



Town Council Meeting  
May 19, 2022



A quorum being duly present, President Matthew Levesque called the May 19, 2022, Town Council meeting to order at 7:04 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, Kristine Clark, Jennifer Cullum, Jessica Rapp Grasseti, Paul Hebert, Matthew Levesque, Jeffrey Mendes, Paul Neary, Paula Schnepf, Tracy Shaughnessy, Gordon Starr, Eric Steinhilber

The Pledge of Allegiance was led by Councilor Atsalis. President Levesque followed with a moment of silence asking for all to remember the Ukraine and all other countries struggling. He hoped we would all keep peace for all in our thoughts and prayers.

**PUBLIC COMMENT:**

Mary St. George a member of the Friends of Centerville Bog allocated her speaking time to Matt Dupuy.

Scott Lee allocated his remaining time to Matt Dupuy.

Robert Ward allocated his remaining time to Matt Dupuy.

President Levesque asked Karen Nober, Town Attorney if allocating of the speaking time was a proper use at Public Comment. She indicated it was up to the Council to allow. President Levesque asked Matt Dupuy how much time would he need to discuss the Centerville Bog Issue. Matt Dupuy said it would be 4 to 6 minutes.

Matt Dupuy discussed the 16 acres that comprised the cranberry bog. He noted the bog was shaped similar to that shape of the country of Africa. He spoke about the prior use of the private property with neighbors utilizing the bog as a walk way/dog walk way. He felt the bog should be preserved as Open Space because it seems to get more recreational use than any other piece of land in Barnstable. He explained the Town's first right of refusal on the land and the agricultural taxes levied for the last few years. He mentioned research that was sent to Mark Ellis, Town Manager who had a meeting with the Friends of Centerville Bog. He hoped the Town would work with the Barnstable Land Trust to preserve this land.

Robert Ward agreed with Matt Dupuy. He felt the Town should purchase or assign the land to the Barnstable Land Trust.

Robert Indresano asked for a restart on Statute 61A - Assessment and Taxation of Agricultural

and Horticultural Land - regarding the cranberry bog.

Rob Boone felt the seller did not comply with Statute 61A which now means it is a defective title.

Meaghan Mort spoke about comments regarding her as not worthy to being on the Local Comprehensive Planning Committee (LCPC). She felt she is worthy and as a year-round renter has perspective that is needed on the planning committee. She thanked Council for approving her application.

Close Public Commit

**Response to Public Comment:**

(Atsalis) said he was embarrassed and ashamed that Meaghan Mort was deemed unworthy to serve on the LCPC. He felt the language and conversation was arrogant and high handed.

(Cullum) agreed with Atsalis. She added Meaghan Mort is a demographic that is usually not heard. She advocated for all voices to be heard.

(Hebert) Explained that the Council was listening and Meaghan Mort was being heard. He said rents are going up in price and felt the need to recognize the housing crisis in Barnstable.

(Levesque) Meaghan Mort is quite worthy and has a wise perspective and journey. It is important to hear her stories and to help support each other in the community. If one is unworthy then we are all unworthy. It is unfortunate this incident happened.

(Shaughnessy)She addressed the Cranberry Bog issue. She said the sellers; the Jenkins Family were gracious to allow the neighborhood to utilize their personal property. Now Jenkins family has sold it and she hoped the community remembered this kindness.

**Town Manager's Report**

Town Manager Mark Ells spoke about the July 4<sup>th</sup> Fireworks. He explained the Massachusetts Wildlife would not allow the July 4<sup>th</sup> fireworks go on as scheduled. The fireworks occur in the Lewis Bay which is close to a Plover and Tern nesting area. He had spoken with Derek Lawson, Director of Marine and Environmental Affairs regarding moving the fireworks display to September. This change would allow for the Plovers and Terns to nest and the fireworks in September is not during nesting season. He said the Town has exercise its right to have the fireworks in September and will look at other options to hold the display.

(Atsalis) Is this going to be a challenge every July? (Ells) Yes but we will look at every option.

Town Manager Mark Ells is forgoing his Town Manager Communications this evening, it is available on the website and attached to these minutes.

**ACT ON MINUTES:**

Upon a motion duly made and seconded it was to accept the minutes of May 5, 2022 as presented.

**VOTE: PASSES 11 YES 1 ABSTAIN (STARR)**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Steinhilber.**

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

(Clark) Mention the Spring Walking Weekend June 3<sup>rd</sup> – June 5<sup>th</sup> please go to the website for details. She said it had been an honor and a privilege to have served with Councilor David Bogan.

(Shaughnessy) mentioned the UCLA Memory Training with Barnstable Council On Aging – Innovative course to Improve memory sessions at the Osterville library. She said it was a fun class with lots of exercise.

(Levesque) Discussed Councilor David Bogan's (Precinct 5 – Osterville) May 17<sup>th</sup> letter of resignation given to the Town Clerk. He has moved to Sandwich and submitted his resignation. He thanked David Bogan for his input and wisdom. Best of luck for the future.

(Hebert) Asked about the precinct election. (Murphy) explained the Town Clerk Ann Quirk had spoken to the Secretary of State's Office regarding the election. The possible date for the precinct election was September 6<sup>th</sup> but Council needed to set the date before anything was official. Once the date was set for the election then certification papers would be available.

Break 7:59 pm – 8:08 PM

- **Joint Base Cape Cod Commanders Brief:**

BG (RET) Chris Faux, Executive Director, Joint Base Cape Cod  
CAPT Rob Potter, Commanding Officer, Coast Guard Air Station Cape Cod  
CAPT Sean Hannigan, Commanding Officer, Coast Guard Base Cape Cod  
COL Matt Porter, Commander, Army National Guard Camp Edwards  
COL Sean Riley, Air Force 102d Intel Wing Commander  
LT COL Timothy "Skip" Sheehan, Space Force 6SWS Commander

Colonel Tim Gordon gave an overview utilizing a PowerPoint presentation. He discussed the full scale; joint-use base was home to the five military commands training for missions domestic and international.

Lieutenant Colonel Skip Sheehan updated the Council on the Space Force Station. He discussed the missile warning activities and the tracking of 45,000 objects in space. Captain Rob Potter briefed the Council on the Coast Guard Air Station. He spoke about the sea rescues and the drug enforcement activities. Captain Sean Hannigan spoke about the Coast Guard base Cape Cod. Colonel Matt Porter discussed Camp Edwards the Army side of the Joint Base.

**Councilor questions and comments:**

(Clark) Thank you for your service and where can we find the dates for the Joint Cape Cod Base tours? (Potter) Please check our website. (Rapp Grassetti) What is the status of the application for wastewater treatment plant? (Gordon) The agreement is with the Secretary of the Air Force.

President Levesque read the following:

**EXECUTIVE SESSION**

The Town Council will enter executive session pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation since a discussion in open session may have a detrimental effect on the litigating position of the Town and Town Council. Specifically, the Council will discuss two matters: (1) a potential lawsuit to be filed by the Town against Susan Jenkins, Trustee of the Jenkins Nominee Trust, and Sam Slater, the Seller and Buyer, respectively, of the four parcels of land located in Centerville, MA, and known as 1246 Bumps River Road, 1271 Bumps River Road, Bumps River Road and Marie-Ann Terrace, regarding claims under G.L. c. 61A; and (2) a lawsuit filed against the Town by TJA Clean Energy, LLC regarding claims under G.L. c. 40A, § 3(9).

8:47 pm – 10:23 pm

### Returned to Open Session

<b>2022-034</b>	<b>AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I, GENERAL ORDINANCES, CHAPTER 240 ZONING BY EXPANDING THE GROUND-MOUNTED SOLAR PHOTOVOLTAIC OVERLAY DISTRICT TO INCLUDE THE PROPERTY LOCATED AT 810 WAKEBY ROAD, MARSTONS MILLS (ASSESSORS' MAP 013 PARCELS 004, 005, 052) AND BY REQUIRING A SPECIAL PERMIT FOR LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS LOCATED WITHIN ANY RESIDENTIAL DISTRICT LOCATED WITHIN THE OVERLAY DISTRICT INTRO: 10/07/2021, 05/19/2022</b>
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Elizabeth Jenkins, Director of Planning and Development turned it over to Jim Kupfer, Senior Planner gave the rationale. He utilized a PowerPoint presentation.

#### Public Comment:

Rob Wilson supported solar energy.

Anne Salas was opposed to the solar. She read aloud from a letter from Nancy Minnegorode.

Upon a motion duly made and seconded it was move beyond 11o'clock for this Council meeting

**VOTE: PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

Mike Ford, Attorney for the applicant discussed the Planning Board's withdrawal due to concerns with the battery storage. Kristin McDonough inquired about a spot zone and suggested not striking the deal the TJA.

#### **Councilor questions and comments:**

(Clark) Is this PowerPoint presentation on the website? (Kupfer) Yes.

(Schnepf) Planning Board visited the site given the abutters concerns will there be an opportunity for Town Council to visit the site? (Ford) Will speak with clients. (Starr) There is no benefit for Town

Upon a motion duly made and seconded it was

**ORDERED:** That the Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning be amended as follows:

### **SECTION 1**

That Chapter 240, Article II, Section 6, The Zoning Map of the Town of Barnstable Massachusetts is hereby amended to expand the Ground-Mounted Solar Photovoltaic Overlay

District to include the parcels shown on Assessors' Map 013 as Parcels 004, 005, and 052 as shown on the maps entitled;

- “Proposed Amendment to the Town Zoning Map Expanding the Ground Mounted Solar Photovoltaic Overlay District In Marstons Mills”
- “Proposed Amendment to the Marstons Mills Zoning Map expanding the Ground Mounted Solar Photovoltaic Overlay District In Marstons Mills”

Each dated October 1, 2021, as prepared by the Town of Barnstable Geographical Information System (GIS) Unit.

## **SECTION 2**

- (1) By amending the definition of **AS-OF-RIGHT-SITING** in Section D of Article V, Section 240-44.2, Ground-Mounted Solar Photovoltaic Overlay District, by deleting the first sentence and inserting the following new sentence in place thereof:

“The ground-mounted solar photovoltaic installation may proceed without the need for a special permit, variance, amendment, waiver or other local discretionary approval, except that a special permit shall be required when located in a residential zoning district.”

- (2) By inserting the following definition of **HAZARDOUS PRODUCT** in said Section D immediately after the definition of **GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION:**

### **“HAZARDOUS PRODUCT**

Any chemical or combination of chemicals which, in any form, is listed by trade name, chemical name, formula or otherwise as a product which is a hazard to public drinking water supplies if concentrations beyond a certain level are achieved therein. ‘Hazardous product’ shall also include any product for which there is any listing, declaration, or announcement in any form issued by the United States Environmental Agency, the Massachusetts Department of Environmental Protection, or by any other government agency having direct or indirect jurisdiction over public water supplies that such product is such a hazard or is a product known as an “emerging contaminant” suspected as being capable of being a carcinogen.”

## **SECTION 3**

By amending Subsection (1) of Section E of Article V, Section 240-44.2 by adding the following sentence to the end of such subsection:

“Any ground-mounted, large-scale solar photovoltaic installation with 250 kw or larger of rated nameplate capacity located in a residential zoning district shall also be required to obtain a special permit from the Planning Board in accordance with Subsection (3).”

## **SECTION 4**

By further amending Section E of Article V, Section 240-44.2 by adding the following new Subsection (3):

- (3) Special Permit Provisions.

A Special Permit shall be granted by the Planning Board if the Planning Board determines the following criteria have been met.

- (a) Site Plan Approval in accordance with subsections (1) and (2).
- (b) Adequate measures to contain and suppress noise and sound as deemed appropriate by the Planning Board, including, but not limited to, minimum 75-foot setback from all residential abutter property lines to the Ground-Mounted Solar Photovoltaic Installation.
- (c) Vegetative and/or hardscape screening with coniferous planting and earth berms of sufficient height, as determined by the Building Commissioner, to screen adjoining residential properties from the Ground-Mounted Solar Photovoltaic Installation.
- (d) Federal Aviation Administration (FAA) approval of Solar Glare Study, if such a study is deemed necessary by the FAA.
- (e) Cape Cod Commission approval as required.
- (f) Full disclosure of all hazardous products proposed to be used at any time at a project site shall be provided in writing to the Planning Board with the Special Permit application; no application for a special permit shall be considered complete until such disclosure is submitted to the Planning Board. No such hazardous materials shall be deployed or used at any time at a project site without approval of the Special Permit by the Planning Board.
- (g) Use, storage and containment of hazardous materials shall comply with all Federal, State, Regional, and local codes and regulations, including building, fire, and health codes.
- (h) Compliance with any other criteria found by the Planning Board as necessary to protect the public health, safety or welfare, which may include, without limitation, the revocation of any prior permits and previous uses that benefit the project site.”

## **SECTION 5**

By amending Section I of Article V, Section 240-44.2 by deleting Section I in its entirety and inserting the following new Section I in its place:

- “1. Dimensional requirements. Ground-mounted solar photovoltaic installations are subject to the front, side and rear yard setbacks as set forth in the underlying zoning district(s), except that any ground-mounted, large-scale solar photovoltaic installation with 250 kw or larger of rated nameplate capacity located in a residential zoning district shall maintain a minimum 75-foot setback from all abutting residential property lines to contain noise as sound, as required by Subsection (3) (b).”

## **SECTION 6**

By amending Section L of Article V, Section 240-44.2 by adding the following subsections after subsection 2(c):

- (3) Federal Aviation Administration (FAA) approval of Solar Glare Study is required, if such a Study is deemed necessary by the FAA.
- (4) The project proponent shall provide full disclosure of all hazardous products proposed to be used at any time at a project site shall be provided in writing to the Building Commissioner with the Site Plan Review application; no application for Site Plan Review shall be considered complete until such disclosure is submitted to the Building Commissioner. No such hazardous materials shall be deployed or used at any time at a project site without Site Plan approval.
- (5) Use, storage and containment of hazardous materials shall comply with all Federal, State, Regional, and local codes and regulations, including building, fire, and health codes.
- (6) The project shall demonstrate compliance with any other criteria found by the Building Commissioner as necessary to protect the public health, safety or welfare, which may

include, without limitation, the revocation of any prior permits and previous uses that benefit the project site.”

**VOTE: TO OPEN AND CONTINUE TO AUGUST 18<sup>TH</sup> 2022 TOWN COUNCIL MEETING  
PASSES 12 YES**

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

**2022-134 ORDER PURSUANT TO M.G.L. CHAPTER 40A, SECTION 5 SUBMITTING TO THE PLANNING BOARD A PROPOSED ZONING AMENDMENT ESTABLISHING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF LARGE SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC SYSTEMS INTRO: 02/17/2022, 05/19/2022**

Jim Kupfer, Senior Planner gave the rationale. He utilized a PowerPoint presentation. He discussed the Citizen Petition regarding this moratorium.

Open Public Hearing

**Public Comment:**

Anne Salas asked the Legal Department to investigate on whether a prohibition on battery energy storage systems in all zones will hold up to a legal challenge. Having the battery storage close to our homes is very concerning.

Rob Wilson who was a neighborhood and abutter to a previous solar array system that was put into Barnstable I moved because the existing activity on the land continued. I am supportive of the solar energy.

Close Public Hearing

**Councilor questions and comments:**

(Connolly) Regarding the citizen petition does elicit 2 questions: does the Town have the authority to adopt a moratorium ordinance and the language of the citizen petition is this legal? Municipalities do have Home Rule Powers under an amendment to the Constitution. This allows us to adopt more stringent ordinances provided they are not inconsistent with state law. However a municipality does not have the authority to impose development moratorium with unlimited amount of time or without a basis for study. Notwithstanding there are 2 areas of language in the Citizen’s Petition that would not stand a legal challenge: the language 150 percent of the documented average use which would be labeled void for vagueness and the open ended undefined timeline. Recommendation regarding the citizen petition was not to adopt this moratorium as written. (Schnepf) Could petition come back? (Connolly Yes if the petition is substantially different and it would be up to the Planning Board.(Starr) Planning Board can write their own moratorium and the Town can set aside time to study the item. (Connolly) Yes this does not have to be a Citizen Petition.

Upon a motion duly made and seconded it was to move the question.

(Schnepf) What are we voting for? (Nober) This is a vote to take a vote on the merits. You will subsequently vote after the vote to move the question.

**PASSES 12 YES**

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

(Schnepf) Could we have clarification on what we are voting for? (Nober) Voting to Submit to Planning Board for review which already happened.

Break – Go back to Motion

McLaughlin gave the language: entertain a motion to amend 2022-134 the order to affirmative moratorium as printed. (Nober) Motion to amend item 2022-134 to approve the moratorium as written, a yes vote will approve it, a no vote will not approve it.

Upon a motion duly made and seconded it was to withdraw move the question.

**PASSES 12 YES**

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

Upon a motion duly made and seconded it was to amend 2022-134 to approve moratorium as submitted

**PASSES 12 YES**

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

Upon a motion duly made and seconded it was AS AMENDED 2022-134 to approve moratorium as submitted

**ORDERED:** That the attached two-page proposal to amend the Town's Zoning Ordinance to establish a Temporary Moratorium on the Construction of Large Scale Ground Mounted Solar Photovoltaic Systems" submitted to the Town Council on February 9, 2022 by 10 registered voters is hereby submitted to the Planning Board for review pursuant to the provisions of M.G.L. Chapter 40A, Section 5.

**VOTE: FAILED 12 NO**

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

<b>2022-157</b>	<b>APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION: INTRO:</b>
<b>05/05/2022, 05/19/2022</b>	

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: **Shellfish Committee:** William Cherepon, as a Member at Large, to a term expiring 06/2025; **Steamship Authority Port Council:** Roland Breault, as a Town of Barnstable Representative Member, to a term expiring 12/31/2023.

**VOTE: PASSES 12 YES**

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

Upon a motion duly made and seconded it was move agenda items 2022-160 thru 2022-183 To the 06/02/2022 meeting

**VOTE: PASSES 12 YES**

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

<b>2022-160</b>	<b>APPROPRIATION ORDER IN THE AMOUNT OF \$8,936,473 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 AIRPORT ENTERPRISE FUND BUDGET INTRO: 05/19/2022</b>
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Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$8,936,473** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Airport Enterprise Fund budget, and to meet such appropriation that



**\$8,936,473** be raised from current year revenues by the Airport Enterprise Fund, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

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

**2022-161 APPROPRIATION ORDER IN THE AMOUNT OF \$76,781,611 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 BARNSTABLE PUBLIC SCHOOLS BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$76,781,611** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Barnstable Public Schools Budget, and to meet this appropriation that **\$76,781,611** be raised from current year revenues, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

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

**2022-162 APPROPRIATION ORDER IN THE AMOUNT OF \$16,423,419 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 BARNSTABLE POLICE DEPARTMENT BUDGET**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$16,423,419** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Barnstable Police Department Budget; and to meet such appropriation that **\$16,423,419** be raised from current year revenues, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

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

**2022-163 APPROPRIATION ORDER IN THE AMOUNT OF \$2,203,860 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 PLANNING AND DEVELOPMENT DEPARTMENT BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$2,203,860** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Planning and Development Department budget, and to meet this appropriation that **\$1,981,560** be raised from current year revenues, that **\$45,000** be provided from the Wetlands Protection Special Revenue Fund, and that **\$177,300** be provided from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

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

**2022-164 APPROPRIATION ORDER IN THE AMOUNT OF \$2,392,497 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 COMMUNITY SERVICES DEPARTMENT GENERAL FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$2,392,497** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Community Services Department General Fund Budget; and to meet such

appropriation that **\$2,392,497** be raised from current year revenues, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

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

**2022-165 APPROPRIATION ORDER IN THE AMOUNT OF \$3,469,498 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 GOLF COURSE ENTERPRISE FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$3,469,498** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Golf Course Enterprise Fund budget; and to meet such appropriation that **\$3,029,821** be raised from Enterprise Fund revenues, that **\$288,200** be transferred from the set-aside for recreation and open space within the Community Preservation Fund, and that **\$151,477** be provided from the Golf Course Enterprise Fund reserves, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

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

**2022-166 APPROPRIATION ORDER IN THE AMOUNT OF \$3,362,110 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 HYANNIS YOUTH AND COMMUNITY CENTER ENTERPRISE FUND BUDGET**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$3,362,110** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Hyannis Youth and Community Center Enterprise Fund budget; and to meet such appropriation that **\$323,157** be raised from Enterprise Fund revenues, that **\$1,391,458** be raised in the General Fund, that **\$1,234,875** be transferred from the Capital Trust Fund, and that **\$412,620** be provided from the Hyannis Youth and Community Center Enterprise Fund reserves, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

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

**2022-167 APPROPRIATION ORDER IN THE AMOUNT OF \$1,439,303 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 MARINE & ENVIRONMENTAL AFFAIRS DEPARTMENT GENERAL FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$1,439,303** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Marine & Environmental Affairs Department General Fund budget, and to meet such appropriation, that **\$1,091,303** be raised from current year revenue and that **\$348,000** be provided from the Waterways Special Revenue Fund, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

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

**2022-168 APPROPRIATION ORDER IN THE AMOUNT OF \$785,442 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 MARINA ENTERPRISE FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$785,442** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Marina Enterprise Fund Budget; and to meet such appropriation that **\$645,361** be raised from Enterprise Fund Revenues, that **\$45,400** be provided from the Capital Trust Fund, that **\$30,000** be raised in the General Fund, and that **\$64,681** be provided from the Marina Enterprise Fund Reserves as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-169 APPROPRIATION ORDER IN THE AMOUNT OF \$973,203 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 SANDY NECK PARK ENTERPRISE FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$973,203** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Sandy Neck Park Enterprise Fund Budget; and to meet such appropriation that **\$866,186** be raised from Enterprise Fund Revenues, and that **\$107,017** be provided from the Sandy Neck Enterprise Fund Reserves, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-170 APPROPRIATION ORDER IN THE AMOUNT OF \$2,400,693 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 INSPECTIONAL SERVICES DEPARTMENT BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$2,400,693** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Inspectional Services Department Budget, and to meet such appropriation, that **\$2,400,693** be raised from current year revenue as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-171 APPROPRIATION ORDER IN THE AMOUNT OF \$10,859,063 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 DEPARTMENT OF PUBLIC WORKS GENERAL FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$10,859,063** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Department of Public Works General Fund Budget, and to meet such appropriation, that **\$10,775,923** be raised from current year revenue, that **\$56,320** be provided from the Embarkation Fee Special Revenue Fund, and that **\$26,820** be provided from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-172 APPROPRIATION ORDER IN THE AMOUNT OF \$3,373,191 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 DEPARTMENT OF PUBLIC WORKS SOLID WASTE ENTERPRISE FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$3,373,191** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Department of Public Works Solid Waste Enterprise Fund budget, and to meet such appropriation that **\$3,301,814** be raised from the Enterprise Fund revenues, and that **\$71,377** be provided from the Solid Waste Enterprise Fund reserves, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-173 APPROPRIATION ORDER IN THE AMOUNT OF \$4,404,025 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 DEPARTMENT OF PUBLIC WORKS WATER POLLUTION CONTROL ENTERPRISE FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$4,404,025** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Department of Public Works Water Pollution Control Enterprise Fund budget, and to meet such appropriation that **\$4,404,025** be raised from the Enterprise Fund revenues, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-174 APPROPRIATION ORDER IN THE AMOUNT OF \$7,910,121 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 DEPARTMENT OF PUBLIC WORKS WATER SUPPLY ENTERPRISE FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$7,910,121** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Department of Public Works Water Supply Enterprise Fund Budget, and to meet such appropriation that **\$7,234,871** be raised from the Enterprise Fund Revenues, that **\$634,000** be provided from the Water Stabilization Fund, that **\$41,250** be provided from the Capital Trust Fund, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-175 APPROPRIATION ORDER IN THE AMOUNT OF \$3,945,923 FOR THE PURPOSE OF FUNDING THE FISCAL YEAR 2023 COMPREHENSIVE WASTEWATER MANAGEMENT PLAN OPERATING BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$3,945,923** be appropriated for the purpose of funding the Fiscal Year 2023 Comprehensive Wastewater Management Plan Operating Budget, and to meet such appropriation, that **\$3,945,923** be provided from the Sewer Construction and Private Way Maintenance and Improvement Fund Reserves, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-176 APPROPRIATION ORDER IN THE AMOUNT OF \$285,992 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 TOWN COUNCIL BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$285,992** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Town Council Budget and to meet such appropriation, that **\$285,992** be raised from current year revenue, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-177 APPROPRIATION ORDER IN THE AMOUNT OF \$1,348,165 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 TOWN MANAGER BUDGET TOWN MANAGER DEPARTMENT INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$1,348,165** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Town Manager Budget and to meet such appropriation, that **\$1,348,165** be raised from current year revenue, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-178 APPROPRIATION ORDER IN THE AMOUNT OF \$870,427 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 PUBLIC, EDUCATION & GOVERNMENT (PEG) ACCESS CHANNELS ENTERPRISE FUND BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$870,427** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Public, Education & Government (PEG) Access Channels Enterprise Fund budget, and to meet such appropriation, that **\$870,427** be raised from the PEG Enterprise Fund revenues, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-179 APPROPRIATION ORDER IN THE AMOUNT OF \$6,645,590 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 ADMINISTRATIVE SERVICES DEPARTMENT BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$6,645,590** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Administrative Services Department Budget, and to meet such appropriation, that **\$6,645,590** be raised from current year revenue, as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-180 APPROPRIATION ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE TOWN COUNCIL'S FISCAL YEAR 2023 RESERVE FUND INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$250,000** be appropriated for the purpose of funding the Town Council's Fiscal Year 2023 Reserve Fund and to meet such appropriation, that **\$250,000** be provided from the General Fund Reserves.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-181 APPROPRIATION ORDER IN THE AMOUNT OF \$54,084,840 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2023 OTHER REQUIREMENTS BUDGET INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$54,084,840** be appropriated for the purpose of funding the Town's Fiscal Year 2023 Other Requirements Budget, and to meet such appropriation, that **\$46,193,354** be raised from current year revenue, that **\$210,000** be provided from the Pension Reserve Trust Fund, that **\$6,798,286** be provided from the Capital Trust Fund, that **\$43,680** be provided from the Embarkation Fee Special Revenue Fund, that **\$39,520** be provided from the Bismore Park Special Revenue Fund, and that the sum of **\$800,000** be transferred from the General Fund Reserves, all for the purpose of funding the Town's Fiscal Year 2023 General Fund Other Requirements Budget as presented to the Town Council by the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-182 APPROPRIATION ORDER IN THE AMOUNT OF 4,453,254 FOR THE PURPOSE OF FUNDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, THE FOLLOWING SUMS OF THE ANNUAL REVENUES OF THE COMMUNITY PRESERVATION FUND \$546,161 FOR OPEN SPACE AND RECREATION; \$546,161 FOR HISTORIC RESOURCES; \$546,161 FOR COMMUNITY HOUSING; \$2,614,771 FOR A BUDGET RESERVE, AND THAT THE SUM OF \$200,000 BE APPROPRIATED FROM THE ANNUAL REVENUES OF THE COMMUNITY PRESERVATION FUND FOR THE ADMINISTRATIVE EXPENSES OF THE COMMUNITY PRESERVATION COMMITTEE INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of General Law Chapter 44B Section 6, for the Fiscal Year beginning July 1, 2022, the following sums of the Annual Revenues of the Community Preservation Fund be set aside for further appropriation and expenditure for the following purposes: **\$546,161** for open space and recreation; **\$546,161** for historic resources; **\$546,161** for community housing; **\$2,614,771** for a budget reserve, and that the sum of **\$200,000** be appropriated from the annual revenues of the Community Preservation Fund for the administrative expenses of the Community Preservation Committee, to be expended under the direction of the Town Manager or the Community Preservation Committee with the prior approval of the Town Manager.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-183 APPROPRIATION ORDER IN THE AMOUNT OF \$1,083,029 FOR THE PURPOSE PAYING THE FISCAL YEAR 2023 COMMUNITY PRESERVATION FUND DEBT SERVICE REQUIREMENTS INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$1,083,029** be appropriated for the purpose of paying the Fiscal Year 2023 Community Preservation Fund Debt Service requirements, and to meet such appropriation, that **\$1,008,354** be provided from current year revenues of the Community Preservation Fund and that **\$74,675** be provided from the reserves for the Historic Preservation Program within the Community Preservation Fund.

**VOTE: TO PUBLIC HEARING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-184 FISCAL YEAR 2023 SPENDING LIMITATIONS INTRO: 05/19/2022**

Mark Milne, Director of Finance gave the rationale. He gave an overview of the Fiscal Year 2023 Budget.

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Council hereby authorizes the following spending limitations for Fiscal Year 2023 Revolving Funds:

Senior Services Classroom Education Fund - **\$100,000**

Recreation Program Fund - **\$525,000**

Shellfish Propagation Fund - **\$200,000**

Consumer Protection Fund - **\$600,000**

Geographical Information Technology Fund - **\$10,000**

Arts and Culture Program Fund - **\$50,000**

Asset Management Fund - **\$500,000**

**VOTE: PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-186 TRANSFER ORDER IN THE TOTAL AMOUNT OF \$522,000 FROM FISCAL YEAR 2022 PERSONNEL BUDGETS TO FISCAL YEAR 2022 OPERATING EXPENDITURE AND OPERATING CAPITAL BUDGETS FOR THE PURPOSE OF FUNDING OUTSIDE PROFESSIONAL SERVICES, EQUIPMENT, SUPPLIES AND MATERIALS IN SEVERAL DEPARTMENTS AND TO THE BARNSTABLE POLICE DEPARTMENT FISCAL YEAR 2022 PERSONNEL BUDGET INTRO: 05/19/2022**

Mark Milne, Director of Finance gave the rationale.

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Council hereby authorizes Fiscal Year 2022 budget transfers in the total amount of **\$522,000** from the Fiscal Year 2022 Personnel Budgets of the Departments and in the amounts set forth below to the Fiscal Year 2022 Operating Expense and Operating Capital Budgets of the Departments and in the amounts set forth below for the purpose of funding outside professional services, equipment, supplies and materials, and to the Fiscal Year 2022 Barnstable Police Department Personnel Budget:

Transfer to:	Transfer From FY 2022 Personnel Budget Within:							
	Marine & Environ. Affairs	Admin. Services	Planning & Dev.	Public Works	Inspect. Services	Comm. Services	Golf Enterprise Fund	Total
Marine & Environ. Affairs FY 2022 Operating Capital	\$10,000			\$20,000	\$15,000			\$45,000
Admin. Services FY 2022 Operating Expenses		\$45,000						\$45,000
Town Manager FY 2022 Operating Expenses				\$19,000				\$19,000
Planning & Dev. FY 2022 Operating Expenses			\$65,000					\$65,000
Police Department FY 2022 Personnel				\$50,000	\$25,000	\$25,000		\$100,000
Police Department FY 2022 Operating Capital				\$55,000				\$55,000
Inspect. Services FY 2022 Operating Expenses					\$10,000			\$10,000
Public Works FY 2022 Operating Capital						\$100,000		\$100,000
Golf Enterprise FY 2022 Operating Expenses							\$83,000	\$83,000
	\$10,000	\$45,000	\$65,000	\$144,000	\$50,000	\$125,000	\$83,000	\$522,000

**VOTE: PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-187 APPOINTMENT TO A BOARD/COMMITTEE/COMMISSION: INTRO: 05/19/2022**

Upon a motion duly made and seconded it was **RESOLVED:** That the Town Council appoints the following individual to a multiple-member Board/Committee/Commission: **Mid Cape Cultural Council:** Kathleen McMahon as a regular member to a term expiring 06/2023

**VOTE: REFER TO SECOND READING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-188 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION: INTRO: 05/19/2022**

Councilor Rapp Grasseti recused herself.

Upon a motion duly made and seconded it was **RESOLVED:** That the Town Council reappoints the following individuals to a multiple-member Board/Committee/Commission: **Airport Commission:** Bradley Bailey as a regular member to a term expiring 06/2025; **Board of Assessors:** Andrew Machado, as a regular member to a term expiring 06/2025; **Board of Health:** Donald Guadagnoli, as a regular member to a term expiring 06/2025; Dan Luczkow, as a regular member to a term expiring 06/2025; Steven Waller, as an alternate member, to a term expiring 06/2025; **Community Preservation Committee:** James Tenaglia, as a Recreation Commission Representative Member to a term expiring 06/2025; Farley Lewis, as a regular member to a term expiring 06/2025; Marilyn Fifield, as a Historical Commission Representative Member to a term expiring 06/2025; Steven Robichaud, as a Planning Board Representative Member, to a term expiring 06/2025; **Comprehensive Financial Advisory Committee:** Charles McKenzie, as a regular member to a term expiring 06/2025; Melanie Powers, as a regular member to a term expiring 06/2025; Lillian Woo, as a



regular member to a term expiring 06/2025; **Conservation Commission:** Peter Sampou, as a regular member to a term expiring 06/2025; Louise Foster, as a regular member to a term expiring 06/2025; F.P. Tom Lee, as a regular member to a term expiring 06/2025; **Council on Aging:** Lori Case, as a regular member to a term expiring 06/2025; **Disability Commission:** Paula Breagy, as a regular member to a term expiring 06/2025; Jerilyn DiCostanzo, as a regular member to a term expiring 06/2025; **Elderly & Disabled Taxation Aid Committee:** William Murdoch, as a regular member to a term expiring 06/2025; **Golf Committee:** Susanne Conley, as a regular member to a term expiring 06/2025; Geoffrey Convers, as a regular member to a term expiring 06/2025; William Sylva, as a regular member to a term expiring 06/2025; Mark Bushway, as a regular member to a term expiring 06/2025; **Historical Commission:** George Jessop, as an architect representative member to a term expiring 06/2025; Jack Kay, as a regular member to a term expiring 06/2025; **Housing Committee:** Paula Breagy, as a regular member to a term expiring 06/2025; Meaghan Mort, as a regular member to a term expiring 06/2025; **Human Service Committee:** Meaghan Mort, as a regular member to a term expiring 06/2025; **Infrastructure and Energy Committee:** Jane Ward, as a regular member to a term expiring 06/2025; **John F. Kennedy Memorial Trust Fund Advisory Committee:** William Murphy, as a Recreation Commission Chair Representative Member to a term expiring 06/2025; **Land Acquisition and Preservation Committee:** Farley Lewis, as a regular member to a term expiring 06/2025; **Licensing Authority:** John Flores, as a regular member to a term expiring 06/2025; David Hirsch, as a regular member to a term expiring 06/2025; **Mid Cape Cultural Council:** Mary Taylor, as a regular member to a term expiring 06/2025; **Old King's Highway Historic District Committee:** George Jessop, an architect representative member to a term expiring 06/2025; **Scholarship Committee:** Deborah Hill, as a regular member to a term expiring 06/2025; **Shellfish Committee:** Stuart Rapp, as a regular member to a term expiring 06/2025; **Trust Fund Advisory Committee:** Lillian Woo, as a Financial Representative Member to a term expiring 06/2025; Jonathan Gilmore, as a member-at-large to a term expiring 06/2025; William Murdoch, as a Civic Association Representative Member to a term expiring 06/2025; **Waterways Committee:** Todd Walantis, as a regular member to a term expiring 06/2025; Peter Cross, as a regular member to a term expiring 06/2025; **Youth Commission:** Jaden Jeffries, as a student member to a term expiring 06/2023; Daniel Gomes, as a student member to a term expiring 06/2023; Cameron Levesque, as a student member to a term expiring 06/2023; Mary Steinhilber, as a student member to a term expiring 06/2023; Isabelle Rudy, as a student member to a term expiring 06/2023; Laik O'Reilly, as a student member to a term expiring 06/2023; Alexander Arabadzhiev, as a student member to a term expiring 06/2023; Luc-Andre Sader, as a student member to a term expiring 06/2023; Connor O'Reilly, as a student member to a term expiring 06/2023; Michaela Stampfl, as a student member to a term expiring 06/2023; Piper Hunt, as a student member to a term expiring 06/2023; **Zoning Board of Appeals:** Todd Walantis, as a regular member to a term expiring 06/2025; Hebert Bodensiek, as a regular member to a term expiring 06/2025; Paul Pinard, as a regular member to a term expiring 06/2025

**VOTE: REFER TO SECOND READING ON 06/02/2022 – PASSES 11 YES, 1 RECUSED (RAPP GRASSETTI)**

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

<b>2022-188A</b>	<b>REAPPOINTMENT TO A BOARD/COMMITTEE/COMMISSION:</b>
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President Levesque recused himself.  
Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council appoints the following individual to a multiple-member Board/Committee/Commission: **Youth Commission member:** Cameron Levesque, as a student member, to a term expiring 06/2022

**VOTE: REFER TO SECOND READING ON 06/02/2022 – PASSES 11 YES, 1 RECUSED (LEVESQUE)**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Mendes, Neary, Schnep, Shaughnessy, Starr, Steinhilber.**

**2022-188B REAPPOINTMENT TO A BOARD/COMMITTEE/COMMISSION:  
INTRO: 05/19/2022**

Councilor Steinhilber recused himself.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council appoints the following individual to a multiple-member Board/Committee/Commission: **Youth Commission member:** Mary Steinhilber, as a student member, to a term expiring 06/2023

**VOTE: REFER TO SECOND READING ON 06/02/2022 – PASSES 11 YES, 1 RECUSED (STEINHILBER)**

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

**2022-189 ORDER AUTHORIZING THE AWARD AND EXECUTION OF A LEASE WITH A TERM OF FIVE YEARS FOR GOLF CARS AND UTILITY VEHICLES AT OLDE BARNSTABLE FAIRGROUNDS AND HYANNIS GOLF COURSES INTRO:  
05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to M.G.L. c. 30B, § 12(b), the Town Council does hereby authorize the Town Manager to award and execute on behalf of the Town a lease agreement with a term of five years for golf cars and utility vehicles at Olde Barnstable Fairgrounds and Hyannis Golf Courses, commencing in the spring of 2023.

**VOTE: REFER TO SECOND READING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnep, Shaughnessy, Starr, Steinhilber.**

**2022-190 APPROVAL OF CHANGE OF PURPOSE TO ALLOW THE GRANT OF AN EASEMENT TO PARK CITY WIND LLC IN CERTAIN PARCELS OF LAND NAMELY THAT PORTION OF CRAIGVILLE BEACH KNOWN AS ASSESSORS' PARCEL 206-013 AND THAT PORTION OF 20 SOUTH MAIN STREET KNOWN AS ASSESSORS' PARCEL 228-138 INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**SECTION 1:** That, having received notice that the Town Manager determined that a portion of the subsurface of Craigville Beach, 997 Craigville Beach Road and known as Assessors' Parcel 206-013 and a portion of the subsurface of 20 South Main Street and known as Assessors' Parcel 228-138, are 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 Park City Wind LLC, and its successors and assigns, in the same parcels of land known as Assessors' Parcel 206-013 and 228-138 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, consistent with the terms of a Host Community Agreement

dated May 6, 2022 between the Town and Park City Wind LLC, in connection with the wind generating facility to be developed by Park City 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: REFER TO SECOND READING ON 06/02/2022 – PASSES 12 YES**

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

<p><b>2022-191                      ORDER TO PETITION THE GENERAL COURT OF THE COMMONWEALTH TO ENACT SPECIAL LEGISLATION APPROVING THE GRANT OF EASEMENT TO PARK CITY WIND LLC IN CERTAIN PARCELS OF LAND NAMELY THAT PORTION OF CRAIGVILLE BEACH KNOWN AS ASSESSORS' PARCEL 206-013 AND THAT PORTION OF 20 SOUTH MAIN STREET KNOWN AS ASSESSORS' PARCEL 228-138</b> <b>INTRO: 05/19/2022</b></p>
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Upon a motion duly made and seconded it was  
That the Town Manager submit a petition to the General Court of the Commonwealth for a special act approving the grant of an easement to Park City Wind LLC, as follows.

**AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO GRANT AN EASEMENT TO PARK CITY 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 of the city known as the Town of Barnstable may grant an easement to Park City Wind LLC, and its successors and assigns, in parcels of land, namely a portion of Craigville Beach known as Assessors' Parcel 206-013 and a portion of 20 South Main Street known as Assessors' Parcel 228-138, 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 Park City Wind LLC in federal waters south of Martha's Vineyard; provided, however, that Park City Wind LLC shall provide mitigation for the granting of such an easement pursuant to the Host Community Agreement entered into between the city known as the town of Barnstable and Park City Wind LLC.

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

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

**VOTE: REFER TO SECOND READING ON 06/02/2022 – PASSES 12 YES**

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

**2022-192 APPROVAL OF GRANT OF EASEMENT TO PARK CITY WIND LLC IN CERTAIN PARCELS OF LAND NAMELY THAT PORTION OF CRAIGVILLE BEACH KNOWN AS ASSESSORS' PARCEL 206-013 AND THAT PORTION OF 20 SOUTH MAIN STREET KNOWN AS ASSESSORS' PARCEL 228-138**

pon a motion duly made and seconded it was

**SECTION 1:** That, pursuant to the Host Community Agreement dated May 6, 2022 between the Town and Park City Wind LLC with respect to the wind generating facility to be developed by Park City Wind LLC in federal waters south of Martha's Vineyard (the "Project"), the Town grants an easement to Park City 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 Craigville Beach known as Assessors' Parcel 206-013 and a portion of 20 South Main Street known as Assessors' Parcel 228-138,

**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.

**SECTION 3:** That Town Manager is authorized to execute and record any and all instruments and documents in connection with the aforesaid grant of an easement, and that the Town Council assents to the recording of said easement at the Barnstable County Registry of Deeds.

**VOTE: REFER TO SECOND READING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-193 ORDER TO GRANT TO PARK CITY WIND LLC AN EASEMENT FROM CRAIGVILLE BEACH TO SHOOTFLYING HILL ROAD FOR UTILITY PURPOSES ONLY  
INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**ORDERED:** That the Town grant to Park City Wind LLC an easement extending from Craigville Beach to Shootflying Hill Road along the route shown in a plan prepared by the Department of Public Works and attached hereto for utility purposes only, with the final form of such easement to be approved by the Town Attorney consistent with the terms of a Host Community Agreement dated May 6, 2022 between the Town and Park City Wind LLC,. Such easement shall terminate at such time as a permit granted to Park City Wind LLC by the U.S. Bureau of Ocean Management shall cease to be in full force and effect; and that the Town Manager is authorized to accept, sign, deliver and record documents for the purposes set forth herein.

**VOTE: REFER TO SECOND READING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**2022-194 AUTHORIZATION FOR PARK CITY WIND LLC TO RECORD CHAPTER 91 LICENSE AND OTHER LICENSES AND APPROVALS ISSUED TO PARK CITY WIND INTRO: 05/19/2022**

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town of Barnstable, a Massachusetts Municipal Corporation, acting by and through its Town Council, as owner of the land located at 997 Craigville Beach Road and known as Assessors' Parcel 206-013 and 20 South Main Street and known as Assessors' Parcel 228-138,, Barnstable Massachusetts, known as Craigville Beach and described in (i) Certificate of Title [X] and shown as L.C. Plan [Y], and (ii) a deed recorded in Book [X], Page [Y] and shown on a plan recorded in Plan Book [X], Page [Y], hereby assents to the filing with the Barnstable Registry District of the Land Court [if registered land] and the recording with the Barnstable Registry of Deeds any or all of the following documents issued to Park City Wind LLC: (a) Massachusetts Department of Environmental Protection Chapter 91 Waterways License # [insert]; (b) Barnstable Conservation Commission Order of Conditions (MassDEP File No. [Insert]); and [if needed] (c) Massachusetts Department of Environmental Protection Superseding Order of Conditions (MassDEP File No. [Insert]). The Town Manager is authorized to execute and deliver all documents for the stated purposes.

**VOTE: REFER TO SECOND READING ON 06/02/2022 – PASSES 12 YES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**VOTE: ADJOURNMENT:**

Upon a motion duly made and seconded it was

**VOTED TO ADJOURN:**

**VOTE: PASSES**

**Roll Call: Atsalis, Clark, Cullum, Rapp Grasseti, Hebert, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber.**

**Adjourned at 12:15 PM:**

Respectfully submitted,

Janet E. Murphy

Barnstable Assistant Town Clerk

NEXT MEETING: June 02, 2022