



Town Council Meeting
October 10, 2019



A quorum being duly present, Vice President John Flores called the October 10, 2019, 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 Flores 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, Jennifer Cullum, Debra Dagwan, John Flores, Jessica Rapp Grassetti, Paul Hebert, Matthew Levesque, Paul Neary, Paula Schnepf, James Tinsley, Jr., Philip Wallace **ABSENT:** James Crocker, Jr., and Eric Steinhilber,

PUBLIC COMMENT:

Eileen Elias spoke about Barnstable's "No Place for Hate" kick off at Cape Cod Community College, asked the councilors for a proclamation. Look forward to seeing everyone at the kickoff (Exhibit A)

Bo Chu asked the Town Councilors for help finding a place to rent, as he now has a voucher. He sang "Wouldn't it be Lovely."
Close public comment

COUNCIL RESPONSE TO PUBLIC COMMENT

We will review this information about "No Place for Hate", glad you have a voucher, many people signing the same tune.

COMPREHENSIVE WASTEWATER MANAGEMENT PLAN: Daniel Santos P.E., Director, Department of Public Works assisted by Assistant Director of Public Works, Rob Steen and Town Engineer, Griffin Beaudoin

Dan Santos, Department of Public Works Director used a Power Point presentation explaining this is a living document, with flexibility built in, being able to respond and address issues as they come up.

The first effort of Wastewater Planning started in 2015, this is now the latest version; this is a snapshot in time. Dan recognized many people who began this journey into what is now called the Comprehensive Wastewater Management Plan (CWMP). Going forward using the guiding concepts, the primary focus on nutrients and nitrogen; per federal law the municipalities have to meet certain regulations. Add to that the view has to be addressed on a watershed basis, which does not respect town boundaries; Popponessett Bay is fed by three towns.

Phase plan

Exploring all types of solutions

Building upon previous wastewater planning efforts

Utilized Town staff to create the plan

Other opportunities as they present themselves such as: Vineyard Wind, and Joint Base Cape Cod (JBCC)

CWMP Plan includes needs assessment, evaluation of alternatives, development of a plan, and finally, environmental review.

Needs Assessment by the parcels of the town to evaluate the nitrogen levels; there are 183 Ponds in Barnstable; what are our growth needs?

A watershed is where the ground water moves, sub watersheds are where we need to take action. Taking all the parcels in the watersheds is "Ultimate" build out, reasonably what is going to occur? We have to make sure the pipes are big enough and the pumps are big enough for the future.

Future policy issues

Handling of private roads

Governance of the sewer system (Sewer commissioners)

Approval of updated sewer use ordinance

Inter municipal Agreements

Councilor questions and comments:

Thank you for a job well-done. [Santos Part of the plan is communicate with the public, have set up four public meetings in a variety of locations to get the information out to the public] Starting with Merchants Way, what financial policies do we need to work on to help move this project along [financing is in place to get underway.] When would you be starting, [putting out to bid next month.] What is our job; to help facilitate this project; we have to toughen up, it is not all on you [working with the manager we will bring those things forth as needed; we are looking at making strict time lines to connect to the sewer] we have to look at where we can get money; public education, we are going to have to do a lot more of that; libraries; festivals in the town; so we have a shared vision going forth; what if we get access through other towns, how does that work? [If we are putting in a shared system, we would work it out with the other towns] partnering with other communities in shared watersheds how does that work? [two things that address that, we have an inter municipal agreement with Popponessett Bay area, having those agreements in place, makes sure each town follows the agreement; finally, we could ask DEP to come in if the individual town is not meeting their needs] revolving fund who is going to serve as the bank, the town or a separate entity [Mark Milne, Finance Director, one of the ideas to create a revolving loan fund for connection costs, the county has reached out to us or we could seek special legislation, but it would need a capital infusion] when we get CWMP approval, when can we get SRF funding [Milne, we are currently able to get SRF funding] Do we have the capacity to do this work with the other workload the town has [Santos, yes we are building our teams, so yes we will] Halls Creek watershed, no need for nitrogen removal [each water body can take on a certain amount of nitrogen before it kills off the eel grass, there is room in the Halls Creek to add more nitrogen] alternative measures can be a significant cost to homeowners, what is the differential [data suggests it has been very unsuccessful, currently in Falmouth, history is not good, a lot of these areas we need to remove the nitrogen, not just stop adding to it] Can we have more detail on some of the phase one and you put in chronological order [Steen, delineated how the best way to

execute these: policy discussions; opportunities due to Vineyard Wind; Old Strawberry Hill came to the forefront because of Vineyard Wind; then fill into the neighbor hoods; our desire is to get the backbones in first, we have to think about the amount of construction in the neighborhoods; we will be before you for your assent] some policy consideration, economic development; some of these decisions we may want to move up; how do the phases and the stages work together? [Steen, the stages are separate from the phases, Cotuit will be in three different chunks of time; even though it is the first stage, it can still be on a different timetable] In terms of the financing, how much are we going to be front ending [Steen, when we have the opportunity, are we going with JBCC, or are we going to go to the east; not until we know which avenue we are taking, we can then go forward as CIP projects] Lots of Marstons Mills is in phase three, I am a little concerned if we are waiting thirty years out and we have a 208 compliance [Santos, the stages will help take care of some of the estuaries.] Velocity zones are some areas that can flood, don't we have some issues on the north side right now [Santos, that area is sewerred] Does this plan take in consideration our water quality and contaminate issues [Steen, this is a snapshot in time, this plan is an adaptable plan] when we are launching such a huge project, we have to ask for a contact team, someone to help the people to make it happen effectively; should revisit Stewarts Creek area to compel people to hook up, and make sure the model we have before us, everyone has to hook up; [Santos we have learned from the past; we are learning our lessons, we take to heart all of those things, we are not going to make the same mistake twice, communication is vital to the residents] lack of supervision by the town on the contractors who were doing shoddy work, asking for more supervision as we go forward. This plan talks about 9,800 parcels in the town, we have 25,000 residential parcels in the town; total estimating construction costs; the cost of this plan needs to be shared with every parcel in this town; if we do it equitably, we are talking about changing zoning, bringing in more families, it could be shared with a larger amount of parcels; needs good communication, it might behoove us to create an elected sewer commission; it would allow more participation from the townspeople; hopeful for options on the western part of town; mitigation through non-traditional and traditional methods, is there a possibility that phase two may be less and the cost may be reduced due to the work done in Phase one; after we alleviate the nitrogen in the soil; [Santos, the phase two will still be flowing towards phase one which impacts the water body] Is it possible that we could have great success? [Santos, with the non-traditional solutions, it is possible that Phase three will not have to be done; but phase one and two need the sewer] everything in West Barnstable, is all on private wells and largely title five septic systems, the idea that we might have to spread the cost throughout the entire town, that notion is irresponsible. Most of my precinct is in phase three, talk in the past about the wastewater treatment facility at Barnstable United Elementary School is that put aside because of it being in phase three [Steen, the treatment plant, will convert to a pump station; will take almost all of phase one to get out there to get to it; so there is a time period; all of that is what flows down to the Marstons Mills river, holding out as long as possible if the nontraditional prove effective, that is why we used that time frame] The nontraditional methods, to take care o what is already in the ground, fully supportive of that; dredging of Mill pond. Cranberry bogs discussion at the Cape Cod Beer building. Precinct one, shows high nitrogen loading, what is causing that, [Santos, high density of septic systems in that one area] strong focus on issues around communications, quality oversight, all of these are policies that will be discussed down the road; at the end of the day, what is it going to cost me. Could you explain what ocean outfall discharging means? We do need to find a better way to communicate to our public, how are we gong to reach the people, is there something that we as a council can do to help that; come up with some solutions; putting up signs; is there any new research looking at neutralizing nitrogen; [Santos, ocean outfall

discharge is where we would pipe out the treated effluent miles out into the ocean] The easements across people's property, they need to know ahead of time? What we would be looking at; does the staging and the phasing occur concurrently [Steen, not related, the phases are 10, 20, 30 years; the stages are on a different time line, we will know more when we know if we will be using the western or eastern solution] effluent solution with JBCC or with Yarmouth, [yes]; Thought decision on the financing, phase one has two projects going to construction this fiscal year, we have not made any funding decisions; [Santos, one is on a grant and the other you did make a decision] so that is the initial infrastructure, [Yes] So the first one is Strawberry Hill Road, what is your best time frame for funding [sooner rather than later] would we have the ability to make this work more quickly [based on financing and what we can do in that time frame].

2020-038 RESOLVE IN SUPPORT OF AN INTERMUNICIPAL AGREEMENT BETWEEN BARNSTABLE, SANDWICH, AND MASHPEE FOR THE PURPOSE OF THREE BAY WATERSHED PERMITTING INTRO: 10/10/19

Mark Ells, Town Manager gave the rationale

Councilor questions and comments:

Do you have the percentages of contributions [I can get them to you] 79% for Barnstable, Sandwich is 19%;

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council approves the execution and delivery by the Town Manager on behalf of the Town of an Intermunicipal Agreement to include a maximum duration of twenty-five years between the Towns of Barnstable, Sandwich and Mashpee to jointly apply for a permit for the Three Bays system pursuant to the 208 Plan update and Chapter 259 of the Acts of 2014 and any future requirement pursuant to 315 C.M.R. 5.00.

VOTE: PASSES UNANIMOUS

2020-039 RESOLVE IN SUPPORT OF AN INTERMUNICIPAL AGREEMENT BETWEEN BARNSTABLE AND YARMOUTH FOR THE PURPOSE OF LEWIS BAY WATERSHED PERMITTING INTRO: 10/10/19

Mark Ells, Town Manager gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council approves the execution and delivery by the Town Manager on behalf of the Town of an Intermunicipal Agreement to include a maximum duration of twenty-five years between the Towns of Barnstable and Yarmouth to jointly apply for a permit for the Lewis Bay system pursuant to the 208 Plan update and Chapter 259 of the Acts of 2014 and any future requirement pursuant to 315 C.M.R. 5.00.

VOTE: PASSES UNANIMOUS

2020-040 RESOLVE AUTHORIZING THE TOWN MANAGER TO COMMENCE NEGOTIATIONS WITH VINEYARD WIND, LLC REGARDING AMENDMENTS TO THE HOST COMMUNITY AGREEMENT BETWEEN THE TOWN OF BARNSTABLE AND VINEYARD WIND, LLC INTRO: 10/10/2019

Mark Ells, Town Manager gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: that the Town Council authorizes the Town Manager to commence negotiations with Vineyard Wind, LLC, regarding amendments to the Host Community Agreement executed between the Town of Barnstable and Vineyard Wind, LLC, which amendments may include, but shall not be limited to, the specific task of adding an option for a Phase III project in Barnstable.

VOTE: PASSES UNANIMOUS

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED TO ADJOURN:

Adjourned at 9:30 PM

Respectfully submitted,

Ann M. Quirk

Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: November 7, 2019

EXHIBITS:

A. Draft Proclamation for No Place for Hate