



Town Council Meeting
October 18, 2018



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

An announcement was made by Vice 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 Grassetti, Paul Hebert, Matthew Levesque, Paul Neary, Paula Schnepf, James Tinsley, Jr., Philip Wallace **ABSENT:** Eric Steinhilber

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

PUBLIC COMMENT:

Alan Feltham current Chair of Barnstable Economic Development Committee (BEDC) stated they have been working on economic growth, things that will change the employment base for the town of Barnstable. Please consider our merits and have a discussion before making a decision.

Grove Harris concerns about the Covell Beach project , frightening for people who live in the area, some of the provisions are listed on the website. Wants more of the facts about what is going on with Vineyard Wind. Need a critical lens, how is that going to benefit all of us? We are all in this together.

Maureen Grandmont concurs with the previous speaker, concerned about the proposal what is it going to look like, how is it going to impact the major thoroughfare. How long is it going to go on? Why does the bath house have to be an incentive?

Hank Farnham follow up on the BEDC, one of the original founders of the BEDC, although lately we have not been very productive, but we have not had the opportunity to be involved in a lot of events. We were having difficulty reaching quorum as well. This new committee is making great progress, can you replace the BEDC, this town needs this committee to help our economic development.

Gordon Starr came to speak in favor of Vineyard Wind, we need renewable energy, hope you vote for it.

Close public comments

COUNCIL RESPONSE TO PUBLIC COMMENT:

Very serious thing to end any committee; the committee was working very hard, but perhaps a short lived new committee may be the way to go at this time. There will be some inconvenience but we have to look at the future, in order to improve our infrastructure this is a necessary program. We are trying to protect our town. Thank you for your years of service, it is also the hard work of the volunteers, quorums are an issue, tough to fill the table and many staff hours; we need to embrace renewable energy; this project has been on the agenda numerous time, mail was sent to abutters; more than happy to work on an informational session to reach out to the citizens.
Close public comment

Important Election Cycle information:

Ann Quirk, Town Clerk gave an overview of the upcoming November Election and Early Voting schedule in the Town Clerk's office. And the new voting locations Precinct 1 is at Zion Union Church at 805 Attucks Lane in Hyannis; Precincts 10 & 12 is located at the 7th Day Adventist Church Community Building, 2736 Falmouth Rd (Route 28) Marstons Mills.

TOWN MANAGER COMMUNICATIONS:

Relative to the Covell Beach Bathhouse we have a capital improvement program is looking at our beach locations, bathhouses and parking lots. We are balancing hundreds of different projects.

Update:

Budget Action Calendar
Fee Hearing
Capital Program
Mass Fish and Wildlife communications continuing
New Source Alternative report
County Farm may be future potential water supply
Barnstable County Fire Training Academy
Plans to discuss with Joint Base Cape Cod a possible location for the Fire Training Academy
Substance Abuse Forum
Board of Health – Comprehensive Water Management Plan
Two Influenza vaccination clinics
Ad Hoc Committee on Economic Development
Planning and Development a "Start-up Guide"
Kmart Plaza proposals

Councilor questions and comments:

As we move forward hope that the Fire Academy will move forward to the Joint Base, is there a time table [Andy Clyburn no schedule as yet, Joint Base Cape Cod is very interested, timing is right for this, very optimistic] as we protect the environmental impacts to the town, I hope this goes forward, water is precious. Just want to clarify the date on the Community Substance Abuse is on the 24th. Can you give us an update on the dredging [Dan Santos, Director of Public Works, had two bids; we anticipate starting the dredge around November 1st.] Thank you for this awesome flyer. Would the Ad Hoc continue with our current BEDC committee [Ells, in general our mission is to maintain quality of life and engaging the public helps us to create our committees; the best way is to state objectives, goals and strategies; engage people from a diverse area that are in business in Barnstable] the Ad Hoc committee is that at all related to the task forces that were

presented in October. [My approach to managing is based on how we can gauge our success, would like to see us go forward, otherwise you don't know if you are achieving success]

Andy Clyburn, Assistant Town Manager gave an update on the Kmart Plaza, two proposals were received following Mass General Laws. An evaluation committee will evaluate our needs for the redevelopment to make a recommendation to the Airport Committee and the Town Council leadership.

Councilor questions and comments:

Thank you for your efforts, working with all the people involved, to ensure we can bring something forward.

ACT ON MINUTES: Upon a motion duly made and seconded it was voted to approve the minutes of the October 4, 2018. Slight error on public comment with MaryAnn Barboza, should read that she felt that inactivating voters for not completing their census was wrong.

VOTE: As Amended PASSES 11 YES, Abstention (Tinsley)

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

Update by Mark S. Ells, Town Manager Comprehensive Water Management Plan Project Mark Ells, Town Manager gave the update to one of the most important issues of the Town of Barnstable our water management. This is all about balance and equity (Exhibit A)

Councilor questions and comments:

Tremendous amount of work, water quality is essential in our town.

Very informative, we are on the cutting edge of what is going on; not only on Cape Cod but statewide regarding water quality issues.

This is our biggest issue, concerned about the discussion with the Board of Health; we have adopted a plan, but it appears to be a little premature until we have some infrastructure in place; these regulations are temporary; it takes a long time for sewer expansion, that may not happen for five years; sits on top of Craigville Beach. Lifting regulations puts the cart before the horse.

Making sure the state is on board, is the state even going to allow for that kind of dredging at Mill Pond;

In an effort to communicate better ask the media to help us out with making snip-it's of presentations on the web page. People have issues with the website we need to make it easy.

Keep reminding the public to maintain their septic system; where do we go for advice, the Town Manager, the Board of Health, or Dan Santos? [Town Manager, Mark Ells, anyone can send an email to us at anytime, and we will find the right person to respond to you]

Is there a plan in progress regarding sewer projects, at some point will there be timetables going forward [Board of Health has done a wonderful job to keep people informed; we all try to work together, reach out to me]

Pleased with the effort put forward, Department of Environmental Protection (DEP) regulations haven't helped us; there is no balance, the home rule is the only way for us to go forward; we are ready to charge ahead; we need money to do these things, we have to improve our own situation.

Councilor Communications:

Hyannis Open Streets (Exhibit B)

Update on Oceanside

Opening on the Planning Board and the Zoning Board of Appeals

Alternate committee members have to be moved to a regular member before they can vote

Monte Carlo night

Halloween Parade

2019-033 REPEAL OF CHAPTER 241-16 OF THE TOWN OF BARNSTABLE ADMINISTRATIVE CODE, BARNSTABLE ECONOMIC DEVELOPMENT COMMISSION INTRO: 10/04/18, 10/18/18

Councilor Rapp Grassetto gave the rationale; the Appointments Committee was briefed to create a task force

Councilor comments and questions: Thank you for your contributions over the years, appreciate your involvement. Thank you to all the members of the Barnstable Economic Development Committee, a very critical committee, we look forward to working with you in the future. Thank you, will be supporting this item; this is a critical committee; Alan Feltham gave a document to the Town Council explaining their accomplishments; thank you for your dedication to the town.

Upon a motion duly made and seconded it was

ORDERED: That the Town Council hereby amends the Administrative Code by repealing Chapter 241-16, Barnstable Economic Development Commission

VOTE: Passes Unanimous

2019-034 APPROVAL OF CHANGE OF PURPOSE TO ALLOW THE GRANT OF AN EASEMENT TO VINEYARD WIND LLC IN A PARCEL OF LAND NAMELY THAT PORTION OF COVELL'S BEACH AND SHOWN ON ASSESSORS' MAP 225 AS PARCEL 006 INTRO: 10/04/18, 10/18/18

Town Manager, Mark Ells gave the rationale for 2109-034, 2019-035 and 2019-036 with an overview of a Power Point presentation (Exhibit C). Mark Ells, Town Manager introduced Eric Stevens, Chief Development Officer representing Vineyard Wind.

Councilor questions and comments:

Has the siting board made a final decision of the site; 2nd 800 watts [Eric Stevens of Vineyard Wind, host agreement contemplate a second project, installation of cable comes later into the duct work; 2nd project is conduit and boxes only, installing cable is very straight forward] substation that terminates in Independence Park, any type of fluids that could this impact the aquifer [protecting the towns water quality is a top priority, of the fluids that are in the transformers, there will be a block to prevent fluid from leaking out, specifics are still to be designed] resurfacing to the road will it be curb to curb [yes] best case scenario, when would be the first construction [fall of 2019] are you new to this or do you bring expertise [lot of experience on our team over 20 years of expertise] Phase two infrastructure will go into Covell's without permits: [no we are not installing any cable it is just duct work] after completion of phase one will you go after phase two, [sooner rather

than later, yes we will be taking a risk] manhole cover placement is a pet peeve, how many manhole covers in the street? The easement with the Nantucket line, how many years or payback [Mark Ells, Town Manager, a one-time payment] Who will be buying the power [three largest utilities of the state] 800 megawatts how many homes will that feed [over 400,000 homes] regarding safety issues what about the cables underneath the road [three feet below the road surface, the cables will be surrounded by concrete, well below standards] at some point if you could release a timetable of what we could expect [we will develop a construction timetable] lifespan of the cable going under the road [the cable all the way to the substation has a lifespan of decades, longer than the turbines] how do you monitor the cable [a system that has sensors and fiber optics] a quick review with the Town Manager [host agreement is separate from the personal property tax, approximately 710 to 900 per year; phase one, host fee 16 million; will be paid over a series of years; if phase two proceeds we replicate that amount and so on] Thank you Attorney McLaughlin for your hard work, protecting the town.

Opened up to public comment:

Grove Harris asked if walking the beach is a possibility during the construction. Concrete is porous, how can it contain fluids? Increase demand for electricity is this a joint project? Close public comment

Regarding safety on the beach [the cable would be buried under the sea floor 6 to 8 feet as it comes up to the parking lot, encased in a hard plastic, with rubber sheeting over that]

Concrete being porous [the concrete tank is lined with a membrane]

Assistant Town Attorney, Charles McLaughlin, stated the Vineyard Wind cables from day one are going to be dry, until they get to the substation.

Upon a motion duly made and seconded it was

ORDERED:

SECTION 1: That, having received notice that the Town Manager determined that a portion of the subsurface of Covell's Beach, which parcel is shown on Assessors' Map 225 as Parcel 6, is no longer needed exclusively for general municipal purposes and that the town council approves a limited change of purpose to allow for a grant of an easement to Vineyard Wind LLC, and its successors and assigns, in a parcel of land, namely a portion of Covell's Beach and shown on Assessors' Map 225 as Parcel 006, for the purpose of constructing, installing, inspecting, operating, maintaining, repairing and replacing, subsurface high voltage electric power transmission lines, along with associated subsurface appurtenances including but not limited to subsurface telecommunications lines, conduits, duct banks, bays and vaults, and together with surface appurtenances for access, in connection with the wind generating facility to be developed by Vineyard Wind LLC in federal waters south of Martha's Vineyard.

SECTION 2: That the aforesaid grant of an easement shall take effect upon recording of an instrument or instruments following the effective date of legislation enacted by the General Court approving the grants under Section 1

VOTE: PASSES 12 YES

2019-035 ORDER TO PETITION THE GENERAL COURT OF THE COMMONWEALTH TO ENACT SPECIAL LEGISLATION APPROVING THE GRANT OF EASEMENT TO VINEYARD WIND LLC IN A PARCEL OF LAND, NAMELY A PORTION OF COVELL'S BEACH AND SHOWN ON ASSESSORS' MAP 225 AS PARCEL 006
INTRO: 10/04/18, 10/18/18

Upon a motion duly made and seconded it was

ORDERED: That the Town Manager submit a petition to the General Court of the Commonwealth for a special act approving the the grant of an easement to Vineyard Wind LLC, as follows.

“AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO GRANT AN EASEMENT TO VINEYARD WIND LLC”

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1: The Town Council shall be authorized to grant an easement to Vineyard Wind LLC, and its successors and assigns, in a parcel of land, namely a portion of Covell's Beach and shown on Assessors' Map 225 as Parcel 006, for the purpose of constructing, installing, inspecting, operating, maintaining, repairing and replacing, subsurface high voltage electric power transmission lines, along with associated subsurface appurtenances including but not limited to subsurface telecommunications lines, conduits, duct banks, bays and vaults, and together with surface appurtenances for access, in connection with the wind generating facility to be developed by Vineyard Wind LLC in federal waters south of Martha's Vineyard.

SECTION 2: The Town Manager may execute and record any instruments necessary on behalf of the Town to effectuate the section 1 upon the passage of this act.

SECTION 3: This act shall take effect upon its passage.”

VOTE: PASSES UNANIMOUS

2019-036 APPROVAL OF GRANT OF EASEMENT TO VINEYARD WIND LLC IN A PARCEL OF LAND, NAMELY A PORTION OF COVELL'S BEACH AND SHOWN ON ASSESSORS' MAP 225 AS PARCEL 006 INTRO: 10/04/18, 10/18/18

Upon a motion duly made and seconded it was

ORDERED:

SECTION 1: That, pursuant to the Host Community Agreement between the Town and Vineyard Wind LLC with respect to the wind generating facility to be developed by Vineyard Wind LLC in federal waters south of Martha's Vineyard (the “Project”), the Town

grants an easement to Vineyard Wind LLC, and its successors and assigns, for the purpose of constructing, installing, inspecting, operating, maintaining, repairing and replacing, subsurface high voltage electric power transmission lines, along with associated subsurface appurtenances including but not limited to telecommunications lines, conduits, duct banks, bays and vaults, and together with surface appurtenances for access, in connection with the Project, namely a portion of Covell's Beach and shown on Assessors' Map 225 as Parcel 006.

SECTION 2: That the aforesaid grant of an easement shall take effect upon recording of an instrument or instruments following the effective date of legislation enacted by the General Court approving the grants under Section 1

VOTE: PASSES UNANIMOUS

2019-037 ACCEPTANCE OF A FEDERAL FISCAL YEAR 2018 BULLETPROOF VEST PARTNERSHIP GRANT IN THE AMOUNT OF \$19,600 FROM THE US DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS FOR THE PURPOSE OF REPLACING VESTS OF POLICE OFFICERS THAT ARE IN EXCESS OF FIVE YEARS AND ARE NO LONGER CONSIDERED PROTECTIVE INTRO: 10/18/18

Chief Sonnabend gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: That the Barnstable Town Council does hereby accept a Federal Fiscal Year 2018 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs in the amount of \$19,600, and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

VOTE: PASSES UNANIMOUS

2019-038 SUPPLEMENTAL APPROPRIATION REQUEST OF \$75,400 FOR THE BARNSTABLE POLICE DEPARTMENT FISCAL YEAR 2019 OPERATING BUDGET FOR THE PURPOSE OF FUNDING THE HIRING OF FIVE CURRENT PATROL OFFICER VACANCIES INTRO: 10/18/2018

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$75,400** be added to the Fiscal Year 2019 Police Department General Fund Operating Expense Budget for the purpose of funding Fiscal Year 2019 expenses related to hiring and training new officer set-up expenses.

VOTE: referred to a public hearing on 11/01/18 –unanimous

2019- 039 ACCEPTANCE OF FISCAL YEAR 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF \$55,311 FROM THE U. S. DEPARTMENT OF JUSTICE INTRO: 10/18/18

Chief Sonnabend gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: That the Barnstable Town Council does hereby accept the Federal Fiscal Year 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local from the U. S. Department of Justice in the amount of **\$55,311**, and that the Town manage be authorized to contract for and expend the grant funds for the purpose stated herein.

VOTE: PASSES UNANIMOUS

**2019-040 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO:
10-18-18**

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Council on Aging:** Merrill Blum, 94 Waterview Drive, Centerville, as an alternate member to a term expiring 06/30/19; Janice Lariviere, 11 Vista Circle, Centerville, from an alternate position to a full member position to a term expiring 06/30/19; **Historical Commission:** Frances Parks, 67 Eaglestone Way, Cotuit, as a regular member to a term expiring 06/30/20; **Infrastructure and Energy Committee:** Alison Alessi, 72 Church Street, West Barnstable, as a regular member to a term expiring 06/30/19; John Boyle, 56 Hi-On-A-Hill Road, Centerville, as a regular member to a term expiring 06/30/19; Youth Commission: Alexandra Stampfl, c/o Hyannis Youth and Community Center, Bassett Lane Hyannis, as a regular student member to a term expiring 06/30/19

VOTE: To a 2nd reading on November 1st-unanimous

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED TO ADJOURN:

Adjourned at 10:06 PM

Respectfully submitted,

Ann M Quirk
Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: November 1, 2018

Exhibits:

- A. Comprehensive Water Management
- B. Hyannis Open Streets
- C. Vineyard Wind/Covell's Beach