



Town Council Meeting  
September 7, 2023



A quorum being duly present, President Matthew Levesque called the September 7, 2023, Town Council meeting to order at 7:00PM.

An announcement was made by Vice President Cullum 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 8 or High Definition Channel 1072.

**PRESENT:** Nikolas Atsalis, Kristine Clark, Jennifer Cullum, Paul Cusack, Jessica Rapp Grassetti, Matthew Levesque, Betty Ludtke, Jeffrey Mendes, Paul Neary, Paula Schnepf, Tracy Shaughnessy, Gordon Starr Eric Steinhilber.

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

**PUBLIC COMMENT:**  
**(In-person)**

Susanne Conley spoke about the Cuda Classic Golf Event at the Olde Barnstable Fairgrounds, which would raise money to support Cape Cod Women's Health Care. The money would be utilized to help with their cost and quality of care. The event will take place on October 3<sup>rd</sup>, 2023.

Asia Graves discussed affordable housing ideas and policies. She spoke about the high cost of brokerage fees, which include first month, last month and a security deposit. She noted there was also an additional application fee. People are being priced out due to the expensive rents and associated fees. Asia mentioned the need for better medical dispensaries closer to Town. She mentioned the idea of co-living, as the rents for this type of living was affordable.

**ZOOM: No public comment at this time**

**COUNCIL RESPONSE TO PUBLIC COMMENT:**

(Shaughnessy) Asia, thank you for your continued updates regarding the housing issue.

(Cusack) Golf Superintendent's Day next week - you deserve a pat on the back for a job well done. Chris Gonnella, Director of Community Services great job. Thank you Suzanne Conley for highlighting these events.

(Mendes) Thank you Asia for what you are saying it is real. My family has some issues as well.

(Clark) Good work at the golf course; great event for the Cuda Center; Thank you to Chris Gonnella for the good and challenging work you have done; I am sensitive to the housing issue.

(Ludtke) Thank you for the excellent care at the Cuda Center; thanked Asia for her innovative ideas regarding housing; please continue with your ideas.

(Rapp Grasseti) Thanked Asia for coming to the Council meeting; and asked her to attend the Affordable Housing Trust Fund; she suggested money could be put toward affordability of rents.

(Levesque) Please attend the meeting with the Town Manager, which is a zoom meeting at 9 AM.

(Schnepp) Asia thank you for stepping forward; Accessory Dwelling Units (ADU) allows for flexibility in housing.

(Levesque) Thanked Susanne and appreciate your passion for all of Barnstable.

Close Public Comment

**TOWN MANAGER'S COMMUNICATIONS: (Pre-Recorded)** (Cullum) The Town Manager's report has been prerecorded and the written form will be available to all on the Town Manager's page on the website. (Exhibit A)

Update on:

1. Budget calendar for Fiscal Year 2023 – update
2. September 21, 2023 Town Council meeting we anticipate two workshops regarding the Taking of Private Roads and Flow-Neutral by-laws.
3. September 4<sup>th</sup> Recreation completed the last official day of beach operations for the season.
4. September 1<sup>st</sup> Town of Barnstable files its application for a Watershed Permit.
5. Town of Barnstable is now a Complete Streets community with the Massachusetts Department of Transportation.
6. Department of Public Works (DPW) has completed a New Source Evaluation Report
7. Per- and Polyfluoroalkyl substances (PFAS) new guidelines will be proposed by Massachusetts Department of Environmental Protection (DEP).

**Councilor questions and comments:**

(Ludtke) How will we prioritize these projects? (Ells) Yes as a Complete Streets community we are certified as accessible and a safe community. We will work with the project costs, adjust when needed and brainstorm other projects with the list of complete streets. Elizabeth Jenkins, Director of Planning and Development (Jenkins) There is a prioritization plan, Massachusetts Department of Transportation (MDOT) has accepted the list. (Ludtke) All very good projects.

(Starr) Rolling applications? (Jenkins) Yes we will probably leverage other project mid-October.

(Jenkins) Award announcement will be in October. Opportunity will be leveraged if we are awarded.

(Starr) Housing project plan? (Jenkins) Utilizing the 2023 census data recommend Housing Committee will hit all recommendations with affordability housing. Joint meeting with Planning Board and Housing Committee.

(Starr) How about small scale developers housing?

(Jenkins) Meeting with consultant; updating 2023 census and adding in costs which are appropriate threshold to our ordinance. Need to go to Housing and Affordable Trust.

(Rapp Grasseti) Application for Watershed Dan Santos, Director of Public Works met with Mashpee and Sandwich was not present. The water Intermunicipal/watershed plan agreement was worked on with Dan Santos, Mark Ells and Jessica Rapp Grasseti.

(Santos) The Comprehensive Wastewater Management Plan (CWMP) has many pieces; requirements going forward on the properties with CWMP.

(Schnepp) What was the dialogue with the Town of Sandwich? (Ells) Lots of discussion with Mark Forest and George H. "Bud" Dunham. Will continue with dialogue – each community needs to come together although should file

differently. (Schnepp) Thank you for the Second Annual Celebration it was great. (Ells) Everyone came together to do this event look for it next year. (Cullum) CWMP thank you for approach you took. Message needs to be understood and explained. (Levesque) Commend the Town Manager for working with the DEP thank you

**ACT ON PUBLIC SESSION MINUTES:**

Upon a motion duly made and seconded it was to accept the minutes of September 7, 2023 as presented.

**VOTE: PASSES 11 YES, 2 ABSTENTIONS (LEVESQUE AND STEINHILBER)**

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

(Atsalis) Upcoming Centerville Stroll will be on December 10<sup>th</sup>; Starting September 11<sup>th</sup> CWMP construction from Phinneys Lane westbound to Strawberry Hill Road.

(Cusack) Thanked DPW for all the painting work that has been completed in Precinct 5.

(Schnepp) Spoke about the MyBarnstable App. Where one can get all sorts of notifications. Barnstable Country Human Rights Commission is looking for a liason for all 15 Cape Towns and Tribes. We currently do not have a liason from Barnstable. Requirements to be on the commission are: required to attend all Human Rights Advisory Meeting and participate in some of the sub-committees. Please send notice of interest to Town Council Administrative Assistant Cynthia Lovell. Millbilly Breakfast September 10<sup>th</sup> at Liberty Hall - 2150 Main Street in Marstons Mills from 8:00 AM to 10:00 AM.

(Levesque) Monday September 11<sup>th</sup> ceremonies being held at : Hyannis Fire at 9:45 AM; Centerville-Osterville-Marstons Mills (COMM) Fire at 9:45 AM; Barnstable Village will have a ceremony with speakers and a procession with bag pipes to Saint Mary's church. It has been 22 years since the terrible tragedy.

5 minute break: 8:12 PM

Presentation from Dr. Caitlin Coyle from the Gerontology Institute at UMass Boston Age & Dementia Friendly Barnstable - An Action Plan

Chris Gonnella, Director of Community Services, introduced Kelly Howley, Director Council on Aging, Caitlin Coyle, from the Gerontology Institute at UMass Boston Age & Dementia Friendly Barnstable, Patty Sullivan, Program Director Dementia Friendly Massachusetts, Massachusetts Council on Aging and gave the background from 2019 to the future plans. He discussed the process to complete the plan. He mentioned there was 18,100 people in Barnstable who 60 years and older. Dr. Coyle gave an overview of the PowerPoint presentation. She spoke about the framework, and the Age Friendly Action Plan, which was completed May 2023. She talked about the six goals of housing: which included: transportation, walkability, community support, health services, respect and social inclusion and civic engagement. Kelly Howley spoke about the transportation with the pilot project. Patty Sullivan thanked Madeline Noonan, former Director of Community Services Barnstable, reassured council that she would be working with the Town during implementation. She noted Dementia is not a disease it is a condition.(Clark) Suggested matching nursing students, certified nursing assistants and others who have had

special skills training with aging residents. Also include low income and others with the special skills training to be housing with a resident that need special help. (Sullivan) great idea. (Mendes) This is a hugh health crisis and 2/3 of those affected will be women.(Cusack) Would like to be involved; will be meeting with Kelly next week. (Ludtke) Thank you for the great presentation. (Schnepp) What about adult foster care? (Coyle) Yes this is needed. (Sullivan) Supportive Day Programs, non-medical services all programs on Cape Cod there is a waiting list; we are trying to expand those programs.(Cullum) Have you reached out to others in the community utilizing diversity and inclusion iniatives. (Coyle) Yes, we have reached out into those communities.

**2024-025                    APPROPRIATION ORDER IN THE AMOUNT OF \$141,655 TO SUPPLEMENT FUNDING FOR THE DEMOLITION OF THE OSTERVILLE RECREATION BUILDING LOCATED AT 93 WEST BAY ROAD, OSTERVILLE INTRO: 08/17/2023, 09/07/2023**

Dan Santos, Director of Public Works gave the rationale.  
Open public hearing seeing no one and no one on zoom, close the public hearing

Upon a motion duly made and seconded it was  
**ORDERED:** That the amount of **\$141,655** be appropriated and provided from the Capital Trust Fund Reserves the purpose of providing supplemental funding for the demolition of the Osterville recreation building located at 93 West Bay Road, Osterville; and that the Town Manager is authorized to contract for and expend this appropriation for this purpose.

**VOTE: PASSES 13 YES**

**Roll Call: Atsalis, Clark, Cullum, Cusack, Rapp Grasseti, Levesque, Ludtke, Mendes, Neary, Schnepp, Shaughnessy, Starr, Steinhilber**

**2024-027                    APPROPRIATION ORDER IN THE AMOUNT OF \$20,000 AND AUTHORIZATION TO EXPEND A GRANT IN THE AMOUNT OF \$72,000 FROM THE NATURAL RESOURCE CONSERVATION SERVICE FOR THE PURPOSE OF FUNDING STORMWATER IMPROVEMENTS ON CLAMSHELL COVE ROAD INTRO: 08/17/2023, 09/07/2023**

Dan Santos, Director of Public Works gave the rationale.  
Open public hearing seeing no one and no one on zoom, close the public hearing

Upon a motion duly made and seconded it was  
**ORDERED:** That the amount of **\$20,000** be appropriated and provided from the Capital Trust Fund reserves, representing the local match requirement for a grant from the Natural Resource Conservation Service in the amount of **\$72,000**, and that the Town Manager is authorized to contract for and expend the grant for the purpose of funding the design and construction of Stormwater Improvements on Clamshell Cove Road, including the payment of costs incidental or related thereto.

**VOTE: PASSES 13 YES**

**Roll Call: Atsalis, Clark, Cullum, Cusack, Rapp Grasseti, Levesque, Ludtke, Mendes, Neary, Schnepp, Shaughnessy, Starr, Steinhilber**

**2024-028                    APPROPRIATION ORDER IN THE AMOUNT OF \$130,000 AND AUTHORIZATION TO EXPEND A GRANT IN THE AMOUNT OF \$625,000 FROM THE NATURAL RESOURCE CONSERVATION SERVICE FOR THE PURPOSE OF FUNDING THE LAKE ELIZABETH FISHWAY DESIGN, PERMITTING AND CONSTRUCTION PROJECT INTRO: 08/17/2023, 09/07/2023**

Dan Santos, Director of Public Works gave the rationale.  
Open public hearing seeing no one and no one on zoom, close the public hearing

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$130,000** be appropriated and provided from the Capital Trust Fund reserves, representing the local match requirement for a grant from the Natural Resource Conservation Service in the amount of **\$625,000**, and that the Town Manager is authorized to contract for and expend this appropriation and grant for the purpose of funding the Lake Elizabeth Fishway design, permitting and construction project, including the payment of costs incidental or related thereto.

**VOTE: PASSES 13 YES**

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

**Jump to: 2024-034**

<b>2024- 034     AUTHORIZATION TO EXPEND A 2023 GRANT ROUND MASSACHUSETTS DREDGING GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT IN THE AMOUNT OF \$300,000 FOR THE COTUIT BAY ENTRANCE AND EMBAYMENT CHANNEL DREDGING PROJECT INTRO: 09/07/2023</b>
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Dan Santos, Director of Public Works gave the rationale.

**Council questions and comments:**

(Rapp Grassetto) Dredging maintaince is not shoved to the end of the line – glad to see this.  
(Schnepf) Finish the last dredging? (Santos) 2 years – this is the channels.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council does hereby authorize the Town Manager to contract for and expend a 2023 Grant Round Massachusetts Dredging Grant in the amount of **\$300,000** from the Commonwealth of Massachusetts, Executive Office of Economic Development for the Cotuit Bay Entrance and Embayment Channel Dredging Project.

**VOTE: PASSES UNANIMOUS**

**Jump to: 2024-037**

<b>2024- 037     ORDER TO PETITION THE GENERAL COURT OF THE COMMONWEALTH TO ENACT SPECIAL LEGISLATION APPROVING THE CHANGE THE USE OF APPROXIMATELY 3,400 SQUARE FEET OF LAND WITHIN THE CRAIGVILLE BEACH PARKING LOT INTRO: 09/07/2023</b>
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Dan Santos, Director of Public Works gave the rationale.He utilized a PowerPoint presentation. Karen Nober, Town Attorney introduced the new Barnstable attorney Tom LaRosa, She discussed Article 97 Amendment to the Constitution which is to dispose or change use of recreation land. She added there needs to be notice to the Secretary of Environment Affairs and public comment. It is for the replacement land equal to or greater to the land utilized.She mentioned the comments received were generally supportive of the Town sewerage and do not want pump stations on public town land.

Open public hearing seeing no one and no one on zoom, close the public hearing

**Council questions and comments:**

(Shaughnessy) We are losing any parking? (Santos) Will lose 3 parking spaces. (Atsalis) Great start you will need community input. Will the dumpster move? (Santos) It will be part of the design. (Clark) How will the replacement land be chosen? (Nober) Not determined a process

yet; we will have annual updates and the Town has 3 years to get the replacement land.

Upon a motion duly made and seconded it was

**ORDERED:**

**SECTION 1:**

That, having received notice that the Town Manager has determined that approximately 3,400 square feet within the Craigville Beach parking lot, as shown on a plan of land titled "Area of Land for Which A Change of Use is Contemplated, 997 Craigville Beach Road, Barnstable, Massachusetts" drawn by Town of Barnstable Department of Public Works dated 8/24/2023 ("the Property") are no longer needed exclusively for recreation purposes, and that the Town Conservation Commission, by unanimous vote, concurred with and endorsed the Town Manager's declaration that the Property which is under his custody and control, is surplus to the municipal, conservation and open space needs of the Town of Barnstable and should instead be dedicated to general municipal purposes to support construction of a sewer project which is part of the Town's Comprehensive Wastewater Management Plan, the Town Council hereby approves a change in use of such Property from recreation land to general municipal purposes; provided that such change in use shall be subject to the enactment of legislation by the General Court as set forth in Section 2 of this Order.

**SECTION 2:**

That the Town Council hereby directs the Town Manager to submit a petition to the General Court of the Commonwealth for a special act approving the change in use of approximately 3,400 square feet within the Craigville Beach parking lot, Centerville, as follows:

**"AN ACT AUTHORIZING THE CITY KNOWN AS THE TOWN OF BARNSTABLE TO CHANGE THE USE OF A PORTION OF LAND WITHIN THE CRAIGVILLE BEACH PARKING LOT**

*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.** Notwithstanding any general or special law to the contrary, and in accordance with section 5A of chapter 3 of the General Laws, the town council of the city known as the town of Barnstable may change the use of approximately 3,400 square feet of land located within the Craigville Beach parking lot, as shown on a plan of land titled "Area of Land for Which A Change of Use is Contemplated 997 Craigville Beach Road, (Centerville) Barnstable, Massachusetts" drawn by Town of Barnstable Department of Public Works dated 8/24/2023, for the purpose of constructing, operating and maintaining sewer infrastructure, including a below-ground sewer pump station and related infrastructure as well as an above-ground structure to enclose electrical equipment, all in support of the town of Barnstable's approved Comprehensive Wastewater Management Plan.

The town of Barnstable may make minor modifications to the plan to carry out this act.

**SECTION 2.** As compensation for the change of use of the land described in section 1, the town of Barnstable shall deposit \$71,500 to the town of Barnstable Community Preservation Fund, which represents 110 percent of the required appraised value, to be used by the town to acquire replacement land or interests in land pursuant to section 5A (2) of chapter 3 of the General Laws.

**SECTION 3.** The Town Manager of the town of Barnstable may execute and record on behalf of the town any instruments necessary to carry out this act.

**SECTION 4.** This act shall take effect upon its passage."

Approved, \_\_\_\_\_ 2023.

**VOTE: PASSES 13 YES**

Roll Call: Atsalis, Clark, Cullum, Cusack, Rapp Grasseti, Levesque, Ludtke, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber

Jump to: 2024-031

**2024-031 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 08/17/2023, 08/17/2023**

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: **Disability Commission:** Patricia Erickson-Taylor, as a regular member to a term expiring 06/30/2025; **Zoning Board of Appeals:** Emanuel Alves, as an associate member to a term expiring 06/30/2024.

**VOTE: PASSES UNANIMOUS**

**2024-032 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 08/17/2023, 09/07/2023**

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: **Council on Aging:** Ella Rollins, as a regular member to a term expiring 06/30/2026; **Historical Commission:** Barbara DeBiase from an alternate member to a regular member position to a term expiring 06/30/2026.

**VOTE: PASSES UNANIMOUS**

Jump to: 2024-035

**2024-035 AUTHORIZATION TO EXPEND A FISCAL YEAR 2024 MUNICIPAL VULNERABILITY PREPAREDNESS ACTION GRANT IN THE AMOUNT OF \$199,000 FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE DEVELOPMENT OF A HYANNIS HARBOR MASTER PLAN INTRO: 09/07/2023**

Elizabeth Jenkins, Director of Planning and Development gave the rationale.

**Councilor questions and comments:**

(Cullum) Excited to see this fisherman's alliance and a permanent farmer's market. No grocery in the Hyannis Main Street. (Levesque) Housing comes first then develop the neighborhood.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2024 Municipal Vulnerability Preparedness Action Grant in the amount of **\$199,000** from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs for the purpose of hiring a consultant to support the creation of a Hyannis Harbor Master Plan to develop land use, zoning and economic development recommendations for the area with attention to long-term coastal resiliency.

**VOTE: PASSES UNANIMOUS**

**2024-036 ORDER WAIVING INSPECTION FEES FOR PUBLIC LIBRARIES IN THE TOWN OF BARNSTABLE FOR A PERIOD OF ONE YEAR INTRO: 09/07/2023**

Upon a motion duly made and seconded it was

**BACKGROUND:** All residents of the Town of Barnstable benefit from the services provided by the Town's public libraries. Accordingly, several Councilors have asked that the Town waive inspection fees for public libraries. In 2016, the Town Council voted to waive fees for

construction work on the new Hyannis Fire District Fire Station, and in 2022, the Town Council voted to waive fees for construction work by the Barnstable Fire District for a new water treatment plant.

**VOTE: TO A PUBLIC HEARING ON 09-21-2023-PASSES UNANIMOUS**

**Councilor questions and comments:**

(Clark) By my count the Town has been awarded \$1,200,000 in grant money. Thank you for leveraging that grant money. Great job.

**VOTED TO ADJOURN:**

**VOTE: PASSES UNANIMOUS**

**Adjourned at 9:31 PM**

Respectfully submitted,

Janet E. Murphy  
Assistant Town Clerk

**NEXT MEETING: September 21, 2023**

Exhibits

A Town Manager's update