovel-ready projects that contribute to the economic significance, public safety, recreational value, and/or coastal resiliency of the Commonwealth's coastal harbors. Dredging is scheduled to begin in late September.

ANALYSIS: The third and final of the Dead Neck / Sampson's Island Dredging Project will include the dredging of approximately 45,000 cubic yards of coastal dune and sand from the western terminus of Dead Neck-Sampson's Island, adjacent to the Cotuit Bay channel. The Barnstable County Dredge is scheduled to begin dredging in late September. The Massachusetts Dredging Grant will fund 50% of the construction cost of the project.

FISCAL IMPACT: The Massachusetts Dredging Grant requires a 50% match from the Town, which will be provided from Fiscal Year 2021 Channel Dredging Program capital appropriation.

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

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-016

INTRO: 09/03/2020, 09/17/2020

2021-016 RESOLVE TO ACCEPT THE GRANT OF A ROADWAY IMPROVEMENTS EASEMENT FROM CAPE COD HOSPITAL FOR NEW TRAFFIC SIGNAL AT THE INTERSECTION ATTUCKS LANE AND WILKENS LANE

RESOLVED: that the Town accept the grant of a perpetual easement to the Town under the care, custody and control of its Department of Public Works for the construction, maintenance, repair and use of roadway improvements to support the construction of a new traffic signal at the intersection of Attucks Lane and Wilkens Lane from Cape Cod Hospital, as shown on a plan prepared by the Department of Public Works Survey Section dated February 10, 2020 and that the Town Manager is authorized to accept, sign deliver and record documents for the purposes set forth herein.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>09/03/2020</u>	<u>Continue to 09/17/2020</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-016

INTRO: 09/03/2020, 09/17/2020

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: September 3, 2020
SUBJECT: Resolve to accept the grant of a roadway improvements easement from Cape Cod Hospital for new traffic signal at the intersection Attucks Lane, and Wilkens Lane, Hyannis

BACKGROUND: As part of a project funded by a MassWorks grant, the Department of Public works will be installing a new traffic signal at the intersection of Attucks Lane, and Wilkens Lane, Hyannis. Wilkens Lane is a private road owned by Cape Cod Hospital.

ANALYSIS: As part of a project funded by a MassWorks grant, the Department of Public works will be installing a new traffic signal at the intersection of Attucks Lane and Wilkens Lane. Wilkens Lane is a private road owned by Cape Cod Hospital. Construction of the traffic signal requires installation of traffic detectors, a traffic signal pole with mast arm, electric conduit, various excavation and repaving within the private roadway layout of Wilkens Lane. The Department of Public Works staff approached Cape Cod Hospital about securing an easement to install this equipment within the roadway layout. Cape Cod Hospital agreed to gift an easement to the Town. The traffic signal will improve the safety of the intersection and has been designed to accommodate anticipated future growth in the vicinity.

FINANCIAL IMPACT: This easement will be acquired at no cost to the Town. Additionally, the construction of the traffic signal is being funded by a MassWorks Grant.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends acceptance of this easement.

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

B. NEW BUSINESS (May Be Acted Upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

ITEM# 2021-017
INTRO: 09/03/2020, 09/17/2020

2021-017 APPROVAL OF A CONTRACT AND ITS EXECUTION FOR MARK S. ELLS AS THE BARNSTABLE TOWN MANAGER

RESOLVED: That the Town Council approves a contract in the form as provided to the members of the Town Council on August 19, 2020, for Mark Ells to serve as Town Manager and authorizes the Council President to sign the contract on behalf of the Council and the Town of Barnstable.

SPONSOR: Town Manager Contract Subcommittee: Eric R. Steinhilber, Chair, Precinct 2, Councilor Debra Dagwan, Precinct 8, Councilor Jennifer Cullum, Precinct 13,

DATE	ACTION TAKEN
<u>09/03/2020</u>	<u>Continued to 09/17/2020</u>
_____	_____

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

B. NEW BUSINESS (First Read) (Refer to Second Reading 10/1/2020)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-018
INTRO: 09/17/2020**

2021-018 ORDER TO ACCEPT TOWN OF BARNSTABLE’S AMENDED APPLICATION AND THE COMMUNITY PRESERVATION COMMITTEE’S VOTE TO APPROVE THE AMOUNT OF \$320,000 IN COMMUNITY PRESERVATION OPEN SPACE/RECREATION FUNDS FOR FALCON ROAD CONSERVATION RESTRICTION TO BE HELD BY BARNSTABLE LAND TRUST

RESOLVED: That the Town Council hereby votes to approve the Town of Barnstable’s amended request for **\$320,000** in Community Preservation Open Space/Recreation Funds for the acquisition of the open space resource consisting of 15.96 acres located at 28 Falcon Road, West Barnstable, Map 195, Parcel 038 and the Community Preservation Committee’s vote to recommend said acquisition. Specifically, the Town Council hereby authorizes, pursuant to the provisions of the Community preservation Act, G.L.c. 44B and the Conservation Restriction statute, G.L. c. 184, Sections 31-33, the amended application for the larger amount of \$320,000 which represents a portion of the total purchase price of \$347,500, said Restriction to be held by the Barnstable Land Trust which is contributing \$27,000 in both funding and in kind contributions. The Town of Barnstable will be applying for a Massachusetts drinking water grant that would potentially pay for up to half of the cost of the project and reserve rights for the Town to install a drinking water well at this site. If awarded, the amount granted would be returned to the Community Preservation Fund. The CPC has requested that the Conservation Restriction reflecting Barnstable Land Trust as the holder, be approved by the Legal Department. The Town Council further votes to authorize the Town Manager to execute, deliver and record documents and restrictions as provided in the relevant, above-cited statutes for the stated purpose and oversight of the Community Preservation Committee.

SPONSOR: Mark Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-018
INTRO: 09/17/2020

SUMMARY

TO: Town Council
FROM: Mark Ells, Town Manager
THROUGH: Lindsey Counsell, Chairman, Community Preservation Committee
DATE: September 17, 2020
SUBJECT: Order to accept Town of Barnstable's amended application and the Community Preservation Committee's vote to approve the amount of **\$320,000** in Community Preservation Open Space/Recreation Funds for Falcon Road Conservation Restriction to be held by Barnstable Land Trust

BACKGROUND: At the August 17, 2020 Community Preservation Committee (CPC) meeting, the eight members present voted unanimously by roll call vote to recommend to the Town Council through the Town Manager, The Town of Barnstable's amended funding request for \$320,000 in Community Preservation Open Space/Recreation Funds for the acquisition of the open space resource consisting of 15.96 acres located at 28 Falcon Road, West Barnstable. The amended application for the larger amount of \$320,000 represents a portion of the total purchase price of \$347,500. Barnstable Land Trust will hold the Conservation Restriction and is contributing \$27,500 in cash and in kind contributions. The Town of Barnstable will be applying for a Massachusetts drinking water grant that would potentially pay for up to half of the cost of the project and reserve rights for the Town to install a drinking water well at this site. If awarded, the amount granted would be returned to the Community Preservation Fund. The CPC has requested that the Conservation Restriction reflecting Barnstable Land Trust as the holder, be approved by the Legal Department.

ANALYSIS: This land acquisition would satisfy many Barnstable Open Space Plan and Community Preservation Act goals related to water supply protection, natural resource preservation as well as passive recreation. The partnership with Barnstable Land Trust and the leveraging the drinking water grant creates, is an advantageous cost-benefit value for the Town and Barnstable Land Trust.

FISCAL IMPACT: This appropriation will be funded from the set-aside for open space and recreation within the Community Preservation Fund which has a balance of \$1,887,196. Any reimbursement received from a grant will be credited back to this reserve to offset the purchase. There is no impact on the General Fund budget.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager

VOLUNTEER STAFF ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee

B. NEW BUSINESS (First Read) (Refer to Second Reading 10/1/2020)

BARNSTABLE TOWN COUNCIL

**ITEM# 2021-019
INTRO: 09/17/2020**

2021-019 ORDER TO ACCEPT TOWN OF BARNSTABLE’S AMENDED APPLICATION AND THE COMMUNITY PRESERVATION COMMITTEE’S VOTE TO APPROVE THE AMOUNT OF \$500,000 IN COMMUNITY PRESERVATION OPEN SPACE/RECREATION FUNDS FOR 830 WAKEBY ROAD CONSERVATION RESTRICTION TO BE HELD BY BARNSTABLE LAND TRUST

RESOLVED: That the Town Council hereby votes to approve the Town of Barnstable’s amended request for \$500,000 in Community Preservation Open Space/Recreation Funds for the acquisition of the open space resource consisting of 15.74 acres located at 830 Wakeby Road, Marstons Mills and the Community Preservation Committee’s vote to recommend said acquisition. Specifically, the Town Council hereby authorizes, pursuant to the provisions of the Community preservation Act, G.L.c. 44B and the Conservation Restriction statute, G.L. c. 184, Sections 31-33, the amended application for the larger amount of \$500,000 which represents a portion of the total purchase price of \$525,680, said Restriction to be held by the Barnstable Land Trust which is contributing \$25,680 in both funding and in kind contributions. The Town has a pending application for a reimbursement grant from the State for matching funds in the amount of \$250,000, which upon award, would be returned to the Community Preservation Fund. The CPC has requested that the Conservation Restriction reflecting Barnstable Land Trust as the holder and other usual conditions, be reviewed and approved by the Barnstable Legal Department. The Town Council further votes to authorize the Town Manager to execute, deliver and record documents and restrictions as provided in the relevant, above-cited statutes for the stated purpose and oversight of the Community Preservation Committee.

SPONSOR: Mark Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2021-019
INTRO: 09/17/2020

SUMMARY

TO: Town Council
FROM: Mark Ells, Town Manager
THROUGH: Lindsey Counsell, Chairman, Community Preservation Committee
DATE: September 17, 2020
SUBJECT: Order to accept Town of Barnstable's amended application and the Community Preservation Committee's vote to approve the amount of **\$500,000** in Community Preservation Open Space/Recreation Funds for 830 Wakeby Road Conservation Restriction to be held by Barnstable Land Trust

BACKGROUND: At the August 17, 2020 Community Preservation Committee (CPC) meeting, the eight members present voted unanimously by roll call vote to recommend to the Town Council through the Town Manager, The Town of Barnstable's amended request for \$500,000 in Community Preservation Open Space/Recreation Funds for the acquisition of the open space resource consisting of 15.74 acres located at 830 Wakeby Road, Marstons Mills. The amended application for the larger amount of \$500,000 represents a portion of the total purchase price of \$525,680. Barnstable Land Trust will hold the Conservation Restriction on the property and is contributing \$25,680 in both funding and in kind contributions. The Town has a pending application for a reimbursement grant from the State for matching funds in the amount of \$250,000, which upon award, would be returned to the Community Preservation Fund. The CPC has requested that the Conservation Restriction reflecting Barnstable Land Trust as the holder and other usual conditions, be reviewed and approved by the Barnstable Legal Department.

ANALYSIS: This land acquisition would satisfy many Town planning and Community Preservation Act goals, as well as the Town's Open Space Plan related to scenic and natural resource protection as well as passive recreation. The partnership with Barnstable Land Trust and the leveraging the Massachusetts Land Grant creates an advantageous cost-benefit value for the Town and Barnstable Land Trust.

FISCAL IMPACT: This appropriation will be funded from the set-aside for open space and recreation within the Community Preservation Fund which has a balance of \$1,887,196. Any reimbursement received from a grant will be credited back to this reserve to offset the purchase. There is no impact on the General Fund budget.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager

VOLUNTEER STAFF ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee

B. NEW BUSINESS (May be acted upon) (Roll Call Majority)

BARNSTABLE TOWN COUNCIL

**ITEM # 2021-120
INTRO: 09/17/2020**

**2021-120 RESOLVE TO ENDORSE APPLICATION TO THE STATE FOR
BARNSTABLE TO BECOME A GREEN COMMUNITY**

RESOLVED: That Town Council hereby endorses the actions of the Town Manager to direct staff to prepare an application to the Department of Energy Resources of the Commonwealth of Massachusetts, through its Green Communities Division, to become designated as a Green Community, as such designation will allow the Town to apply for additional technical assistance and financial support through the Green Communities program.

SPONSOR: Councilor Gordon Starr

DATE ACTION TAKEN

- Read item
- Rationale
- Council discussion
- Move/vote

BARNSTABLE TOWN COUNCIL

SUMMARY

ITEM # 2021-120
INTRO: 09/17/2020

TO: Town Council
FROM: Mark Ells, Town Manager
THROUGH: David Anthony, Director of Property and Risk Management
DATE: September 17, 2020
SUBJECT: Resolve to endorse the actions of the Town Manager to prepare the application to the Commonwealth of Massachusetts for designation as a Green Community

BACKGROUND/ANALYSIS/RATIONALE: The Green Community Designation and Grant Program, which was established by legislation in section 10 of Mass General law chapter 25A, provides a road map along with financial and technical support to municipalities that 1) pledge to cut municipal energy use by an ambitious and achievable goal of 20 percent over 5 years and 2) meet four other criteria established in the Green Communities Act. Participation in the Program has grown steadily since the first group of 35 municipalities achieved designation status in July of 2010 to include over 280 of the diverse cities and towns of the Commonwealth and nearly four-fifths of the population. These energy leaders have accessed designation grants of over \$49 million for energy projects.

Benefits of Being a Green Community

- Cut municipal energy costs and strengthen the local economies
- Access grants for clean affordable and resilient energy projects; economic development benefits for the city or town and the Commonwealth
- Reduce greenhouse gas emissions
- Promote energy-efficient building construction that drives the market for better built and lower cost homes
- Foster renewable energy and clean energy technologies
- Become a clean energy leader and a better place to live, work, and play

The Town of Barnstable's **Infrastructure and Energy Committee**, established to assist and advise the Town Council, Town Manager and Department of Public Works by recommending, in addition to other activities, viable methods for achieving energy conservation and for utilizing renewable sources of energy within the Town. In addition they assist the Town in promoting energy efficiency programs available through the Cape Light Compact in residential and commercial sectors. This group has been a strong factor in the effort to apply for, and obtain this Green Community designation.

FISCAL IMPACT: The fiscal impact is neutral to current budgets but could enhance future energy related projects through access to competitive grants that are only available after obtaining the Green Communities designation.

STAFF ASSISTANCE: David Anthony, Director of Property and Risk Management

SPONSORS: Gordon Starr, Town Councilor