



# Town of Barnstable Town Council

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## Councillors:

Jessica Rapp Grassetti  
President  
Precinct 7

Ann B. Canedy  
Vice President  
Precinct 1

Eric R. Steinhilber  
Precinct 2

Paul Hebert  
Precinct 3

Frederick Chirigotis  
Precinct 4

James H. Crocker  
Precinct 5

William Crocker, Jr.  
Precinct 6

Debra S. Dagwan  
Precinct 8

James M. Tinsley  
Precinct 9

Sara Cushing  
Precinct 10

Philip N. Wallace  
Precinct 11

John T. Norman  
Precinct 12

Jennifer L. Cullum  
Precinct 13

Administrator to the  
Town Council:  
Barbara A. Ford

Administrative  
Assistant:  
Cynthia A. Lovell

## MEETING AGENDA TOWN HALL HEARING ROOM February 5, 2015 7:00 PM

### 1. ROLL CALL

### 2. PLEDGE OF ALLEGIANCE

### 3. MOMENT OF SILENCE

### 4. PUBLIC COMMENT

### 5. COUNCIL RESPONSE TO PUBLIC COMMENT

### 6. TOWN MANAGER COMMUNICATIONS

### 7. ACT ON MINUTES (Including Executive Session)

### 8. COMMUNICATIONS – from elected officials, boards, committees, staff, commission reports, correspondence and announcements

- Cheryl Bartlett, Executive Director of the Cape Cod Regional Substance Abuse Prevention Initiative (CCRSAPI) and Public Health

### 9. ORDERS OF THE DAY

#### A. Old Business

#### B. New Business

### 10. ADJOURNMENT

**NEXT REGULAR MEETING: February 26, 2015**

Amended on  
02/02/15 to  
include  
Item#2015-069

ITEM NO.	INDEX TITLE	PAGE
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**A. OLD BUSINESS**

2015-066	Appointments to a Board/Committee/Commission <b>(May be acted upon)</b> ..... 3	3
	<b>COUNCIL ON AGING</b> John Jope, 237 Five Corners Road, Centerville, 02632 as a regular member to a term expiring 6/30/17	
	<b>DISABILITY COMMISSION</b> Paul Logan, 59 Dove Tail Lane, Cotuit 02635 as a regular member to a term expiring 6/30/17	
	<b>LAND ACQUISITION PRESERVATION COMMISSION</b> Anne Rowland, 125 Long Pond Circle, Centerville, 02632 as a regular member to a term expiring 6/30/15	
	<b>PLANNING BOARD</b> Mark Ferro, 26 Elmer’s Way, West Barnstable, 02668 as a regular member to a term expiring 6/30/17	

**B. NEW BUSINESS**

2015-064	Appropriation of \$225,000 in Community Preservation Funds for the acquisition of the town’s share of perpetual conservation restriction with Cotuit Fire District on portion of Assessors Map 36 Parcel 39 (0 Putnam Avenue) and acceptance of gift of easement <b>(Refer to Public hearing 02/26/15)</b> ..... 4-5	4-5
2015-065	Appropriation of \$300,000 from the General Fund Reserves for the acquisition of 3 acres more or less in Cotuit, portion of Assessors map 36 Parcel 39 (0 Putnam Avenue), for municipal purposes <b>(Refer to Public hearing 02/26/15)</b> ..... 6-7	6-7
2015-068	Appointments to a Board/Committee/Commission <b>(May be acted upon)</b> ..... 8	8
	<b>OLD KING’S HIGHWAY HISTORIC DISTRICT COMMITTEE</b>  David Munsell Jr., 3074 Main Street, Barnstable, MA 02630 as an alternate member to a term expiring 6/30/16	
2015-069	Acceptance of a \$50,000 gift from The Lyndon Paul Lorusso Charitable Foundation <b>(May be acted upon)</b> ..... 9-11	9-11

Approve Minutes – January 22, 2015

**Please Note:** The list of matters, are those reasonably anticipated by the council president, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Council may go into executive session. The Council may also act on items in an order other than they appear on this agenda. Persons interested are advised, that in the event any matter taken up at the meeting remains unfinished at the close of the meeting, may be put off to a continued session of this meeting, and with proper notice. Anyone requiring hearing assistance devices please inform the Town Clerk at the meeting.

**A. OLD BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2015-066  
INTRO: 01/22/15, 02/05/15**

**2015-066 APPOINTMENTS TO A BOARD, COMMITTEE OR COMMISSION**

**RESOLVED**, that the Town Council appoint the following individuals to a multiple-member board/committee/commission:

**COUNCIL ON AGING**

John Jope, 237 Five Corners Road, Centerville, 02632 as a regular member to a term expiring 6/30/17

**DISABILITY COMMISSION**

Paul Logan, 59 Dove Tail Lane, Cotuit 02635 as a regular member to a term expiring 6/30/17

**LAND ACQUISITION PRESERVATION COMMITTEE**

Anne Rowland, 125 Long Pond Circle, Centerville, 02632 as a regular member to a term expiring 6/30/15

**PLANNING BOARD**

Mark Ferro, 26 Elmer’s Way, West Barnstable, 02668 as a regular member to a term expiring 6/30/17

**SPONSOR:** Appointments Committee

DATE	ACTION TAKEN
<u>01/22/15</u>	<u>Second reading (02/05/15)</u>
_____	_____

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

**B. NEW BUSINESS (Refer to Public hearing 02/26/15)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2015-064  
INTRO: 02/05/15**

**2015-064 APPROPRIATION OF \$225,000 IN COMMUNITY PRESERVATION FUNDS FOR THE ACQUISITION OF TOWN’S SHARE OF PERPETUAL CONSERVATION RESTRICTION WITH COTUIT FIRE DISTRICT ON PORTION OF ASSESSORS MAP 36 PARCEL 39 (0 PUTNAM AVENUE) AND ACCEPTANCE OF GIFT OF EASEMENT**

**ORDERED:** That pursuant to the provisions of G. L. c. 44B, the sum of Two hundred twenty-five thousand and No/100 (\$225,000.00) Dollars be appropriated for the acquisition of an interest in land in Cotuit consisting of a conservation restriction held by the Town acting by and through its Conservation Commission by authority of MGL c.40 § 8C and the Cotuit Fire District on 16.045 acres, more or less described as “Area Remaining” on a plan of land entitled “Plan Showing Conservation Restriction in Barnstable (Cotuit MA) prepared for Barnstable Land Trust” prepared by the Town of Barnstable D.P.W. Survey Division, dated January 8, 2015, on file with the Town Clerk, being a portion of Assessors Map 36, Parcel 39 (0 Putnam Avenue); that to meet this appropriation Two hundred twenty-five thousand and No/100 (\$225,000.00) Dollars be transferred from the amount set aside in the Community Preservation Fund for open space and recreation; that the Town Manager is authorized to contract for and expend the amount appropriated for this acquisition as recommended by the Community Preservation Committee in accordance with its terms and conditions, subject, however, to the participation by the Cotuit Fire District as a holder for the same consideration; and further ordered that the gift of an unencumbered easement for passive recreation on existing trails and for daytime parking as shown on said plan be accepted and recorded.

**SPONSOR:** Town Manager upon recommendation of the Community Preservation Committee.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

# BARNSTABLE TOWN COUNCIL

**ITEM# 2015-064**  
**INTRO: 02/05/15**

## SUMMARY

**TO:** Town Council  
**FROM:** Thomas K. Lynch, Town Manager  
**THROUGH:** Barnstable Land Trust  
**DATE:** January 14, 2015  
**SUBJECT:** Acquisition of an interest in land in Cotuit consisting of a conservation restriction held by the Town and the Cotuit Fire District

**BACKGROUND:** The Barnstable Land Trust is seeking \$225,000 from Community Preservation Act funds to help support their “Keep Lowell Park Green!” project which is the acquisition of 19 acres of woodland surrounding the park. Lowell Park currently sits on land donated to the town by the Lowell family and the park now spans 4.78 acres. Expansion of the baseball field through the years has led to an encroachment onto these abutting 19 acres.

**RATIONALE:** Community Preservation Committee voted unanimously on August 25, 2014 and recommends that the Barnstable Town Council support the request of the Barnstable Land Trust of \$225,000.00 of Community Preservation Act Funds from the Open Space set aside for the acquisition of a Conservation Restriction on 16 acres of land at 0 Putnam Avenue, Cotuit, Map 036 Parcel 039. Due to its proximity to Cotuit Bay, the fate of this land will impact the three bay ecosystem and if developed, the additional lawns and septic systems would adversely affect water quality of both our drinking water and down-gradient estuary by contributing nitrogen loading and other contaminants to the watershed. The funds will be used to purchase a Conservation Restriction over the property for the creation of open space, watershed preservation and public water supply protection and will be held jointly with a restriction previously authorized on May 28, 2014 by the Cotuit Fire District.

The Barnstable Land Trust plans to purchase the entire 19 acres and to protect the ball field, intends to sell the Town in a separate transaction a 100’ buffer around the field consisting of 3 acres. This two-pronged approach will allow for the preservation of not only the woodlands, but also of the as-built baseball field. The goal is to keep the 16 acres in its natural state, allowing for the continued use of existing trails on the property.

Preserving the land will also help to retain the rural character of the village center of Cotuit, protect the green gateway along Putnam Avenue and ensure that Old Post Road extension is never built. This request fulfills several Community Preservation Committee criteria including significant matching funds, and this project has important cost benefits for the town. The acquisition of this Conservation Restriction also will preserve and protect a public water supply well; preserve a scenic landscape and it protects wildlife habitats. Further, this land connects to 800 acres of other open space land already protected and the property will be open to the public for conservation and passive recreation purposes; and this area will provide passive recreation opportunities to complement the adjoining active recreation at Lowell Park.

**B. NEW BUSINESS (Refer to Public hearing 02/26/15)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2015-065  
INTRO: 02/05/15**

**2015-065      APPROPRIATION OF \$300,000 FROM THE GENERAL FUND RESERVES FOR THE ACQUISITION OF 3 ACRES MORE OR LESS IN COTUIT, PORTION OF ASSESSORS MAP 36 PARCEL 39 (0 PUTNAM AVENUE), FOR MUNICIPAL PURPOSES**

**ORDERED:** That the sum of Three hundred thousand and No/100 (\$300,000.00) Dollars be appropriated and transferred from the General Fund Reserves for the purchase by the Town of the fee simple interest for municipal purposes in 3.021 acres more or less of the land in Cotuit described as “Parcels 1 and 2” on a plan of land entitled “Plan of Land in Barnstable (Cotuit MA) prepared for Barnstable Land Trust” by the Town of Barnstable D.P.W. Survey Division” on file with the Town Clerk, being a portion of Assessors Map 36 Parcel 39 0 Putnam Avenue; and that the Town Manager is authorized to contract for and expend the appropriation for the stated purpose subject to a restriction prohibiting , installation, maintenance and use of lighting fixtures and infrastructure on the premises for the adjacent Lowell Field, and execute and record any written instruments on behalf of the Town.

**SPONSOR:** Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

# BARNSTABLE TOWN COUNCIL

**ITEM# 2015-065**  
**INTRO: 02/05/15**

## SUMMARY

**TO:** Town Council  
**FROM:** Thomas K. Lynch, Town Manager  
**THROUGH:** Barnstable Land Trust  
**DATE:** January 14, 2015  
**SUBJECT:** Acquisition of approximately 3 acres of land on Putnam Avenue in Cotuit, Assessor's Map 36, Parcel 39 (portion).

This item has been placed on the agenda for the Council's approval of an appropriation of \$300,000 from General Reserves to acquire approximately 3 acres of land surrounding Lowell Park from the Barnstable Land Trust, Inc.

**BACKGROUND:** Barnstable Land Trust (BLT) has an agreement to purchase the 19 wooded acres that surround the Town-owned Lowell Park, home of the Cotuit Kettleers. The flagpole, part of the leftfield, outfield and right field fence, together with both bullpens are located outside of the current boundaries of land owned by the Town. By purchasing a 100' buffer around the perimeter of the existing Town owned land, the existing as-built field will be protected and allow for the retrieval of foul balls and some future expansion of facilities. Since the Town owns the ballpark, it makes sense for the Town also to own the 3 acres under and immediately around Lowell Park. A plan to divide the 19-acre property into a 16.045-acre parcel and a 3.021-acre parcel has been prepared by the Town of Barnstable DPW. BLT will retain the 16-acre parcel.

**ANALYSIS:** A survey of the Lowell Parke ball field revealed encroachment onto the private lands owned by the Lowell family (see attachment #1). The Barnstable Land Trust has agreed to sell a buffer zone, comprising three acres around the ball field. This buffer zone would clear up present encroachment issues. The purchase price is \$100,000 per acre, the same price per acre the BLT is paying for the entire parcel. The sale of the three acres by BLT to the Town is conditioned in the agreement that there be no lights erected on these three acres and that there be no other parking lot lighting other than that required by law.

**FISCAL IMPACT:** The \$300,000 dollars for the purchase of the three acres will come from General Fund Reserves.

**TOWN MANAGER RECOMMENDATION:** Thomas K. Lynch, Town Manager recommends approval of this item.

**STAFF ASSISTANCE:** David Houghton, First Assistant Town Attorney, Legal Department, DPW Survey Department

**B. NEW BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM # 2015-068**  
**INTRO: 02/05/15**

**2015-068 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION**

**RESOLVED:** that the Town Council appoint the following individuals to a multiple-member board/committee/commission in accordance with Massachusetts General Law, Chapter 220 § Section 1 of the 2007 Acts,

**OLD KINGS HIGHWAY HISTORIC DISTRICT COMMITTEE:**

David Munsell Jr. 3074 Main Street, Barnstable, MA 02630 as an alternate member to a term expiring 6/30/16

**SPONSOR:** Carrie Bearse, Chair, Old King's Highway Historic Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council discussion
- Move / vote



**B. NEW BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2015-069  
INTRO: 02/05/15**

**2015-069 ACCEPTANCE OF A \$50,000 GIFT FROM THE LYNDON PAUL LORUSSO CHARITABLE FOUNDATION**

**RESOLVED:** That the Barnstable Town Council does hereby accept a gift in the amount of \$50,000 from The Lyndon Paul Lorusso Charitable Foundation to the Barnstable Police Department

**SPONSOR:** Town Manager Thomas K. Lynch

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Rationale
- \_\_\_ Council discussion
- \_\_\_ Move/vote

# BARNSTABLE TOWN COUNCIL

**ITEM# 2015-069**  
**INTRO: 02/05/15**

## SUMMARY

**TO:** Town Council  
**FROM:** Thomas K. Lynch, Town Manager  
**THROUGH:** Paul B. MacDonald, Chief of Police  
**DATE:** January 30, 2015  
**SUBJECT:** Acceptance of a Gift of \$50,000 to the Barnstable Police Department from The Lyndon Paul Lorusso Charitable Foundation

**BACKGROUND:** The motto of the Lyndon Paul Lorusso Charitable Foundation is “Looking Forward While Giving Back.” Through a generous donation from the Foundation to the Barnstable Police Department, specifically intended for the purpose of funding the training and work of the Community Impact Unit (CIU), this gift will truly honor the meaning behind the motto.

The Community Impact Unit was formed in May 2014 and is assigned to downtown Hyannis. Hyannis is the nucleus of social service agencies for the Cape Cod region. The NOAH Shelter, Salvation Army, Duffy Health Center, Vinfen, Cape Cod Hospital, Housing Assistance Corporation, Baybridge Clubhouse, and the Cape Cod Psych Center are located in downtown Hyannis. The result is a disproportionate number of individuals in mental health or other social crisis congregating in the Hyannis area. In the first 7 months of operation, the CIU encountered 247 different individuals who were homeless or at risk of homelessness. Most of these individuals suffer from mental health and/or substance abuse issues. Mental illnesses and substance abuse disorders are not exclusive to the homeless population; in fact, they are prevalent throughout the Town of Barnstable. As first responders, police officers are typically the first to encounter individuals experiencing such crises. Rather than strictly address these individuals from a law enforcement standpoint, the CIU has been identifying and referring individuals in mental and social crisis to the appropriate agencies and services. The goal is the establishment of a broad based Innovative Jail Diversion Program designed to enhance the services for individuals in crisis. Toward this end, the Community Impact Unit has identified needs for their unit that would strengthen their efforts to serve the population that is at the very center of their efforts and concern, while improving quality of life issues for the residents and businesses of the Town of Barnstable.

**ANALYSIS:** The acceptance of this gift will pay for valuable training for members of the entire Barnstable Police Department. Initially, the three members of the CIU will be attending the National Mental Health First Aid Instructor Training in Nashville, TN in February, 2015. This extensive train-the-trainer program will certify each member of the CIU to teach an 8 hour Mental Health First Aid course to the entire patrol force of the Department. The course is designed to help officers identify signs of mental illness, diffuse situations, and redirect individuals to appropriate services. The result will be better outcomes for the individual in crisis and enhanced safety for officers and the rest of the community. This training will begin once the train-the-trainer course is complete.

Attending this train-the-trainer course will also enable members of the CIU to deliver the course to other first responders on a regional basis, which will help reduce negative attitudes about mental illness and build mental health literacy with those who commonly serve the mentally ill in the course of their job duties. This type of training not only better equips police officers to perform their duties; it

places the Department and Town of Barnstable on the forefront of leadership in addressing mental illness through understanding and positive treatment.

**FISCAL IMPACT:** There will be no negative financial impact.

**TOWN MANAGER RECOMMENDATION:** Town Manager Thomas K. Lynch recommends acceptance of this gift.

**STAFF ASSISTANCE:** Paul B. MacDonald, Chief of Police, Sgt. Jean Challies, Officer Jennifer Ellis  
Officer Jason Sturgis, Anne E. Spillane