



Town Council Meeting
March 3, 2022



A quorum being duly present, President Matthew Levesque called the March 3, 2022, Town Council meeting to order at 7:10 PM.

An announcement was made by President Levesque 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: (On Zoom) Nikolas Atsalis, David Bogan, Kristine Clark, Jennifer Cullum, Jessica Rapp Grasseti, Paul Hebert, Matthew Levesque, Jeffrey Mendes, Paul Neary, Paula Schnepf, Tracy Shaughnessy, Gordon Starr **ABSENT:** Eric Steinhilber

The Pledge of Allegiance was led by Councilor Levesque. Vice President Paula Schnepf dedicated the moment of silence to the citizens of Ukraine whose lives have been upended into chaos and violence by the invasion of their country by the Russian military. She hoped for an end to the violence and a return to peace as soon as possible.

PUBLIC COMMENT:

Bettina Abe explained she had attended a webinar on Salt Marshes hosted by Mass Association of Conservation Commissioners and the Association to Preserve Cape Cod. The webinar affirmed the ecological reasons to preserve all 40 acres of the Twin Brooks Golf Course. She noted the need to conserve the land near the salt marsh as the non-static nature of salt marshes themselves. She hoped the Council would allow the salt marsh area to expand and grow.

Timothy Regan from Housing Assistance Corporation urged Council to prioritize housing and move forward with the Local Comprehensive Plan (LCP).

Betty Ludtke spoke about town owned properties and questioned their usage. She felt the Amory building could be better utilized as a children's museum. She hoped for more housing on Main Street and was happy to hear the Cascade Motel had sold may be there could be a partnership with the new owners to ensure more housing.

Cheryl Powell spoke in favor of applicant Thomas Doherty for the Hyannis Main Street Waterfront Historic District Commission. She asked that he be recognized as a full member as the position was open at this time.

Roberta Mauch said there was a group gathering the needed signatures to hold a public meeting. She urged Council to accept the public meeting to be held at the Barnstable High School. The concerns were the high density and the need to make the best decisions for Barnstable. She felt not all voices are being heard.

Devan Bollinder urged Council to ensure there was affordable available housing in the LCP. He was concerned with what Cape Cod will look like in the future.

Response to Public Comment:

(Clark) Supported the idea to utilize under occupied or unoccupied buildings as possible housing properties. There could be an incentive to convert properties to housing.

(Hebert) Coordinated approach for housing with a housing complex which would be 100 percent affordability. Affordability means rent should be based on 30 percent of a person's income.

Town Manager's Report (Exhibit A)

- Barnstable Youth Job Fair - 41 Businesses in attendance, 280 youths and 14 schools
Thank you Barnstable Youth Commission.
- LCP – Elizabeth Jenkins, Director of Planning and Development provided and update on the LCP. She noted they had received 54 applications for the Local Comprehensive Plan Committee, with all seven villages represented.

Councilor Questions and Comments:

(Hebert) Thanked Councilor Jen Cullum for all her hard work on leading the application process for the Appointments Committee.

(Ells) Described the applicant process for the LCP Committee. The Town Manager selects the LCP Committee not the Appointments' Committee. He reached out to the Chair of the Appointments' Committee to help benefit the selection process. Both Councilors Jessica Rapp Grassetti and Jen Cullum have been very helpful. The LCP plan needs to be certified by the Cape Cod Commission. Pleased to hear we have 54 applicants for the LCP Committee positions. Once the LCP Committee is created the Town Manager steps back and the LCP Committee will complete a draft of the LCP to be later approved by Council and certificated by Cape Cod Commission.

(Cullum) Thank you for the thoughtful approach and outreach.

- Budget Fiscal Year 2023
- Competitive Bids received from Bond Underwriters
- American Rescue Plan Act (ARPA) Funds
- Vineyard Winds
- Hazzard Mitigation Plan (HMP)
- Cape Cod Community College - John Cox President of Cape Cod Community College and Chris Clark Vice President of Finance and Operations shared a PowerPoint presentation and provided an update regarding new construction of the Frank and Maureen Wilkens Science and Engineering Center.

Councilor Questions and Comments:

(Cullum) Thank you for supporting our youth and for keeping people here. Please look at building college dormitories.

ACT ON MINUTES:

Upon a motion duly made and seconded it was to accept the minutes of February 17, 2022 as presented.

VOTE: PASSES 12 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr.

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

(Starr) Money from the Transfer Station for recycling of bottles, cans, etc will go to the Barnstable High School After Prom Party. Wilkens Land Committee – next Tuesday at 5:00pm to review project to make it better.

(Rapp Grassetti) Road Safety Audit – Route 130, Route 28, Main Street, Strawberry Hill Road and Newtown Road public should review it as it is an ongoing conversation since 2004.(Ells) Dan Santos, Director of Public Works will review and provide feedback on the next steps regarding the Road Safety Audit. Ells will report to Council.

(Cullum) Babe Ruth Baseball League has started with two practices a week. Please reach out to her if you are interested in having your child join the league. She noted P.J. Richardson was the coach and Doug Brown was the sponsor. Recent op-ed article contains misleading information. She explained the misinformation was regarding the property under Twin Brooks which was being polluted by a failure in our sewer plant. She felt this was untrue and more likely nitrogen load from the septic system which was replaced at Stewart's Creek.

(Levesque) Attended a Silent Spring Institute open house event at 176 Main Street Barnstable where Dr. Laurel Schaidler discussed the water quality.

13 minute break (8:32 pm – 8:45 pm)

2022-135	APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION: INTRO:
02/17/2022, 03/03/2022	

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: **Registrar of Voters:** Lisa Gage, Barnstable; Michael R. Curtis, Cotuit

VOTE: PASSES 12 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr.

2022-136	AMENDMENT TO THE ADMINISTRATIVE CODE TO DESIGNATE MEMBERS OF THE LOCAL COMPREHENSIVE PLANNING COMMITTEE AS SPECIAL MUNICIPAL EMPLOYEES FOR PURPOSES OF THE STATE CONFLICT OF INTEREST LAW INTRO: 02/17/2022, 03/03/2022
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Karen Nober, Town Attorney gave the rationale. She discussed this was to designate members of the Local Comprehensive Planning Committee as special municipal employees. She explained in recognition of the fact that when you have unpaid volunteers who serve on a board you want to make certain provisions of law less restrictive to encourage one to serve on a board and not be restricted in their ability to earn a living. She noted this would update the language and bring it consistent with how the Town treats the other board and committee members.

Upon a motion duly made and seconded it was

ORDERED: That the Town Council does hereby designate the members of the Local Comprehensive Planning Committee as special municipal employees for the purposes of G.L. c. 268A, the state conflict of interest law, and that the Code of the Town of Barnstable Section 241 Attachment 1 of the Administrative Code is hereby amended by adding the Local Comprehensive Planning Committee to the list of multiple member bodies so designated.

VOTE: PASSES 12 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr.

2022-137 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$68,000 FOR THE PURPOSE OF ADDRESSING INFRASTRUCTURE AND CODE COMPLIANCE ISSUES IN SEVERAL BUILDINGS WITHIN THE GOLF OPERATIONS DIVISION INTRO: 02/17/2022, 03/03/2022

Jesse Schechtman, Director of Golf gave the Rationale. He explained the department was facing infrastructure needs that the current budget cannot address.

Public Hearing seeing no one close public hearing.

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$68,000** be appropriated for the purpose of remediating various facility infrastructure and code compliance issues at Hyannis Golf Course and Olde Barnstable Fairgrounds, and that to fund this appropriation, that the remaining available balance of \$27,000 in Town Council Order 2018-072 and the remaining available balance of \$12,000 in Town Council Order 2018-073 be transferred, and that \$29,000 be provided from the Golf Enterprise Fund reserves, and the Town Manager is authorized to contract for and expend the appropriation for the stated purpose.

VOTE: PASSES 12 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr.

2022-138 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION: INTRO: 03/03/2022

(Cullum) offered an amendment. She noted earlier in the meeting Chair Cheryl Powell of the Hyannis Main Street Waterfront Historic District Commission asked to change Tom Doherty to a full member of the committee. She added there was space available and everything would stay the same except for the designation of Tom Doherty.

Upon a motion duly made and seconded it was to amend Town Council item #2022-138 by changing applicant Tom Doherty, from an alternate member to a full member of the Hyannis Main Street Waterfront Historic District Commission to a term expiring 6/30/2023

VOTE: TO AMEND PASSES 12 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr.

Upon a motion duly made and seconded it was amended

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Board of Health:** Dan Luczkow, from an alternate position to a regular member to a term expiring 6/30/2024; Paul Canniff, D.M.D, as a regular member to a term expiring 6/30/2023; Steve Waller, M.D., as an alternate member to a term expiring 6/30/2022; **Human Services Committee:** Cheryl Powell, as a regular member to a term expiring 6/30/2023; **Hyannis Main Street Waterfront Historic District Commission:** Tom Doherty, change from an alternate member to a full member to a term expiring 6/30/2023

VOTE: PASSES 12 YES AS AMENDED TO REFER TO A SECOND READING ON 03/17/2022

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr.

**2022-139 APPROPRIATION ORDER IN THE AMOUNT OF \$300,000 FOR THE PURPOSE OF FUNDING EMERGENCY REPAIRS AT THE OLD COLONY ROAD PUMP STATION AND WATER POLLUTON CONTROL FACILTY RENEWABLE ENERGY SYSTEM
INTRO: 03/03/2022**

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$300,000** be appropriated for the purpose of funding emergency repair work at the Old Colony Road Pump Station and emergency repairs at the Water Pollution Control Facility renewable energy system, and that to fund this appropriation that \$300,000 be provided from the Water Pollution Control Division Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend this appropriation for the purposes stated.

VOTE: TO A PUBLIC HEARING ON 3/17/2022-PASSES 12 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Levesque, Mendes, Neary, Schnep, Shaughnessy, Starr.

2022-140 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$295,000 FOR THE PURPOSE OF FUNDING BLISH POINT DUNE STORM DAMAGE REPAIR AND DESIGN OF FUTURE IMPROVEMENTS INTRO: 03/03/2022

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$295,000** be appropriated for the purpose of funding repairs to the dune at Blish Point and the design and permitting of a permanent, or semi-permanent, solution for the dune at Blish Point, and that to fund this appropriation that \$295,000 be transferred from the remaining available funds under Town Council Order 2020-108, and that the Town Manager is authorized to contract for and expend this appropriation for the purposes stated.

VOTE: TO A PUBLIC HEARING ON 3/17/2022-PASSES 12 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Levesque, Mendes, Neary, Schnep, Shaughnessy, Starr.

2022-141 AUTHORIZATION TO EXPEND A FISCAL YEAR 2022 GRANT IN THE AMOUNT OF \$154,140 FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ELDER AFFAIRS TO FUND STAFF SALARIES AND OPERATING EXPENSES OF THE BARNSTABLE COUNCIL ON AGING DIVISION INTRO: 03/03/2022

Madeline Noonan, Director of Community Services gave the rationale.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2022 grant in the amount of **\$154,140** from the Commonwealth of Massachusetts, Executive Office of Elder Affairs to be used to fund staff salaries and operating expenses of the Barnstable Council on Aging Division.

VOTE: PASSES 12 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetti, Hebert, Levesque, Mendes, Neary, Schnep, Shaughnessy, Starr.

2022-142 AUTHORIZATION TO EXPEND A FISCAL YEAR 2022 GRANT IN THE AMOUNT OF \$60,000 OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF HEALTH & HUMAN SERVICES TO SUPPORT THE BARNSTABLE YOUTH COMMISSION INTRO: 03/03/2022

Madeline Noonan, Director of Community Services gave the rationale. She thanked Representative Kip Diggs for his help and support with the Youth Commission.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2022 grant in the amount of **\$60,000** of American Rescue Plan Act (“ARPA”) Funds from the Commonwealth of Massachusetts, Executive Office of Health & Human Services to be used to support programs and events of the Barnstable Youth Commission.

VOTE: PASSES 12 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Rapp Grassetto, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr.

Councilor Rapp Grassetto recused herself from the following Town Council Agenda Items # 2022-143, 2022-144, 2022-145, and 2022-146 and left the meeting (9:04 pm)

<p>2022-143 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$87,500 IN COMMUNITY PRESERVATION HISTORIC PRESERVATION FUNDS FOR THE PRESERVATION AND RESTORATION OF DOTTRIDGE HOMESTEAD, ROTHWELL ICEHOUSE AND MUSEUM, MAP 034, PARCEL 051, 1148 MAIN STREET, COTUIT, MA INTRO: 03/03/2022</p>
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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 amount of Eighty-Seven Thousand, Five Hundred and No/100 (**\$87,500**) Dollars, representing a portion of the total project cost of \$500,000, with \$290,000 in private donations raised to date, be appropriated and transferred from the amount set aside for Historic Preservation within the Community Preservation Fund to be used for preservation and restoration work on the historic resources consisting of the Dottridge Homestead, Rothwell Icehouse and Museum located at 1148 Main Street, Cotuit MA. The property has an existing Preservation Restriction held by the Town of Barnstable. It is further ordered that the Town Manager is authorized to expend the appropriation subject to oversight by the Community Preservation Committee and to receive, execute, deliver, and record any written instruments for the purposes set forth herein.

VOTE: PASSES 11 YES I RECUSE Rapp Grassetto,

Roll Call: Atsalis, Bogan, Clark, Cullum, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr.

Councilor Neary recused himself from the following Town Council Agenda Items # 2022-144, 2022-145, and 2022-146.

Councilor Atsalis recused himself from the following Town Council Agenda Items # 2022-144, 2022-145, and 2022-146.

Councilor Shaughnessy recused herself from the following Town Council Agenda Items #, 2022-144, 2022-145, and 2022-146.

Due to the lack of quorum Town Council Agenda Items #, 2022-144, 2022-145, and 2022-146 will be continued to Town Council meeting on 03/17/2022

2022-144 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 ZONING BY REPEALING THE ZONING DISTRICTS KNOWN AS THE “HYANNIS VILLAGE ZONING DISTRICTS” AND REPLACING THEM WITH REVISED AND UPDATED DISTRICTS COLLECTIVELY KNOWN AS THE “DOWNTOWN HYANNIS ZONING DISTRICTS” INTRO: 03/03/2022

2022-145 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 ZONING BY AMENDING ARTICLE VII SIGN REGULATIONS INTRO: 03/03/2022

2022-146 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 ZONING BY MOVING AND RENUMBERING SECTION 240-122.1 REGISTERED RECREATIONAL MARIJUANA CULTIVATORS, RESEARCH FACILITIES, AND TESTING LABORATORIES INTO A NEW OVERLAY ZONING DISTRICT AND REPEALING SECTIONS 240-129 AND 240-129.1 EXPIRED TEMPORARY MORATORIAM FOR MARIJUANA USES INTRO: 03/03/2022

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED TO ADJOURN:

VOTE: PASSES 11 YES

Roll Call: Atsalis, Bogan, Clark, Cullum, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr.

Adjourned at 9:12 PM

Respectfully submitted,

Janet E. Murphy
Assistant Town Clerk/Town of Barnstable

NEXT MEETING: March 17, 2022

Exhibits:

A Town Manager update