



Town of Barnstable Town Council

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John G. Flores
Vice President
Precinct 1

Eric R. Steinhilber
Precinct 2

Paul Hebert
Precinct 3

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Precinct 4

Paul C. Neary
Precinct 6

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Precinct 7

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Matthew Levesque
Precinct 10

Philip N. Wallace
Precinct 11

Paula Schnepf
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell

Administrative
Assistant:
Kelly Crahan

MEETING AGENDA TOWN HALL HEARING ROOM June 20, 2019 7:00 PM

Original posted on June
18, 2019@1:50. Updated on June 19,
2019 to include 2019-216 and
2019-217

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **MOMENT OF SILENCE**
4. **PUBLIC COMMENT**
5. **COUNCIL RESPONSE TO PUBLIC COMMENT**
6. **TOWN MANAGER COMMUNICATIONS**
 - **Update on the Comprehensive Waste Water Management Plan**
Mark S. Ells, Town Manager
Mark Milne, Director of Finance
Daniel W. Santos, P.E., Director, Department of Public Works
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**
 - B. **New Business**
10. **ADJOURNMENT**

NEXT REGULAR MEETING: July 18, 2019

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2019-217	Reappointments to Boards / Committees / Commissions: Airport Commission: Elizabeth Young as a regular member to a term expiring 6/30/22; James DellaMorte as a regular member to a term expiring 6/30/22; Board of Health: Donald Guadagnoli as a regular member to a term expiring 6/30/22;	

Community Preservation Committee: James Tenaglia as a recreation commission representative member to a term expiring 6/30/22; Marilyn Fifield as a historical commission representative member to a term expiring 6/30/22; **Comprehensive Financial Advisory Committee:** Lillian Woo as a regular member to a term expiring 6/30/22; Melanie Powers as a regular member to a term expiring 6/30/22; **Conservation Commission:** F.P Tom Lee as a regular member to a term expiring 6/30/22; Peter Sampou as a regular member to a term expiring 6/30/22; Louise Foster as a regular member to a term expiring 6/30/22; **Council on Aging:** Merrill Blum as an alternate member to a term expiring 6/30/22; Loni Monahan as a member to a term expiring 6/30/22; **Disability Commission:** Sabrina Kane as a regular member to a term expiring 6/30/22; Marc Brunco as a regular member to a term expiring 6/30/22; **Elderly & Disability Taxation Aid Committee:** William Murdoch as a regular member to a term expiring 6/30/22; **Golf Committee:** Richard Aliberti as a regular member to a term expiring 6/30/22; Geoffrey Converse as a regular member to a term expiring 6/30/22; **Historical Commission:** George Jessop, as a regular member to a term expiring 6/22; **Housing Committee:** Paula Breagy as a regular member to a term expiring 6/30/22; **Hyannis Main Street Waterfront Historic District Commission:** Cecelia Carey as an alternate business district member to a term expiring 6/30/22; Elizabeth Young as a regular member to a term expiring 6/30/22; Marina Atsalis as a regular member to a term expiring 6/30/22; **Infrastructure and Energy Committee:** Alison Alessi as a regular member to a term expiring 6/30/22; John Boyle as a regular member to a term expiring 6/30/22; **JFK Memorial Trust Fund:** Hugh Findlay as a regular member to a term expiring 6/30/22; William Murphy as a recreation commission representative member to a term expiring 6/30/22; **Land Acquisition and Preservation:** Farley Lewis as a regular member to a term expiring 6/30/22; Steve Gould as a regular member to a term expiring 6/30/22; **Licensing Authority:** David Hirsch as an associate member to a term expiring 6/30/22; Ronald Semprini as a regular member to a term expiring 6/30/22; David Nunheimer as a regular member to a term expiring 6/30/22; **Old Kings Highway:** George Jessop, as a Architect Representative member to a term expiring 6/22; **Planning Board:** Patrick Foran as a regular member to a term expiring 6/30/22; Walter Watson as a regular member to a term expiring 6/30/22; **Recreation Commission:** Joseph O'Brien as a regular member to a term expiring 6/30/22; Renee Dowling as a regular member to a term expiring 6/30/22; **Sandy Neck Board:** William Monroe as a member at large to a term expiring 6/30/22; William Carey as a member at large to a term expiring 6/30/22; **Shellfish Commission:** Paul Caruso as a member at large to a term expiring 6/30/22; Stuart Rapp as a member holding a family permit to a term expiring 6/30/22; **Trust Fund Advisory Committee:** William Murdoch as a civic association representative member to a term expiring 6/30/22; Christopher Ward as a regular member to a term expiring 6/30/22; Jonathan Gilmore as a member at large to a term expiring 6/30/22; **Waterways Committee:** Peter Cross as a member to a term expiring 6/30/22; Frederick Komenda as a regular member to a term expiring 6/30/22; **Youth Commission:** Officer Jean Challies as an advisory member to a term expiring 6/30/20; Morgan Contrino as a student member to a term expiring 6/30/20; Jenna Schmidt as a student member to a term expiring 6/30/20; Lily Beal as a student member to a term expiring 6/30/20; Connor Levesque as a student member to a term expiring 6/30/20; Piper Hunt as a student member to a term expiring 6/30/20; Alexandra Stamfl as a student member to a term expiring 6/30/20; Lucas McCauley as a student member to a term expiring 6/30/20; **Zoning Board of Appeals:** Paul Pinard as an associate member to a term expiring 6/30/22; Herbert Bodensiek as a regular member to a term expiring 6/30/22; Todd Walantis as an associate member to a term expiring 6/30/22.....26-27

Approve Minutes –June 06, 2019

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) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM # 2019-202
INTRO: 06/06/19, 06/20/19

**2019-202 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$10,000.00
FOR THE FISCAL YEAR 2019 HYANNIS YOUTH & COMMUNITY CENTER
ENTERPRISE FUND PERSONNEL BUDGET**

ORDERED: That the sum of **\$10,000.00** be appropriated and transferred from the available funds within the Hyannis Youth and Community Center Enterprise Fund Reserves for the purpose of funding Fiscal Year 2019 personnel costs within the enterprise fund operation

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>06/06/19</u>	<u>Refer to Public Hearing 06/20/19</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2019-202
INTRO: 06/06/19, 06/20/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Patti Machado, Recreation Director
DATE: June 06, 2019
SUBJECT: Appropriation and Transfer Order in the amount of **\$10,000.00** for the Fiscal Year 2019 Personnel Costs Budget of the Hyannis Youth & Community Center Enterprise Fund

BACKGROUND: Additional recreation part-time staff was brought on to provide a higher level of supervision of the activity taking place at the facility. The additional cost of this increased level of service is projected to exceed available funds by approximately **\$10,000** if it continues to the end of the fiscal year. Town recreation staff believes this additional staffing enhances the safety of those using the facility and provides patrons with a more enjoyable experience as disruptive behavior is minimized.

FISCAL IMPACT: The funding source for this request is the enterprise fund's available reserves which were last certified at **\$634,810**.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of the Appropriation and Transfer order.

STAFF ASSISTANCE: Patti Machado, Recreation Director; Mark Milne, Director of Finance

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2019-208
INTRO: 06/06/19, 06/20/19

2019-208 AMEND CHAPTER 241 OF THE ADMINISTRATIVE CODE AND CHAPTER 401 OF THE ADMINISTRATIVE PROCEDURES TO EFFECTUATE AND CODIFY THE CONSOLIDATION OF THE TOWN TREASURER AND TOWN COLLECTOR POSITIONS

ORDERED: That the Town Council hereby amends Chapter 241 of the Administrative Code and Chapter 401 of the Administrative Procedures as follows:

Section 1.

In Chapter 241, Administrative Code, Article II, Elective Organization, §241-2, Offices and Standards:

By striking the words “a Town Collector” in §241-2A.

By striking the first sentence in §241-2E(1), Filling Vacancies and substituting in place thereof the following:

“(1). Town Clerk: If a vacancy occurs in the office of Town Clerk either by failure to elect or otherwise, the Town Council shall, within 30 days following the date such vacancy is declared to exist, act to fill the vacancy.”

Section 2.

In Chapter 241, Article II, Elective Organization, §241-6, The Barnstable Town Collector, by striking §241-6, in its entirety.

Section 3.

In Chapter 241, Article IV, Municipal Organization, §241-46, Offices and standards, by striking the first sentence of §241-46C (1), Coordination of department activities, and substituting in place thereof the following sentence:

“(1). The Town Manager, department directors, division managers, and the Town Clerk coordinate administrative and operational activities by meeting at least biweekly to discuss departmental activities, seeking coordination of activities to mitigate duplication of services where possible.”

Section 4.

In Chapter 241, Article IV, Municipal Organization, Town Manager, §241-47.1D(1)(Department Heads:

By striking §241-47.1D(1)(m) “A Town Collector”

By adding “/Collector” to §241-47.1D(1) (d), so §241-47.1D(1)(d), now reads “A Town Treasurer/Collector”.

Section 5.

In Chapter 241, Article IV. Municipal Organization, §241-47.5, Administrative Services Department:

By striking paragraph §241-47.5C(2) in its entirety and substituting in place thereof the following:

“(2). Town Accountant and Town Treasurer/Collector appointment. The Town Manager appoints a Town Accountant, who shall also serve as the Finance Director. The Town Manager also appoints a Town Treasurer/Collector. The Town Accountant operates pursuant to MGL c. 41, § 55, for the purpose of maintaining financial records, supervising and controlling all expenditures of Town funds, supervising a consolidated financial administrative function in accordance with MGL c. 71, § 37M, and all related work as required by law. The Town Treasurer/Collector is responsible for receipt of, and disbursement of, all monies of the Town. The Town Treasurer/Collector has all of the other powers and duties which are given to Town Treasurers and Collectors by MGL c. 41, §§ 35 through 43A.”

In the first sentence of §241-47.5C(3)(a), by striking the phrase “insurance policies” and substituting in place thereof the phrase “financial records”.

By striking §241-47.5C(4), Authorities and responsibilities of Town Treasurer, and substituting in place thereof the following:

“4. Authorities and responsibilities of Town Treasurer/Collector.

- a. The Town Treasurer/Collector receives and takes charge of all money and securities belonging to the Town. In accordance with the orders of the Town or its authorized officers, the Treasurer/Collector pays out and accounts for all disbursements on behalf of the Town. The Treasurer/Collector is responsible for annually rendering a true account of all receipts and disbursements.
- b. The Town Treasurer/Collector establishes and maintains an efficient cash management system, which includes monthly, quarterly projections of cash flow and disbursements. The Treasurer/Collector maintains professional investment policies and practices, and, with the approval of the Town Manager, is authorized to borrow monies for those projects authorized for funding by the Town Council. She/he is responsible for maintenance and operation of the Town's payroll system as well as the benefits management system, both coordinated with the Human Resources Department. The Town Treasurer/Collector pursues, with the assistance of the Town Attorney, all tax title processing.

- c. The Town Treasurer/Collector is responsible for the collection of all accounts due and payable to the Town. Town officials and Town agencies, from time to time, shall commit to the Town Treasurer/Collector for collection all accounts due and payable to the Town, listed against the parties obligated to assume and pay the same. The Town Treasurer/Collector shall pay over to the Fire and Water Districts all collections received for district taxes, liens and betterments with any sums received in interest. The Town Treasurer/Collector has all the powers and duties provided that office by the laws of the commonwealth, the Barnstable Town Charter, ordinance or other Town Council vote.”

By striking the first sentence of §241-47.5C(5)(c) and substituting in place thereof the following:

“(c) Treasury/Collector function. The functions of the Treasury/Collector include investment policies, cash management, debt management and the collection of all real estate taxes and personal property taxes; including those of the Fire Districts, motor vehicle and boat excise taxes and Business Improvement District taxes.”

By striking §241-47.5C(5)(g), Town Collector, in its entirety.

By adding in §241-47.5C(6)(a) directly after “Town Treasurer” each time it appears in said subparagraph “/Collector” so as amended it will read throughout said subparagraph “Town Treasurer/Collector.”

By adding a new subparagraph §241-47.5C(6)(d) as follows:

“(d) Other Organizations. The Division interacts with the Fire Districts and Business Improvement District as it relates to the billing and collection of all taxes for these organizations.”

Section 6.

Under Chapter 241, Article V, Administrative Policies and Procedures of Town Council, §241-51, Financial:

By striking under §241-51D(1)(d) the word “ten” and substituting in place thereof the word “five”.

By adding the phrase “Town Treasurer/” before the word “Collector” in paragraph §241-51D(4)(e).

Section 7.

In Chapter 401, Administrative Procedures, Article VIII, §401-89E, Hiring Relatives, strike the first sentence and substitute in its place the following:

“E. Hiring of relatives. The appointing authority, including the Town Manager and Town Clerk shall not hire a person related to him/her for any position.”

Section 8.

In Chapter 401, Administrative Procedures, Article XII, §401-202A, CONTROL EMPLOYEES, strike “Town Collector”.

SPONSOR: Jennifer Cullum, Councilor, Precinct 13

DATE	ACTION TAKEN
<u>06/06/19</u>	<u>Refer to Public Hearing 06/20/19</u>

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

BARNSTABLE TOWN COUNCIL

SUMMARY

ITEM #2019-208
INTRO: 06/06/19, 06/20/19

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Ruth Weil, Town Attorney
DATE: June 6, 2019
SUBJECT: Amend Chapter 241 of the Administrative Code and Chapter 401 of the Administrative Procedures to Effectuate and Codify the Consolidation of the Town Treasurer and Town Collector Positions

RATIONALE: The Town of Barnstable's Charter was changed to eliminate the elected office of Town Collector and replace it with an appointed official upon the expiration of the incumbent's term expiring in November 2019. The incumbent Town Collector's recent retirement offers the immediate opportunity for the town to restructure this operation and consolidate the staff with that of the Town Treasurer. The proposed consolidated operation will be managed by a Treasurer/Collector and the current Town Treasurer will assume oversight of the operation. The current Town Collector position will not continue.

The proposed new organization is a common practice among Massachusetts communities. The objectives of the new structure are to improve customer service and eliminate the significant backlog of work in the office. It is also intended to improve accountability and enhance the continuity of the operations, management expertise and the more efficient management of cash.

FISCAL IMPACT: The proposed Fiscal Year 2020 Operating Budget includes the funding necessary for the consolidated operation. The eliminated Town Collector position will be replaced with a lower graded Billing & Collection's Supervisor position.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of the consolidated Treasurer/Collector position.

STAFF ASSISTANCE: Ruth Weil, Town Attorney; Mark Milne, Director of Finance

A. OLD BUSINES (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2019-209
INTRO: 06/06/2019, 06/20/19

2019-209 ORDER TO CREATE A STABILIZATION FUND FOR COMPREHENSIVE WATER AND WASTEWATER MANAGEMENT

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.

SPONSOR: James H. Crocker Jr, President, Town Council; John G Flores, Vice President, Town Council

DATE	ACTION TAKEN
<u>06/06/19</u>	<u>Refer to Second Reading 06/20/19</u>

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Vote

BARNSTABLE TOWN COUNCIL

ITEM #2019-209
INTRO: 06/06/2019, 06/20/19

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Mark Milne, Director of Finance
DATE: June 06, 2019
SUBJECT: Creation of a Stabilization Fund for the Comprehensive Management of Water and Wastewater

RATIONALE: Significant resources are needed to address the challenges the town faces with the comprehensive management of its drinking water and wastewater needs. These will be the largest capital programs the town has ever managed.

Existing resources that have been dedicated for these purposes to date include 100% of the local meals tax and 33% of the local rooms tax generated from lodging establishments as well as the Host Community Payments to be received on the Vineyard Wind Project.

The town currently generates approximately \$3 million annually from existing meals and rooms taxes and \$16 million is to be received from the Host Community Payments. Additional resources are needed to address the town's Comprehensive Water Management Plan (CWMP) and the costs expected to be incurred from addressing emerging contaminants in drinking water and improvements to water infrastructure. Phase I estimates for the town's CWMP are projected to exceed \$200 million over the next 20 years and the town has incurred nearly \$20 million to date implementing drinking water system improvements associated with contaminants.

State law has recently been amended to expand the rooms excise tax to short-term rental properties and this proposal seeks to dedicate this new revenue source for these purposes.

FISCAL IMPACT: The expansion of the local rooms excise tax to short-term rentals must be credited to the General Fund with the exception of 33%, which by default, is credited to the town's Comprehensive Water Management and Private Way Improvement Fund. This proposal is to commit the other 67% of the rooms tax generated from short-term rentals to a Stabilization Fund as opposed to the General Fund.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends the creation of this fund.

STAFF ASSISTANCE: Mark Milne, Director of Finance

A. OLD BUSINES (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM # 2019-210
INTRO: 06/06/19, 06/20/19**

2019-210 ORDER TO RESCIND SECTION 184-12 UNDER ARTICLE II – COLLECTION OF SEWER USE CHARGES

ORDERED: That the Town Council hereby rescinds Section 184-12 under the town’s General Ordinances related to the proportionate share of sewer betterment costs assessments charges

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>06/06/19</u>	<u>Refer to Public Hearing 06/20/19</u>

-
- ___ Read Item
 - ___ Motion to Open Public Hearing
 - ___ Rationale
 - ___ Public Hearing
 - ___ Close Public Hearing
 - ___ Council Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2019-210
INTRO: 06/06/19, 06/20/19

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Mark Milne, Director of Finance
DATE: June 06, 2019
SUBJECT: Rescind Section 184-12 of the General Ordinances

RATIONALE: Section 184-12 was adopted by the town to address the cost sharing components of the Stewart's Creek area sewer expansion. At that time a 50% betterment subsidy was considered appropriate for that project. Future sewer expansion projects may need to have a variation in sewer assessment charges depending upon the cost of the project and the number of properties involved. In order for the town to determine an appropriate subsidy level and a corresponding sewer assessment charge for sewer expansions in the future it would be advantageous to determine this on a project by project basis. Some projects may require a higher subsidy level than others if opportunities for density do not present themselves thereby limiting the number of properties for which a project's cost can be apportioned.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends the rescission of this ordinance.

STAFF ASSISTANCE: Mark Milne, Director of Finance

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM # 2019-211
INTRO: 06/06/19, 06/20/19

2019-211 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,100,000 FOR THE BARNSTABLE HIGH SCHOOL SPORTS FIELDS UPGRADES

ORDERED: That the sum of **\$1,100,000** be appropriated and added to the amount appropriated under Town Council Order **2018-064** for the purpose of funding the construction and installation of a full size multi-use synthetic turf field, rest rooms, concession stand, picnic area, dugouts with storage, lighting, and improved parking and sidewalks, 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 **\$1,100,000** in addition to the amount authorized under Town Council Order **2018-064**, 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; and, further, that the Town Manager is authorized to accept any grants or gifts in relation thereto, and further ordered that **\$1,000,000** of borrowing authorized under Town Council Order **2019-095** on April 4th, 2019 for the Synthetic Turf Replacement Project, is hereby rescinded and that **\$100,000** of borrowing authorized under Town Council Order **2019-097** for the Barnstable High School Environmental Lab Project is hereby rescinded.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>06/06/19</u>	<u>Refer to Public Hearing 06/20/19</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2019-211
INTRO: 06/06/19, 06/20/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Meg Mayo-Brown, Superintendent of Schools
DATE: June 06, 2019
SUBJECT: Appropriation and Loan Order of **\$1,100,000** for the Barnstable High School Sports Fields Upgrades

BACKGROUND: The School Committee is requesting additional funding in the amount of **\$1,100,000** to provide funding for the building of press box, dugouts, restrooms and concession buildings at the Barnstable High School Sports Fields Complex. The funding would be redirected from Town Council order **2019-095** in the amount of **\$1,000,000** and Town Council Order **2019-097** in the amount of **\$100,000**.

ANALYSIS: Due to increased excavation and building construction costs, a budget shortfall exists on Phase I of this project. Updated cost estimates indicate that overall building structure costs including design/construction contingencies are estimated at **\$1,085,040**. The additional funding requested will be redirected from approved school projects that will be postponed and a school project that has received a grant. The synthetic turf replacement project under Town Council Order **2019-095** for **\$1,000,000** will be postponed and resubmitted as part of the FY21 Capital Improvement Program. The remaining **\$100,000** requested will be provided from Town Council Order 2019-097 for the Barnstable High School Environmental Lab Project. A grant for \$250,000 was recently awarded for this project reducing the amount of bond financing needed for the project.

FISCAL IMPACT: Funding for this acquisition will be provided from a General Obligation Bond Issue. The subsequent repayment of the bond will be provided for within the town's General Fund budget.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of the Appropriation and Loan Order.

STAFF ASSISTANCE: David Kanyock, Director of School Facilities; Mark Milne, Director of Finance

A. OLD BUSINESS (Public Hearing)(Roll call 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM # 2019-212
INTRO: 06/06/19, 06/20/19**

2019-212 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR THE CONSTRUCTION OF WATER INFRASTRUCTURE

ORDERED: That the sum of **\$1,000,000.00** be appropriated for the purpose of funding the construction of water infrastructure along portions of Phinney’s Lane, 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 **\$1,000,000.00**, 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; and, further, that the Town Manager is authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>06/06/19</u>	<u>Refer to Public Hearing 06/20/19</u>

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2019-212
INTRO: 06/06/19, 06/20/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: June 06, 2019
SUBJECT: Appropriation and Loan Order in the amount of **\$1,000,000** for the Construction of Water Infrastructure

BACKGROUND: The Town of Barnstable and Vineyard Wind have entered into a host agreement which allows Vineyard Wind to install approximately 5.4 miles of duct bank from Covell's Beach to Independence Park. Hyannis Water System's existing water main in Phinney's Lane is an asbestos-cement main that is over 50 years old and will need to be relocated to facilitate the proposed sewer project and the Vineyard Wind Project.

ANALYSIS: The Department of Public Works is seeking this funding to put the Town in position to begin water relocation infrastructure work as soon as design is completed. The project is currently in the design phase, which was funded by **Item # 2019-069** and design is anticipated to be completed in the fall. Vineyard Wind has indicated they intend to start construction in the late fall.

FINANCIAL IMPACT: Funding for this project will be provided from a bond issue. It is expected that one half of the annual debt service will be covered by the General Fund in the form of a transfer from the Capital Trust Fund in order to mitigate the impact on water rates as a result of this project.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of the appropriation and loan order.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public Works; Mark Milne, Director of Finance

A. OLD BUSINESS (Public Hearing) (Roll call 2/3 vote)

BARNSTABLE TOWN COUNCIL

**ITEM # 2019-213
INTRO: 06/06/19, 06/20/19**

2019-213 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$8,500,000 FOR THE CONSTRUCTION OF SEWER INFRASTRUCTURE

ORDERED: That the sum of **\$8,500,000.00** be appropriated for the purpose of funding the construction of sewer infrastructure along portions of Phinney’s Lane, Wequaquet Lane, Strawberry Hill Road and Craigville Beach Road, 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 **\$8,500,000.00**, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>06/06/19</u>	<u>Refer to Public Hearing 06/20/19</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2019-213
INTRO: 06/06/19, 06/20/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: June 06, 2019
SUBJECT: Appropriation and Loan Order in the amount of \$8,500,000 for the Construction of Sewer Infrastructure

BACKGROUND: The Town of Barnstable and Vineyard Wind have entered into a host agreement which allows Vineyard Wind to install approximately 5.4 miles of duct bank from Covell's Beach to Independence Park. The southern portion of this route, including portions of Phinney's Lane, Wequaquet Lane, Strawberry Hill Road and Craigville Beach Road, are targeted for sewer expansion by the Town's wastewater management plan. Due to the size of the proposed duct banks and accompanying electrical vaults, it is advisable from a construction perspective to install the sewer infrastructure prior to, or simultaneously with the duct banks. In addition, since the roadways will already be disturbed by Vineyard Wind, installing sewer prior to, or simultaneously with the duct bank installation will prevent future disruption to roadways and the adjacent property owners. There will also be significant cost saving realized as Vineyard Wind's host agreement requires them to repave the roads upon the completion of work.

ANALYSIS: The Department of Public Works is seeking this funding to put the Town in position to begin sewer infrastructure work as soon as design is completed. This appropriation will also allow the Town to seek outside funding assistance for the project. The project is currently in the design phase, which was funded by Town Council Order 2019-069 and design is anticipated to be completed in the fall. Vineyard Wind has indicated they intend to start construction in the late fall.

FINANCIAL IMPACT: Funding for this project will be provided from a bond issue. It is expected that all of the annual debt service will be covered by the Town's Comprehensive Water Management & Private Way Improvement Fund. Additionally, once the sewer expansion projects are completed in this area, assessments may be assessed to property owners benefitting from this project. There is no impact to the Department of Public Work's operating budget.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of this appropriation and loan order.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public Works; Mark Milne, Director of Finance

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2019-214
INTRO: 06/20 /2019**

**2019-215 RESOLVE SEEKING AMENDMENTS TO G.L. c. 32B FOR EMPLOYEES
RECEIVING ACCIDENTAL DISABILITY RETIREMENT BENEFITS**

RESOLVED: That the Town Manager is authorized to work with the Town of Barnstable’s legislative delegation to seek amendments to the provisions of M.G.L. c. 32B, the Massachusetts Public Employee Retirement System, to require mandatory yearly adjustments in benefits for employees receiving accidental disability retirement benefits to reflect the current cost of living.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2019-214
INTRO: 06/20 /2019

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Bill Cole, Director, Human Resources; Ruth Weril, Town Attorney
DATE: June 20, 2019
SUBJECT: Resolve seeking amendments to G.L. C. 32b for employees receiving Accidental Disability Retirement Benefits

BACKGROUND: This resolve will authorize the Town Manager to work with the Town of Barnstable's legislative delegation to seek amendments to the provisions of M.G.L. c.32B, the Massachusetts Public Retirement System, to require mandatory yearly adjustments in benefits for employees receiving accidental disability retirement benefits to reflect the current cost of living. Governmental employees who are injured on the job and are granted an accidental disability retirement, particularly early in their career in public service, often see their benefits not keep pace with the cost of living over time. Instead of having governmental entities attempt to address this issue on a case-by-case basis, the resolve would seek to address it for all public sector employers and individuals receiving accidental disability retirement benefits.

STAFF ASSISTANCE: Bill Cole, Director, Human Resources; Ruth Weril, Town Attorney

BARNSTABLE TOWN COUNCIL

**ITEM # 2019-215
INTRO: 06/20/19**

2019-215 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$3,000,000 FOR THE DESIGN, PURCHASE AND CONSTRUCTION OF INTERIM ACTIVATED CARBON FILTRATION UNITS AT THE STRAIGHTWAY AND MARY DUNN WELLFIELDS

ORDERED: That the sum of **\$3,000,000** be appropriated for the purpose of designing, purchasing and constructing interim activated carbon filtration units at the Straightway and Mary Dunn wellfields, including the payment of costs incidental or related thereto, and that to meet this appropriation, the Town Treasurer with the approval of the Town Manager, is authorized to borrow **\$3,000,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, 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, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE ACTION TAKEN

- ____ Read Item
- ____ Motion to Open Public Hearing
- ____ Rationale
- ____ Public Hearing
- ____ Close public hearing
- ____ Council discussion
- ____ Move/vote

BARNSTABLE TOWN COUNCIL

ITEM # 2019-215
INTRO: 06/20/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
DATE: June 18, 2019
SUBJECT: Appropriation and Loan order in the amount of **3,000,000** for the design, purchase and construction of interim activated carbon filtration units at the Straightway and Mary Dunn wellfields

BACKGROUND: In 2015, USEPA-mandated testing of the Hyannis Water System for Contaminants of Emerging Concern (CEC's) identified the presence of perfluorinated compounds in the Straightway and Mary Dunn wellfields.

On May 19, 2016, the USEPA announced the *final* Federal Health Advisory for perfluorinated compounds in drinking water. The new advisory level was significantly lower than the provisional level.

On June 12, 2018, the MassDEP issued an Office of Research and Standards Guideline (ORSG) for drinking water of 70 ppt for a combination of 5 PFAS compounds.

On April 17, 2019, the MassDEP announced the initiation of an administrative process to develop a drinking water standard of 20 ppt for a combination of 6 PFAS compounds.

As the result of this last MassDEP announcement the Hyannis Water System did initiate multiple rounds of water sampling and adjusted the well sequencing que.

To be able to deliver drinking water year round under the proposed new standard, interim activated carbon filtration systems will need to be installed at the Straightway and Mary Dunn wellfields.

At the present time the source of the CEC contamination has not been determined. The DEP has directed and is overseeing investigations at the Barnstable Municipal Airport and the Barnstable County Fire Training Academy to identify the source and potentially responsible parties

ANALYSIS: The DPW proposes to design, purchase and construct interim activated carbon filtration units to treat water out of the Straightway 1, Simmons Pond and Hyannis Port wells and the Airport well. The filter units will be set on a concrete pad for summer time use and will be drained and winterized.

The Hyannis Water Board at their regularly scheduled meeting on Tuesday, June 18th, 2019 voted unanimously to support this funding request.

FISCAL IMPACT: Funding for this project will be provided from a bond issue. The Fiscal Year 2020 Operating Budget will not be affected by this appropriation. The costs of operation of the treatment systems will be accounted for in the Fiscal Year 2021 Operating Budget. The annual rate study, which is conducted in the fall, will consider the annual debt service expense for the bond, and recommend adjustments to the rate structure during the FY2021 rate hearings.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of the appropriation and loan order.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public Works and Hans Keijser, Supervisor, Water Supply Division.

B. NEW BUSINESS (First Reading)

BARNSTABLE TOWN COUNCIL

**ITEM # 2019-216
INTRO: 06/20/19**

2019-191 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION:

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: Wendy Bierwith, 377 Wheeler Road, Marstons Mills, as a regular member to a term expiring 6/21; **Comprehensive Financial Advisory Committee:** Tracey Brochu, 225 Little River Road, Cotuit, as a regular member to a term expiring 6/22; **Golf Committee:** Susanne Conley, 32 Acorn Drive, Osterville as a regular member to a term expiring 6/22; **Hyannis Main Street Waterfront District Appeals Committee:** Mary-Ann Agresti, 68 Center Street, Hyannis, as a regular member to a term expiring 6/20; **Jane Eshbaugh Community Service Award Committee:** Susanne Conley, 32 Acorn Drive, Osterville as a regular member to a term expiring 6/21; **Youth Commission:** Luc-Andre Sader, c/o Hyannis Youth and Community Center, 141 Bassett Lane, Hyannis as a regular member to a term expiring 6/20

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (First Reading)

BARNSTABLE TOWN COUNCIL

ITEM # 2019-217
INTRO: 06/20/19

2019-217 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION:

RESOLVED: That the Town Council reappoints the following individuals to a multiple-member board/committee/commission: **Airport Commission:** Elizabeth Young as a regular member to a term expiring 6/30/22; James DellaMorte as a regular member to a term expiring 6/30/22; **Board of Health:** Donald Guadagnoli as a regular member to a term expiring 6/30/22; **Community Preservation Committee:** James Tenaglia as a recreation commission representative member to a term expiring 6/30/22; Marilyn Fifield as a historical commission representative member to a term expiring 6/30/22; **Comprehensive Financial Advisory Committee:** Lillian Woo as a regular member to a term expiring 6/30/22; Melanie Powers as a regular member to a term expiring 6/30/22; **Conservation Commission:** F.P Tom Lee as a regular member to a term expiring 6/30/22; Peter Sampou as a regular member to a term expiring 6/30/22; Louise Foster as a regular member to a term expiring 6/30/22; **Council on Aging:** Merrill Blum as an alternate member to a term expiring 6/30/22; Loni Monahan as a member to a term expiring 6/30/22; **Disability Commission:** Sabrina Kane as a regular member to a term expiring 6/30/22; Marc Brunco as a regular member to a term expiring 6/30/22; **Elderly & Disability Taxation Aid Committee:** William Murdoch as a regular member to a term expiring 6/30/22; **Golf Committee:** Richard Aliberti as a regular member to a term expiring 6/30/22; Geoffrey Converse as a regular member to a term expiring 6/30/22; **Historical Commission:** George Jessop, as a regular member to a term expiring 6/22; **Housing Committee:** Paula Breagy as a regular member to a term expiring 6/30/22; **Hyannis Main Street Waterfront Historic District Commission:** Cecelia Carey as an alternate business district member to a term expiring 6/30/22; Elizabeth Young as a regular member to a term expiring 6/30/22; Marina Atsalis as a regular member to a term expiring 6/30/22; **Infrastructure and Energy Committee:** Alison Alessi as a regular member to a term expiring 6/30/22; John Boyle as a regular member to a term expiring 6/30/22; **JFK Memorial Trust Fund:** Hugh Findlay as a regular member to a term expiring 6/30/22; William Murphy as a recreation commission representative member to a term expiring 6/30/22; **Land Acquisition and Preservation:** Farley Lewis as a regular member to a term expiring 6/30/22; Steve Gould as a regular member to a term expiring 6/30/22; **Licensing Authority:** David Hirsch as an associate member to a term expiring 6/30/22; Ronald Semprini as a regular member to a term expiring 6/30/22; David Nunheimer as a regular member to a term expiring 6/30/22; **Old Kings Highway:** George Jessop, as a Architect Representative member to a term expiring 6/22; **Planning Board:** Patrick Foran as a regular member to a term expiring 6/30/22; Walter Watson as a regular member to a term expiring 6/30/22; **Recreation Commission:** Joseph O'Brien as a regular member to a term expiring 6/30/22; Renee Dowling as a regular member to a term expiring 6/30/22; **Sandy Neck Board:** William Monroe as a member at large to a term expiring 6/30/22; William Carey as a member at large to a term expiring 6/30/22; **Shellfish Commission:** Paul Caruso as a member at large to a term expiring 6/30/22; Stuart Rapp as a member holding a family permit to a term expiring 6/30/22; **Trust Fund Advisory Committee:** William Murdoch as a civic association representative member to a term expiring 6/30/22; Christopher Ward as a regular member to a term expiring 6/30/22; Jonathan Gilmore as a member at large to a term expiring 6/30/22; **Waterways Committee:** Peter Cross

as a member to a term expiring 6/30/22; Frederick Komenda as a regular member to a term expiring 6/30/22;

Youth Commission: Officer Jean Challies as an advisory member to a term expiring 6/30/20; Morgan Contrino as a student member to a term expiring 6/30/20; Jenna Schmidt as a student member to a term expiring 6/30/20; Lily Beal as a student member to a term expiring 6/30/20; Connor Levesque as a student member to a term expiring 6/30/20; Piper Hunt as a student member to a term expiring 6/30/20; Alexandra Stamfl as a student member to a term expiring 6/30/20; Lucas McCauley as a student member to a term expiring 6/30/20; **Zoning Board of Appeals:** Paul Pinard as an associate member to a term expiring 6/30/22; Herbert Bodensiek as a regular member to a term expiring 6/30/22; Todd Walantis as an associate member to a term expiring 6/30/22

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

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