



Town Council Meeting
March 4, 2021



The March 4, 2021 meeting of the Barnstable Town Council was physically closed to the public to avoid group congregation.

A quorum being duly present, President Matthew Levesque called the March 4, 2021 Town Council meeting to order at 7:04 PM from a remote location.

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, David Bogan Kristine Clark, Jennifer Cullum, Debra Dagwan, Jessica Rapp Grassetti, Paul Hebert, Matthew Levesque, Paul Neary, Paula Schnepf, Tracy Shaughnessy, Gordon Starr, Eric Steinhilber.

The Pledge of Allegiance was led by Vice President Schnepf followed by a moment of silence. President Levesque recognized the two recipients of the 2021 Black Excellence on the Hill Award, noting Brian Morrison was nominated by State Representative Steven Xiarhos and John Reed was nominated by State Representative Kip Diggs.

The 2021 Black Excellence on the Hill Award

Officer Brian Morrison was recently recognized by our West Villages Elementary School as a "Hero of Positivity" in the community.

John L. Reed taught Social Studies at Barnstable High School for 37 years and is a mentor to countless students throughout Barnstable.

Councilor Debra Dagwan introduced John Reed. She spoke about his many accomplishments: mentor, leader and trailblazer. She gave insight into his 37 years of teaching at Barnstable High School and the many committees and organizations he was a part of as an active member and a real leader. John Reed thanked Representative Kip Diggs and everyone for believing in him.

President Levesque introduced Barnstable Police Officer Brian Morrison. He discussed his 1997 joining the Barnstable Police. He added Officer Morrison's 2017 involvement with the Youth and Community Center and People of Action. Officer Brian Morrison thanked State Representative Steven Xiarhos and everyone for this honor. He added a solo action is the beginning but all people are needed to help.

Councilors Steinhilber and Atsalis spoke warmly of the two recipients and thanked them for their service to the community. Councilor Bogan added that he commended the men and were models to people of color and all residents of Barnstable. Councilor Shaughnessy thanked both men for their service.

PUBLIC COMMENT:

Megan Newman identified herself as an abutter to the 35 Scudder parcel. She had concerns with the location of the 300 plus housing units in the single-family zoned area. She asked for more clarity regarding this particular type of housing. She inquired about the traffic plan as she felt this area already had high traffic levels.

Elizabeth Lewis felt 35 Scudder parcel was the last green parcel which was a 40-acre track. She urged Council to closely examine the project and its impacts on the environment.

Ann Schulte spoke about the citizen petition. She mentioned it had 322 signatures and it was for a citizen advisory committee to review the comprehensive plan for the Town. She discussed the Town's hearing on the petition and the seriousness of its purpose.

Roberta Mauch mentioned the abundant birds that lived in the 35 Scudder parcel. She felt corporate developers were creating the housing crisis and hoped there would be no added traffic with this project.

Close Public Comment

Councilor Response to Public Comment:

(Bogan) He said the Councilors would evaluate all concerns on this project. (Cullum) Thanked both 2021 Black Excellence on the Hill Award recipients as they gave good advice and information to her as a new Councilor well as the residents of Barnstable. (Hebert) He said the Council was listening and explained the golf course parcel development was still in the beginning stages. (Starr) Could Elizabeth Jenkins, Planning and Development Director please explain the process? (Elizabeth Jenkins) She explained the Cape Cod Commission had affirmed the development at 35 Scudder to go through the development process. She added the next step was the filing of the development agreement for a review process. She noted the Cape Cod Commission would hold the Public Hearings. (Cullum) She said the information regarding this next step could be disseminated by Deb Krau, President of the Greater Hyannis Civic Association. She suggested an email to Deb Krau. (Atsalis) Question the petition and how it related to the comprehensive plan. (Ells) He explained later in the agenda the Council will discuss the Steering Committee. The petition will be considered by Town Council. We should all look at what the Steering Committee will be creating – the local comprehensive plans for the Town. (Dagwan) Mentioned she lives in 35 Scudder parcel and although the Town needs housing she would not support the project due to the traffic issues. (Starr) What is the next step with the petition? (Nober) She explained the petition did not have any written/wet signatures from 150 registered voters. The petition did not meet the requirements and is not acceptable by the Charter. (Bogan) He explained the signatures were not wet signatures and the Town Clerk could not accept it. He noted Council should decide on how they want to proceed.

TOWN MANAGER COMMUNICATIONS:

Update February 19, 2021 through March 4, 2021 (Exhibit A)

Mark Ells mentioned John Reed and Brian Morrison had great impact on children and thanked them for taking the time in our community. He asked Andy Clyburn, Assistant Town Manager to give an update on the COVID-19 vaccine.

- Andy Clyburn noted Chief Burke was available for question regarding COVID-19. He spoke about the United States Coast Guard crew from Coast Guard Air Station Cape Cod and their involvement with the rescue of 21 fishermen from the Atlantic Destiny which was located 130 miles south of Halifax, Nova Scotia. He commended them for their rescue and thanked them for a job well done. He also discussed COVID-19 vaccine supplies being extremely limited. He mentioned the Cape Cod COVID Vaccine Consortium at the Cape Cod Community College. (Clark) how are people hearing about this consortium? (Clyburn) We are pushing out as much information as possible. (Shaughnessy) The Adult Community Center has been contacting people by phone.
- Conservation Law Foundation (CLF) has not served the Town; litigation does not start until the Town has been served.
- Comprehensive Wastewater Management Plan
- Budget Fiscal year 2022
- Vineyard Wind

Councilor comments and questions:

(Rapp Grassetti) All properties with bedrooms will be assessed for sewer assessments for the cost of sewerage in the Town. Why is the entire Town not being tapped to participate?

(Ells) The sewer assessments are to cover the cost of expansion in the sewerage portions of the Town. There is a direct cost for those who are getting sewer expansion. The sewer expansions help properties gain in value.

- Steering Committee (Elizabeth Jenkins) gave an overview of the Town's Steering Committee for the Local Comprehensive Plan (LCP). She explained the first step was a formal letter of a Community Vision. She added then the formation of Local Comprehensive Plan Committee, per the Cape Cod Commission Act which has the Town Manager establishes a committee to call for members, applications and ratify group members by Council. (Hebert) Please invite people from our current Boards and Committees already serving. (Bogan) Members of the public need to be invited to serve. (Jenkins) The members need to be actively engaged look at background and make sure group is inclusive.
- Green Communities (David Anthony Insurance and Assets Director) gave an overview of his PowerPoint presentation. He discussed the Green Community Act of 2008. He explained the Town's process in 2010 and in 2019 when the Town pushed again for designation. He noted the criterion was the adoption of a Stretch Code. He said week of March 18, 2021 there will be a Town Council Workshop. At the Council Workshop Brian Florence, Building Commissioner would present his plan to meet the criterion. (Ells) Said there is merit in being certified as a Green Community.

ACT ON MINUTES:

Upon a motion duly made and seconded it was to approve the February 18, 2021 minutes

VOTE: PASSES 13 YES

COMMUNICATIONS- from elected officials, boards, committees, staff commission

reports, correspondence and announcements:

(Hebert) The Cape Cod Tech building is a beautiful building. He suggested residents should review the report. (Neary) February 9th Zoning and Permitting Advisory Committee; March 9th How Zoning was created. (Steinhilber) Asset Management on February 17th – will go out for bid on properties owned by the Town; March 24th Housing Trust Committee. (Cullum) Thank you Patti Machado for another great Youth Summit. (Clark) National Trust Preservation for Hyannis Main Street. Trust supports local restaurant.

11-minute break

Nate Mayo Director of Public Affairs, introduced Jack Arunda, Rachael Pacher and Chris Rodstrom gave an overview of his PowerPoint presentation. He discussed the federal level of permitting. He spoke about the final environmental impact will lead to final permit. The State and Local Permit good for Level 1. 16 million dollars for Phase I and 2. There will be a March 9th meeting on Zoom to review the latest updates. We will be shifting to construction in the fall.

OUT OF ORDER TAKE AGENDA ITEM 2021-131 BEFORE AGENDA ITEM 2021-076

2021-131 ACCEPTANCE OF AN INSTITUTE OF MUSEUM AND LIBRARY SERVICES CARES ACT GRANT IN THE AMOUNT OF \$3,430 FROM THE MASSACHUSETTS BOARD OF LIBRARY COMMISSIONERS BY AND THROUGH THE TOWN TO THE WHELLEN MEMORIAL LIBRARY INTRO: 03/04/21

Madeline Noonan, Community Services Director gave the rationale. She noted Citizen Scientist project would utilize this funding for the project. Kelly Depin, Library Director explained Whelden Memorial Library was 1 out of 20 who received funding.

Councilor questions and comments:

(Shaughnessy) Said this was a wonderful collaboration. (Clark) This was a competitive grant great for Whelden Memorial Library, West Barnstable and the entire Town.

Upon a motion duly made and seconded it was

RESOLVED: That the Barnstable Town Council does hereby accept a grant in the amount of **\$3,430** from the Massachusetts Board of Library Commissioners for the purpose of providing those funds to the Whelden Memorial Library to be used to support "Citizen Scientist" virtual programming at the library.

VOTE: PASSES 13 YES

2021-076 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$37,000 FOR THE PURPOSE OF FUNDING SEASONAL SALARIES AND WAGES FOR THE FISCAL YEAR 2021 GOLF ENTERPRISE FUND OPERATIONS INTRO: 02/18/2021, 03/04/2021

Madeline Noonan, Community Services Director gave the rationale. She explained this funding would help with the seasonal salaries. She mentioned Bruce McIntyre, Director of Golf was available for questions.

Open public hearing seeing no one close public hearing

Councilor questions and comments:

(Hebert) Thank you Bruce McIntyre for all your hard work.

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$37,000** be appropriated for the purpose of funding labor costs for seasonal salaries and wages associated with increased facility activity and compliance with state COVID-19 regulations and that to meet this appropriation, that \$37,000 be provided from the Golf Enterprise Fund Reserves.

VOTE: PASSES 13 YES

2021-077 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$5,000 FOR THE FISCAL YEAR 2021 AIRPORT OPERATING BUDGET FOR THE PURPOSE OF FUNDING THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE AIRPORT MASTER PLAN UPDATE PLANNING PROJECT INTRO: 02/18/2021, 03/04/2021

Katie Servis, Cape Cod Gateway Airport Manager, gave the rationale with an overview of her PowerPoint presentation.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$5,000 be appropriated for the purpose of funding the administrative costs for the Airport Master Plan Update Planning Project and that to meet this appropriation, that \$5,000 be provided from the Airport Enterprise Fund Reserves.

VOTE: PASSES 13 YES

2021-078 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$470,000 FOR THE FISCAL YEAR 2021 AIRPORT ENTERPRISE FUND OPERATING BUDGET FOR THE PURPOSE OF PURCHASING AVIATION JET FUEL FOR RESALE INTRO: 02/18/2021, 03/04/2021

Katie Servis, Cape Cod Gateway Airport Manager gave the rationale. She utilized a PowerPoint presentation. (Atsalis) Markup on fuel \$2.10 Markup from \$2.25. (Servis) We charge \$4.46 per gallon of fuel and we discount our frequent flyers.

Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$470,000** be appropriated for the purpose of funding the purchase of aviation jet fuel for resale, and to meet this appropriation, that \$470,000 be provided from the Airport Enterprise Fund Reserves.

VOTE: PASSES 13 YES

2021-081 APPROPRIATION ORDER IN THE AMOUNT OF \$70,000 FOR A COMMUNITY DATA AND VISIONING PROJECT CONSULTANT IN SUPPORT OF A LOCAL COMPREHENSIVE PLAN UPDATE INTRO: 02/18/2021, 03/04/2021

Elizabeth Jenkins, Planning and Development Director gave the rationale.

Open public hearing seeing no one close public hearing

Councilor questions and comments:

(Neary) Did you look internally for staffing before going outside of Town staff? (Jenkins) We will be seeking outside consultant but we have not begun process. We need a Local Comprehensive Plan group first, draft of the plan then seek consultant. (Atsalis) What is the vetting process? (Jenkins) Procurement process. We evaluated this need as we do not

have the manpower to engage the community at the scale needed for our community. The Steering Committee should be specific to the community, intimate process for Council and Town Manager. (Bogan) I disagree. (Jenkins) We will look at our process.

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$70,000** be appropriated for the purpose of funding a consultant to facilitate collection, analysis and presentation of community data and facilitate a community visioning effort in support of an update to the Town's Local Comprehensive Plan; and that to fund this appropriation, that \$70,000 be provided from the General Fund Reserves.

VOTE: PASSES 13 YES

<p>2021-082 APPROPRIATION ORDER IN THE AMOUNT OF \$92,945 FOR THE TREATMENT OF THE INVASIVE SPECIES HYDRILLA IN LONG POND, CENTERVILLE AND MYSTIC LAKE AND MIDDLE POND, MARSTONS MILLS INTRO: 02/18/2021, 03/04/2021</p>

Elizabeth Jenkins, Planning and Development Director gave the rationale. She explained the Hydrilla is non-native invasive species.

Open public hearing

Tina Carey said the Town has been spraying for twenty years and Hydrilla just spreads. Please postpone this vote as spraying this chemical is killing the bees, and grass. What is it doing to the people? (Jenkins) We have been treating for 10 years and Hydrilla is very persistent and we need consistent annual treatment to stop this non-native plant.

close public hearing

Councilor questions and comments:

(Bogan) Did you look at other treatments? (Jenkins) We continue to evaluate and we receive good results with as little herbicide as possible. (Shaughnessy) How is the herbicide applied? (Jenkins) Directly into the water not sprayed.

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$92,945** be appropriated for the purpose of treating Hydrilla in Long Pond, Centerville and Mystic Lake and Middle Pond, Marstons Mills; and that to fund this Appropriation, that \$92,945 be provided from the General Fund Reserves.

VOTE: PASSES 8 YES 1 NO (DAGWAN) 4 ABSTAIN (ATSALIS, BOGAN, CLARK, SHAUGHNESSY)

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED TO ADJOURN:

Adjourned at 10:31 PM

Respectfully submitted,

Janet E. Murphy

Assistant Town Clerk/Town of Barnstable

NEXT MEETING: March 18, 2021

Exhibit

A. Town Manager Update.