



Town Council Meeting  
June 15, 2017



**A** quorum being duly present, Council President Eric Steinhilber called the June 15, 2017, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

An announcement was made by President Eric Steinhilber 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:** Frederick Chirigotis, James Crocker, Jr., William Crocker, Jr., Sara Cushing, Debra Dagwan, John Flores, Paul Hebert, Jessica Rapp Grasseti, Eric Steinhilber, James Tinsley, Jr., Philip Wallace. **ABSENT:** Jennifer Cullum and John Norman.

The Pledge of Allegiance was led by President Eric Steinhilber followed by a Moment of Silence.

**PUBLIC COMMENT:**

Christopher Kehoe, Chairman of the Board of Directors Greater Hyannis Chamber of Commerce, spoke about the 23<sup>rd</sup> Annual Father's Day Car Show. He thanked the all the sponsors, Barnstable Police, Hyannis Fire and all their volunteers.

Paul Arnold mentioned the sale of property on 95 Chase Street had now closed and residents would be moving into the residence within the next few months. He asked for Town Council consideration regarding the over saturation of Hyannis village. He explained he cared about his neighborhood, his village, his town and wanted it to be safe and a great place to visit.

Don Baron representing the five roads under the betterment act. He thanked Council for their support.

Peter Wisnowski spoke about the dead trees in Burgess Park and the dead limbs hanging over the roadway.

Janet Murphy read a letter in to the record from John Julius. John Julius asked Town Council to support an amendment to the code regarding group homes. (EXHIBIT A)

Close public comment

**Councilor response to public comment:**

Everyone is concerned about our villages and we are trying to work together. Thank you we will look into the issue of the dead limbs and trees.

**MINUTES:** Upon a motion duly made and seconded it was voted to approve the minutes of the June 1, 2017 meeting.

**VOTE: PASSES UNANIMOUS**

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

**TOWN MANAGER COMMUNICATIONS:**

Update: (Exhibit B)

- Water Resource Advisory Committee
- Highly Fluorinated Compounds discussion
- Cape Cod Regional Technical school
- Vacancy on Cape Cod Technical School Board
- Building Commission position
- Vineyard Wind
- Mary Dunn wells

There are concerns with the lack of communication with the Cape Cod Regional Technical School and the upcoming ballot vote. We will need to prioritize the upcoming issues and or projects as there is not enough room or funding for everything. Father's Day car show is amazing – please make an effort to attend. The Growth Management Department has changed its name to the Planning and Development Department.

• **Martin J. Flynn Scholarships**

Mark Ells, Town Manager Janice Cliggott and Joyce Persuitte committee members from the Martin J. Flynn Scholarship Fund presented the scholarships to the following recipients: Shannon Kennedy-Cabral (Salve Regina University), Sydney Fitzgerald (Framingham State University), Devon Harris (Norwich University), Mikayla Henderson (Cape Cod Community College), Marta Pleitez-Hercules (University of Massachusetts Dartmouth), Richard L. Horton III (Northeastern University), Kimberly Kalis (Keene State College), Hannah Lancaster (University of South Carolina), Kyle McShera (Colby-Sawyer College), Grace Morin (Suffolk University), Carrie Osborn (University of Massachusetts Dartmouth) and Nia Eddy-Pina (Wesleyan University).

• **Presentation by Elizabeth Jenkins, Director of Planning and Development, Town of Barnstable Housing Production Plan**

Elizabeth Jenkins, Director of Planning and Development, introduced Arden Cadrin, Assessor Affordable Housing Coordinator. They discussed the Housing production Plan. (Exhibit C) They were asking for Council's support and approval on the planning design for the current housing challenges. Arden Cadrin spoke about the goals: addressing local housing needs, implementing creative strategies, continuing outreach and support implementation, and continuing to monitor and pressure for affordability units.

**Councilor questions and comments:**

This is exciting and much needed economic development. Please create more partnerships and do not act in a silo. (Community Preservation Act can be utilized in other

communities) There are residents who have homes but are having difficulty maintaining their residences – they need help. (Modernization of zoning is a priority need)  
We need workforce housing. There is an issue with low wages and housing. Business needs to get involved in housing. How do the strategies become a workable action plan program? We need measurability.

**2017- 153      RESOLVE TO JOIN THE CAPE LIGHT COMPACT JOINT POWERS ENTITY (JPE) AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE JOINT POWERS AGREEMENT OF THE CAPE LIGHT COMPACT INTRO: 05/18/2017, 06/01/17, 06/15/17**

Dave Antony, Governing representative for Cape Light Compact and Director of Property and Risk Management gave the rationale. He mentioned nothing will change for the people and it is a government structure change.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Barnstable Town Council hereby votes, pursuant to General Laws chapter 40, section 4A ½, to join the Cape Light Compact Joint Powers Entity (JPE); and authorizes the Town Manager to execute the Joint Powers Agreement of the Cape Light Compact JPE subject to final review by the Town Attorney; and ratifies the actions of Town Manager to issue a written letter to the Cape Light Compact Joint Powers Entity appointing the Town’s Director and Alternate Director; and further authorizes the Town Manager to take any other action necessary to effectuate Barnstable’s joining and participating in the JPE.

**VOTE: PASSES UNANIMOUS**

**2017-155      APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 06/01/17, 06/15/17**

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:** Dennis Briand, 80 Flume Ave, Marstons Mills as a regular member to a term expiring 06/30/20; Sabrina Ramsey Kane, 18 Fisher Road, Hyannis as a regular member to a term expiring 06/30/19; **Barnstable Economic Development Commission:** Joyce Flavin, 500 Ocean Street, Hyannis as a regular member to a term expiring 06/30/20 **Youth Commission:** Matthew McCauley, c/o Hyannis Youth and Community Center, 141 Bassett Lane, Hyannis as a regular member to a term expiring 06/30/18; **Human Services Committee:** Steven Xiarhos, 67 Saddler Lane, West Barnstable to a term expiring 06/30/20

**VOTE: PASSES UNANIMOUS**

**2017-156      REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 06/01/17, 06/15/17**

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: **Airport Commission:** Stephen Cobb as a regular member to a term expiring 6/30/20; **Council on Aging:** Josephine Melpignano as a regular member to a term expiring 6/30/20; Taylor Cobb as a regular member to a term expiring 6/30/20; John Jope as a regular member to a term expiring 6/30/20; Ella Rollins as an associate member to a term expiring 6/30/20; **Historical Commission:** Nancy Clark as a regular member to a term expiring 6/30/20; Laurie Young as a regular member to a term expiring 6/30/20; Nancy Shoemaker as a regular member to a term expiring 6/30/20;

Francis Wurzburg as a regular member to a term expiring 6/30/20; **Housing Committee:** Glen Anderson as a Barnstable Housing Authority representative member to a term expiring 6/30/20; **Hyannis Main Street Waterfront Historic District Commission:** Timothy Ferreira as an alternate member to a term expiring 6/30/20; **Land Acquisition & Preservation:** Kristine Clark as a regular member to a term expiring 6/30/20; Elissa Crowley as a regular member to a term expiring 6/30/20; **Trust Fund Advisory Board:** Frances Parks, as a Human Services Representative member to a term expiring 6/30/20; **Water Resource Advisory Commission:** Fred Dempsey as a regular member to a term expiring 6/30/20; **Waterways Committee:** Paul Everson as a regular member to a term expiring 6/30/20

**VOTE: PASSES UNANIMOUS**

**2017-160 APPROPRIATION ORDER IN THE AMOUNT OF \$375,000  
COMMUNITY PRESERVATION FUNDS FOR RECONSTRUCTION OF  
BARNSTABLE WEST BARNSTABLE PLAYGROUND, BARNSTABLE, MA  
INTRO: 06/01/17, 06/15/17**

Lindsey Counsel chair of the Community Preservation Committee gave the rationale. He introduced Jennifer Mullin, co-chair of the current Barnstable West Barnstable Elementary Playground Committee, who gave an overview of the PowerPoint presentation.

Open public hearing seeing no one close public hearing

**Councilor questions and comments:**

Who will maintain and pay the maintenance of the property? (School facility budget) What was the process for the design? (They reached out to the community and meet with the students) What is the process for procurement? (Once money is raised an invitation to bid will be issued) \$375,000 is a substantial amount of money which could be utilized for other projects - cannot support this project. The Community Preservation Committee vote was unanimous; \$40,000 will be raised to cover maintenance.

Upon a motion duly made and seconded it was

**ORDERED:** That pursuant to the provisions of the Community Preservation Act, G.L. c.44B, the sum of Three Hundred Seventy-Five Thousand and NO/100 (**\$375,000.00**) Dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund for the rehabilitation of land for active recreational use located at the Barnstable West Barnstable Elementary School contingent upon commitments of an additional **\$50,000.00** by the School Department and **\$125,156.84** in donations, for a total project cost of **\$550,156.84**; and that the Town Manager is authorized to expend the amounts appropriated for the replacement of the former wooden playground at Barnstable West Barnstable Elementary School provided the aforesaid commitments are met and none of this **\$375,000.00** appropriation is expended for artificial turf or similar material, subject to oversight by the Community Preservation Committee.

**VOTE: 9 YES 2 NO (CHIRIGOTIS AND CUSHING)**

**2017-161 ACCEPTANCE OF A LITTLE LIBRARY WORTH \$350.00 FROM THE  
OSTERVILLE VILLAGE LIBRARY FOR DOWSES BEACH LOCATED IN  
OSTERVILLE, MA INTRO: 06/15/17**

Lynne Poyant, Director of Community Services, gave the rationale.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town of Barnstable hereby accepts a Little Library worth **\$350.00** from the Osterville Village Library for Dowses Beach located in Osterville, MA

**VOTE: PASSES UNANIMOUS**

**2017-162 ACCEPTANCE OF A GIFT IN THE AMOUNT OF \$225,000.00 FROM THE STANTON FOUNDATION FOR THE CONSTRUCTION OF THE BARNSTABLE DOG PARK INTRO: 06/15/17**

Lynne Poyant, Director of Community Services, gave the rationale.

**Councilor questions and comments:**

There were concerns with highly concentrated dog urine seeping into the water table at Hathaway's Pond. The dog park in Dennis is on a pond and there is no negative effect on the water cleanliness or clarity.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town of Barnstable hereby accepts **\$225,000.00** from the Stanton Foundation for the construction of the Barnstable Dog Park and does hereby authorize the Town Manager to contract for and expend said funds for that purpose.

**VOTE: PASSES UNANIMOUS**

**2017-163 ACCEPTANCE OF A GIFT OF \$30,000.00 FROM THE COMMITTEE FOR BARNSTABLE DOG PARKS FOR THE CONSTRUCTION OF THE BARNSTABLE DOG PARK INTRO: 06/15/17**

Lynne Poyant, Director of Community Services, gave the rationale. Barbara Chester read a letter from Elaine Grace, President of the Friends of Barnstable Dog Parks, dated June 15, 2017. (Exhibit D)

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town of Barnstable hereby accepts **\$30,000.00** from The Committee for Barnstable Dog Parks for the construction of the Barnstable Dog Park and does hereby authorize the Town Manager to contract for and expend said funds for that purpose.

**VOTE: PASSES UNANIMOUS**

**2017-164 ORDER AUTHORIZING A DEBT EXCLUSION VOTE TO BE PLACED ON THE BALLOT FOR A SPECIAL ELECTION ON SEPTEMBER 19, 2017 INTRO: 06/15/17**

Mark Milne, Director of Finance, gave the rationale. He explained the estimated cost for the new tech school is \$141 million dollars. He noted the project has a Massachusetts School Building Authority grant for 30 percent of the cost. He mentioned Barnstable's share of the cost was \$1.87 million dollars for 30 years.

**Councilor questions and comments:**

The Town will be responsible for our payment by override or taking from existing resources. Why are we voting before the school vote? (Want the public to know about the financial impact) Are we restricted in attempts to secure support for the override should it fail the first time? (The Town is not restricted on how many times it can ask for the override) What is the guidance or best solution to help educate the public about this vote? (The Town cannot influence the public only educate) Ruth Weil handed out the information

from the Office of Campaign and Political Finance (Exhibit E). She explained elected officers can voice their opinion but no resources from the Town can be used in support or opposition of the upcoming vote.

Upon a motion duly made and seconded it was

**ORDERED:** That a special town election be held for the purposes of the following question to be placed on the ballot on September 19, 2017: "Shall the Town of Barnstable be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to construct a new school facility at the Cape Cod Regional Technical High School?"

Yes \_\_\_\_ No \_\_\_\_

**VOTE: PASSES UNANIMOUS**

<p><b>2017-165 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III SECTION 33 TO ALLOW FOR SPORTS AND RECREATION FACILITIES; SECTION 35 GROUNDWATER PROTECTION OVERLAY DISTRICTS TO CREATE SPECIAL SITE CLEARING AND STORMWATER REQUIREMENTS FOR SPORTS AND RECREATION FACILITY USES; AND SECTION 128 DEFINITIONS TO DEFINE SPORTS AND RECREATION FACILITY INTRO: 06/15/17</b></p>
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Upon a motion duly made and seconded it was

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

**SECTION 1**

That Chapter 240, Article III, §33 "IND Industrial District" of the Zoning Ordinance is hereby amended as follows:

1. Add a new principal permitted use to §240-33A(1), as follows:
  - (g) Sports and Recreation Facility
2. Amend the Bulk Requirements set forth in §240-33E as follows:
  1. Add a footnote 1 to the Minimum Yard Setbacks, Front, which provides:
    1. For Sports and Recreation Facilities, outdoor uses (e.g., fields, tracks, courts and swimming pools, etc.) and their accessory structures with a footprint of less than 2,000 square feet shall have a minimum front yard setback of 20 feet; provided however, that for such outdoor uses which are temporarily (i.e., not more than 182 days) covered by an air-supported or removable bubble/dome, said temporary bubble/dome shall have a minimum front yard setback of 15 feet. Retaining walls (including those used for outdoor climbing) and outdoor field/court lighting for Sports and Recreation Facilities shall not be subject to these setbacks.
  2. Add a footnote 2 to the Minimum Yard Setbacks, Side and Rear, which provides:

2. For Sports and Recreation Facilities, outdoor uses (e.g., fields, tracks, courts and swimming pools, etc.) and their accessory structures with a footprint of less than 2,000 square feet shall have a minimum side and rear setback of 10 feet; this 10 foot side/rear setback shall also apply to such outdoor uses which are temporarily (i.e., not more than 182 days) covered by an air-supported or removable bubble/dome. Retaining walls (including those used for outdoor climbing) and outdoor field/court lighting for Sports and Recreation Facilities shall not be subject to these setbacks.

3. After Maximum Building Height, change the footnote from “1” to “3” and add a clause after “whichever is lesser” so that it reads as follows:

3. Or two stories, whichever is lesser, except that for Sports and Recreation Facilities, the maximum building height shall be 55 feet measured to the highest point on the roof (not including antennas or similar roof fixtures).

4. Add a footnote 4 after “Maximum Lot Coverage as % of Lot Area” which provides:

4. For Sports and Recreation Facilities, the following outdoor uses shall not be considered structures included in this calculation: open air solar-mounted carports, fields (grass or turf), courts, tracks, swimming pools, rinks, retaining walls, and similar outdoor, open air features; additionally, any such outdoor uses which are temporarily (i.e., not more than 182 days) covered by an air-supported or removable bubble/dome shall not be included in this calculation.

3. Add “except they shall not apply to Sports and Recreation Facilities” to the end of §240-33 F, Special Screening Requirements, so that the section reads as follows:

F. Special screening requirements. The provision of §240-32F herein shall apply to all uses except they shall not apply to Sports and Recreation Facilities.

## **SECTION 2**

That Chapter 240, Article III, §35 “Groundwater Protection Overlay Districts” of the Zoning Ordinance is hereby amended as follows:

1. At the end of both §240-35F(4) and §240-35G(4), Site Clearing provisions in the Wellhead Protection (WP) and Groundwater Protection (GP) Overlay Districts, add the following at the end of the last sentence:

For Sports and Recreation Facilities, the site clearing/natural state requirements shall not apply where the proposed Storm Water Management System will be designed and constructed to provide a minimum water quality volume treatment equal to 1 inch times the total impervious area of the post-development site; and to provide treatment to remove at least 44% Total Suspended Solids prior to discharge to the infiltration system. Additionally, a long-term operations and maintenance plan shall be developed and implemented to ensure that storm water management systems function as designed. At a minimum, the plan shall include:

1. Storm water management system(s) owners;
2. The party or parties responsible for operation and maintenance, including how future property owners will be notified of the presence of the storm water management system and the requirement for proper operation and maintenance;
3. The routine and non-routine maintenance tasks to be undertaken after construction is complete and a schedule for implementing those tasks;
4. A plan that is drawn to scale and shows the location of all storm water BMP's in each treatment train along with the discharge point;
5. A description and delineation of public safety features; and
6. An estimated operations and maintenance budget.

The plan shall be subject to review and approval by the Director of Public Works as a condition of Site Plan Review Approval. Storm water Operation and Maintenance Reports documenting compliance with the plan shall be submitted annually to the Director of Public Works and Director of Planning & Development.

2. At the end of both §240-35F(3) and §240-35G(3), Lot Coverage provisions in the Wellhead Protection (WP) and Groundwater Protection (GP) Overlay Districts, add the following at the end of the last sentence:

For the purposes of this section, a temporary (i.e., not more than 182 days) air-supported or removable bubble/dome over a Sports and Recreation Facility's outdoor use (e.g., outdoor field, track, court, swimming pool) shall not be considered a building or structure.

### **SECTION 3**

That Chapter 240, Article XIII, §128 "Definitions" is hereby amended by adding the following new definition:

**SPORTS AND RECREATION FACILITY** – A facility that offers indoor and outdoor sporting, recreation, physical fitness and training, and athletic competition venues. Such a facility may include multiple structures including a field house that contains one or more indoor: ice rinks, playing fields, athletic courts, track space, swimming pools, fitness training centers, locker rooms, batting cages, accessory retail and sports related pro-shops, athletic and fitness training center, including rehabilitation facilities, food concessions and restaurant, child care areas, sports-related museums and memorabilia, accessory office space and community meeting rooms. Such facilities may also contain outdoor playing fields, tracks and courts, swimming pools, viewing stands, scoreboards, outdoor lighting, and detached comfort stations (restrooms/concessions) and other accessory structures.

**VOTE: REFER TO A PLANNING BOARD - UNANIMOUS**

<p><b>2017-167 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION</b>  <b>INTRO: 06/15/17</b></p>
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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: **Board of Health:** Dr. Paul Caniff, as a regular member to a term expiring 6/30/20; **Conservation Commission:** John Abodeely, as a regular member to a term expiring 6/30/20; Laurence Morin as a regular member to a term



expiring 6/30/20; **Economic Development Commission:** Christopher Kehoe, as a regular member to a term expiring 06/30/20; **Licensing Authority:** Martin Hoxie as a regular member to a term expiring 6/30/20; **Public Works Commission:** Dr. Paul Canniff, as a regular member to a term expiring 06/30/20; **Trust Fund Advisory Board:** Frances Parks, as a Human Services Representative member to a term expiring 6/30/20; Jayne Scanlon, as an Attorney-At-Law Representative member to a term expiring 6/30/20; Debra Blanchette, as a Government and Finance Representative member to a term expiring 6/30/20.

**VOTE: REFER TO A PUBLIC HEARING ON 07/20/2017- UNANIMOUS**

**2017-168      APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$482,000  
PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM  
REGARDING BUNKER HILL ROAD IN OSTERVILLE, MA INTRO: 06/15/17**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$482,000** be appropriated for the purpose of making temporary repairs to Bunker Hill Road in Osterville, MA; a private road within the Town of Barnstable, including the payment of costs incidental or related thereto; and that to meet this appropriation the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$482,000** in accordance with Chapter 350 of the Acts of 2014, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose and assess betterments, and the Town Manager is further authorized to accept any grants and/or gifts in relation thereto.

**VOTE: REFER TO A PUBLIC HEARING ON 07/20/2017- UNANIMOUS**

**2017-169      APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$585,340  
PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM  
REGARDING BEACH PLUM HILL ROAD AND SMOKE VALLEY ROAD IN  
OSTERVILLE, MA**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$585,340** be appropriated for the purpose of making temporary repairs to Beach Plum Hill Road and Smoke Valley Road in Osterville, MA a private road within the Town of Barnstable, including the payment of costs incidental or related thereto; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$585,340** in accordance with Chapter 350 of the Acts of 2014, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose and assess betterments, and the Town Manager is further authorized to accept any grants and/or gifts in relation thereto.

**VOTE: REFER TO A PUBLIC HEARING ON 07/20/2017- UNANIMOUS**

**2017-170      APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF  
\$753,480 PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM  
REGARDING ICE VALLEY ROAD AND FOX ISLAND ROAD IN OSTERVILLE  
INTRO: 06/15/17**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$753,480** be appropriated for the purpose of making temporary repairs to Ice Valley Road and Fox Island Road In Osterville, a private road within the Town of Barnstable, including the payment of costs incidental or related thereto and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$753,480** in accordance with Chapter 350 of the Acts of 2014, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose and assess betterments, and the Town Manager is further authorized to accept any grants and/or gifts in relation thereto.

**VOTE: REFER TO A PUBLIC HEARING ON 07/20/2017- UNANIMOUS**

**2017-171      RESOLVE CENTERVILLE-OSTERVILLE-MARSTONS MILLS  
(COMM) INITIAL AND FIRST SUCCESSOR TEMPORARY WATER  
SUPPLY INTERMUNICIPAL AGREEMENTS INTRO: 06/15/17**

David Houghton, 1<sup>st</sup> Assistant Town Attorney, gave the rationale. He noted the terms of the agreement are the same as the previous agreement and Centerville-Osterville-Marstons Mills Fire District is eager to see the agreement pass.

*Councilor William Crocker left the dais at approximately 9:43 p.m.*

**Councilor questions and comments:**

Point of Information – the Centerville-Osterville-Marstons Mills Fire District sells their water cheaper than the Town of Yarmouth.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council approves the extension of the maximum duration of the initial intermunicipal water supply agreement with the Centerville-Osterville-Marstons Mills Fire District (COMM) made September 21, 2016 from March 31, 2017 to June 30, 2017 and the execution and delivery by the Town Manager on behalf of the Town of a First Successor Intermunicipal Agreement to continue the temporary supplemental supply of water to the Town to include a maximum duration of November 1, 2019, a maximum expenditure of **\$90,000.00** from the amount appropriated on June 1, 2017 under agenda item number 2017-127 for Fiscal Year 2018 Department of Public Works Water Supply Enterprise Fund and maximum expenditures of **\$45,000.00** and **\$20,000.00** subject to appropriation for Fiscal Years 2019 and 2020, respectively, unless further extended by vote of the Town Council.

**VOTE: PASSES UNANIMOUS**

*Councilor William Crocker returned to the dais at approximately 9:45 p.m.*

**2017-172 RESOLVE YARMOUTH FIRST SUCCESSOR WATER SUPPLY INTERMUNICIPAL AGREEMENT INTRO: 06/15/17**

David Houghton, 1<sup>st</sup> Assistant Town Attorney, gave the rationale.

**Councilor questions and comments:**

The \$1,020,000 is the maximum to be spent. Point of Information – We will spend no more than \$1 million dollars per year. If there is infrastructure issues it might be better with Town of Yarmouth but our present water management is fabulous – terrific job by all who are involved.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council approves the execution and delivery by the Town Manager on behalf of the Town of a First Successor Intermunicipal Agreement to continue the supplemental supply of water to the Town by the Town of Yarmouth to include a maximum duration of June 1, 2018 and a maximum expenditure of **\$1,020,000.00** from the amount appropriated on June 1, 2017 under agenda item number 2017-127 for Fiscal Year 2018 Department of Public Works Water Supply Enterprise Fund, unless further extended by vote of the Town Council.

**VOTE: PASSES UNANIMOUS**

**2017-173 APPROPRIATION ORDER OF \$30,000 FOR A SPECIAL ELECTION TO BE HELD ON SEPTEMBER 19, 2017 INTRO: 06/15/17**

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$30,000** be raised and appropriated for the fiscal year 2018 Administrative Services Department budget to cover the cost of a special election to be held on September 19, 2017.

**VOTE: REFER TO A PUBLIC HEARING ON 07/20/2017- UNANIMOUS**

**ADJOURNMENT:**

Upon a motion duly made and seconded it was

**VOTED to adjourn:**

**Adjourned at 9:48 PM**

Respectfully submitted,

Janet E. Murphy  
Assistant Town Clerk

NEXT REGULAR MEETING:

EXHIBITS:

- A. John Julius letter read in to the record
- B. Town Manager Update dated June 2 through June 15, 2017
- C. Town of Barnstable Housing Production Plan August 2016
- D. Elaine Grace letter, dated June 15, 2017 read in to the record