



Town Council Meeting  
April 6, 2023



A quorum being duly present, President Matthew Levesque called the April 6, 2023, Town Council meeting to order at 7:06 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:** 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)**

No one

**(Zoom)**

No one

Close public comment

**TOWN MANAGER'S COMMUNICATIONS:** (Levesque) 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)

- 1 Joint Emergency training at Barnstable High School
- 2 Budget Action calendar continues
- 3 Beach raking at some public beaches
- 4 Proposed regulatory changed to Title 5 and Watershed Permit
- 5 Hyannis Golf Course reopened to the public
- 6 Spring Basketball League at the Hyannis Youth and Community Center (HYCC)
- 7 One Love event at Barnstable High School
- 8 Elizabeth Jenkins, Director of Planning and Development –Local Comprehensive Plan (LCP) update

**Councilor questions and comments:**

(Ludtke) Ranking from the public feedback, seeing the priorities identified by the public, do they match up to the Council's strategic plan; thank you for stopping the beach raking (Starr) Went to Hyannis Golf Course to see the damage; HYCC spring basketball sounds great (Schnepf) Raking at the beaches, not sure the public knows about no longer raking, are you going to notify the public (Ells) Yes, as of yesterday we are not able to rake this summer at some of our beaches, will be communicating with the public (Schnepf) July 4<sup>th</sup> activities, we had to change to Labor Day, will that be the same this year (Ells ) Yes (Schnepf) Opioid money received what

are we doing with the money (Milne) restricted funds, can be used for preventative measures, educating; working on identifying a process (Schnepp) Where in our Town structure will that initiate, (Milne) Police Department, Fire Department (Cullum) Beach raking will this affect capacity, what about trash on the beaches (Ells) Going to proceed with internal discussion, put together a draft scope of management plan, we already do this with Sandy Neck. (Cullum) any thought to silent fireworks (Ells) No, it is the proximity to the species that is the problem (Atsalis) Have the nesting habits changed in the last couple of years (Ells) The change is due to a complaint last year that went to the Massachusetts Natural Heritage and Dangerous Species program (Mendes) Thanked law enforcement for the basketball tournament, would like to see it expanded to adult teams (Clark) Proud of the Town for the discussions with the Massachusetts Department of Environmental Protection (MassDEP); kudos to the staff for responding to the pipe burst at the golf course, and to Elizabeth Jenkins with the good information. (Ells) Our Superintendent of Schools is here this evening, and they have recommended the School Committee budget. (Atsalis) heard a conversation about the 1.5 million that has changed to over 4 million (Ahern) having portables installed at two of the elementary schools, it is not part of the FY24 budget; (Rapp Grassetti) portables versus modules has there been thought about permanent fixtures? (Ahern) Our area of focus is modules which were intended to be leased while we work on a long term plan (Ludtke) describes her child's class has 27 people of which 24 do not speak English as a first language, this is so challenging when you have students starting in the 7<sup>th</sup> grade without English language; you are right there with multilingual learning; (Cullum) English language speakers can also learn another language, every student should have the opportunity (Levesque) Bi-lingual test what languages does that include (Ahern) multiple languages other than English, a comprehensive set of skills.

#### **ACT ON PUBLIC SESSION MINUTES:**

Upon a motion duly made and seconded it was to accept the minutes of March 16, 2023 as presented.

#### **VOTE: PASSES UNANIMOUS**

#### **Funding Update for the Fiscal Year 2024 to Fiscal Year 2028 Comprehensive Wastewater Management Plan (CWMP), Finance Director, Mark Milne (Exhibit B)**

- **Chapter 70 Aid increasing 6 million dollars**
- **We now have 2 million dollars we can put towards the CWMP**

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

(Clark) Is this power point available to the public (Milne) yes it is on the website (Clark) how close are we to spending (Milne) we are 12% away from where they want us to be (Clark) the comparison to the towns; why those towns (Milne) neighboring towns, and the four larger school districts (Schnepp) lots of good news, so we could consider postponing the debt exclusion; increased needs of our student population, 60% of our student body are needy; as a gateway city many families struggling in our town, my concern is allocating that 2 million without consideration of other needs. (Milne) that 6 million for the schools will help with programs and services to the students; we have a Diversity/Equity/Inclusion (DEI) coordinator position; if there are other services that the Council feels we need to enhance we would address it during the strategic planning (Schnepp) we need to pay attention to the funds; the school system is not the only place to serve the needs of the community, it's always a good day when we don't have to increase taxes, but there may be other demands for this additional money. (Cullum) We have a 60/40 split with the schools; before we put any more tax money to the schools we have to see some improvement and results; before we go for a debt exclusion, we have to show we need the money. The landscape has completely changed for us. We are talking about a thirty year commitment to all households. (Starr) The Student Opportunity Act, seems like educational

money that money can go to the general fund? (Milne) Chapter 70 aid goes to the Community and helps the community fund its public education system, a general fund revenue source; (Starr) State Revolving Fund (SRF), are they going to help fund the CWMP (Milne) we submit every single project we can to SRF (Starr) Two percent do we have the option to go to zero percent (Milne) eligible for 1 ½ percent, zero percent on a short term loan (Ludtke) Marry the LCP process with the budget process, our schools are the pointy edge of the spear, producing a plan to go forward with our citizens in mind (Cullum) Totally different way of working in Municipal Government this year; concerned that we need to chart the course and explain what we are doing.(Cusack) this is ongoing the 2 million is that correct (Milne) in perpetuity (Cusack) This sounds like a windfall it is unencumbered but no requirements (Milne) we have done that with the increase in the schools operating budget; (Cusack) Chance on this if we wait on the borrowing it could be much higher in the future (Milne) it is becoming more expensive right now, it could change going forward (Clark) This form of government makes us more agile, we can be more responsive and more agile to respond and don't have to wait for an Annual Town meeting. (Schnepp) if we have to defer until Fiscal Year (FY) 2027 what does that mean (Milne) We would need to know in the fall of 2025 when we begin the budget process; (Schnepp) if the vote was negative, (Milne) it would allow us to develop a reduced operating budget, as we need to fund the CWMP, it is a regulatory issue at this point (Schnepp) As a Council we need to decide if we want to wait until that time, we need to communicate with the public, this needs additional updates (Levesque) We have leadership meetings and we discuss things that could change at any time. We need to be able to address these issues. Director Milne should come to us at least quarterly to help us understand what may have changed; we are in the midst of the LCP, constant conversation with the community; (Cullum) the 60/40 split is a real opportunity to explain how important our schools system is, the buy in of young adults, they are our future. (Ells) the word adaptability is what we try to do, our staffs ability to adapt as the changes occur; you are right on point with your questions; the strategic plan is the vision that we utilize when we structure our budget; when we come before you with a capital request, we know where the funding is coming from; we need to spend the time to talk about that. (Schnepp) Refresh our memories, when did the Cape Tech vote pass and when did it impact our budget; (Milne) voted September 2017; passed 3 to 1 (Levesque) What will happen if we move forward, without the funding what would that look like? I think we need to look at the first quarter on 2025 for the vote (Rapp Grasseti) how far out can you do debt exclusion (Milne) two years in advance, or go back after the project to fund it.

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

(Shaughnessy) Unity tournament at HYCC also adult skate nights, 2<sup>nd</sup> Tuesday night a Tweens night at the Hyannis Library (Ludtke) Opportunity to help the Per-Polyflourinated Substances (PFAS) study Silent Spring is going to do canvassing door to door looking for volunteers (Clark) is there a way to partner with the schools to find alumni to capture that data; (Schnepp) Appointments Committee inviting any citizens to put in an application for many positions (Levesque) Papa Ginos raise some dough on Thursday April 20<sup>th</sup> this was a great success last year for scholarships; Luke's Love playground Easter at the Park on Saturday (Atsalis) Roadway improvements, a workshop put on by the DPW, will keep the comments email open (Rapp Grasseti) April 1<sup>st</sup> Massachusetts Vulnerable Users law, Chapter 90 Section 18 allows changing speed limits from 30 to 20 miles an hour, people are just speeding (Mendes) April 29<sup>th</sup> celebration of life for John Reed.

**Presentation by John Soloman, Chair, Infrastructure and Energy Committee, on the Collection of Food Waste for Composting (Exhibit C)**

- Eliminate methane emissions from landfills

- Increasing costs of solid waste disposal
- Generate compost to promote plant growth and remove carbon dioxide from the air

**Councilor questions and comments:**

(Clark) Appreciate the compost facility at the Barnstable County Farm, is that underway (Soloman) the only composting is at Watts family farm in Forestdale; we have to ship it off cape if there is a large amount of compost. (Starr) you have worked with the town to develop rack cards (Soloman) passed them out to the Council (Exhibit C) (Starr) working on signage (Soloman) Yes, we hope to have better signage with the help of the town (Rapp Grassetti) Watts will take 600 pounds a week, what is their limit (Soloman) we do not know that yet, there are other places off the cape (Cullum) Restaurants have more food waste than anyone, we may be going through the Cape Cod Commission for help; (Schnepp) How do you know that you are collecting 600 pounds per week (Soloman) based on the barrels (Schnepp) People can still pick up waste receptacles (Soloman) yes and they can pick one up at the Transfer Station (Ludtke) What percentage does the 600 pounds; (Soloman) a little under one percent (Clark) can this be put on the Department of Public Works (DPW) website, pick up your free food bucket? Make a pitch for people to purchase an earth machine (Solomon) things that you would not put in your home composted can go into the compost bucket (Cusack) A statewide requirement that is not being enforced, we have something on the commonwealth’s book, (Soloman) the majority are not following the requirement, we start with education and support, can’t just go in and make a demand of the restaurant businesses (Levesque) we need to do this on an educational basis, you have brought this before the Council, we will bring this to staff. Thank you for your investment in our community,

Break – 9:15 PM back

**Taking 2023-149 out of order**

**2023-149 RESOLVE ACCEPTING A BEQUEST IN THE APPROXIMATE AMOUNT OF \$1,900,000 FROM THE ESTATE OF EDWARD C. CRAWFORD AND ESTABLISHING A PERPETUAL SCHOLARSHIP FUND TO BE CALLED THE “MEACHAM-CRAWFORD FUND” ACCORDING TO THE TERMS OF THE BEQUEST INTRO: 04/06/2023**

Finance Director Mark Milne gave the rationale, recognized Mrs. Sheila Leach and Attorney, Stuart Rapp

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council accepts with deep gratitude from the estate of Edward C. Crawford, late of Cotuit, a bequest in the amount of approximately **\$1,900,000**, and establishes a perpetual fund to be called the “MEACHAM-CRAWFORD FUND” to provide tuition scholarship funds to be known as the “MEACHAM-CRAWFORD SCHOLARSHIP AWARD(S)” to Barnstable High School graduates committed to pursuing post-secondary education in an accredited educational institution, with a “strong preference” for students who are residents of Cotuit, all in accordance with the terms and conditions of PARAGRAPH FIFTH of Mr. Crawford’s will dated January 24, 2019.

**VOTE: PASSES UNANIMOUS**

Upon a motion duly made and seconded it was to open and continue Items 2023-132 and 2023-133, as written, to individual public hearings to be held on each item on April 27, 2023.

**VOTE: PASSES UNANIMOUS**

**2023-132 ORDER TO DISCONTINUE AND ABANDON MOTHER'S PARK ROAD, CENTERVILLE, MA INTRO: 02/02/2023, 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** To discontinue and abandon the public way known currently as Mother's Park Road in Centerville, MA; provided that this Order shall be effective thirty (30) days after the date on which it is approved by the Town Council.

**VOTE: OPEN AND CONTINUE TO PUBLIC HEARING ON 4-27-2023**

**2023-133 APPROPRIATION ORDER IN THE AMOUNT OF \$22,700 FOR THE PURPOSE OF ACQUIRING THE FEE IN MOTHER'S PARK ROAD BY EMINENT DOMAIN FOR SEWER AND WATER AND GENERAL MUNICIPAL PURPOSES INTRO: 02/02/2023, 03/16/2023, 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** Provided that the Town Council has first voted to abandon Mother's Park Road as a public way, the Town Council hereby authorizes the Town Manager to purchase, take by eminent domain under Chapter 79 of the General Laws of Massachusetts, or otherwise acquire for sewer and water and general municipal purposes the fee through, under, across, and on Mother's Park Road, Centerville, as more fully shown on a plan to be filed in the office of the Town Council, for the installation, operation, maintenance, repair, relocation, and replacement of sewer and water lines and infrastructure for the same and for all purposes for which such infrastructure is commonly used in the Town of Barnstable, and that to fund the same, that **\$22,700** be provided from the reserves in the Sewer Construction and Private Way Improvement Special Revenue Fund, and that the Town Manager is authorized to contract for and expend said appropriation for such purposes and accept any gifts or grants in relation thereto.

Any trees, buildings, and other structures located within said roads are not included in this Order and the owners of the same may have a period of up to sixty (60) days after the recording of the Order of Taking to remove the same.

The names and addresses of the owners of said interests taken and their mortgagees as far as can be ascertained by the Town are as set forth on Exhibit A attached hereto, along with any awards, if any, for damages sustained by said owners.

Betterments will be assessed for the associated sewer and water improvements made by the Town of Barnstable.

**VOTE: OPEN AND CONTINUE TO PUBLIC HEARING ON 4-27-2023**

**2023-141 APPROPRIATION ORDER IN THE AMOUNT OF \$65,000 FOR THE DEPARTMENT OF COMMUNITY SERVICES GOLF ENTERPRISE FUND OPERATING EXPENSES INTRO: 03/16/2023, 04/06/2023**

Chris Gonnella, Interim Director of Leisure Services gave the rationale  
Open public hearing seeing no one and no one on zoom, close public hearing

**Councilor questions and comments:**

(Cusack) what can and cannot be done at this time, (Gonnella) clubhouse closed, no food or beverage at this time, tee times available, pro shop is open (Schnepp) What is the impact on the vendor is there any liability (Gonnella) They have their own insurance. (Neary) Can you purchase yearly memberships with a credit card (Gonnella) Yes (Neary) curious if going forward you automatically tack on the card fees (Ludtke) I was going to say the opposite, I think it is grand of you to pick up those fees and not pass it on to the golfers.

Upon a motion duly made and seconded it was

**ORDERED:** That the sum of **\$65,000** be appropriated for the Department of Community Services Golf Enterprise Fund Fiscal Year 2023 Operating Expenses, and to meet such appropriation, that **\$65,000** be provided from the Golf Enterprise Fund Reserves.

**VOTE: PASSES 13 YES**

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

**2023-142 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$195,000 FROM THE COMMUNITY PRESERVATION OPEN SPACE/RECREATION FUNDS FOR THE COMPLETION OF THE CAPE COD RAIL TRAIL PHASE 3 ENGINEERING SERVICES INTRO: 03/16/2023, 04/06/2023**

Lindsey Counsell gave the rationale; Paul Graves, Senior Project Manager of the Department of Public Works utilized a Power Point presentation to show the Cape Cod Rail Trail route. Open public hearing seeing no one and no one on zoom, close public hearing

**Councilor questions and comments:**

(Starr) Is Yarmouth approving their design portion at this time? (Graves) I do not know, the towns are required to do this (Starr) Do we have permission to go over state property (Graves) yes (Starr) Matching funds from the Department of Transportation (DOT) are they one to one (Graves) we don't have to match those funds (Starr) how is this going to connect to the rest of the town (Graves) many existing spurs (Schnepf) Where is the starting point (Graves) the green illustrates an existing trail that will be widened, red is where we are creating a trail (Schnepf) the parking spots could you identify for us (Graves) Mary Dunn Road just south of Independence (Schnepf) will the funds from the state include paving the parking area (Graves) cover everything except non-participating items, a small amount of items that won't be covered.

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 amount of One Hundred and Ninety Five Thousand Dollars (**\$195,000**) be appropriated and transferred from the amount set aside for Open Space/Recreation within the Community Preservation Fund for the purpose of funding the completion of the Cape Cod Rail Trail Phase 3 Engineering Services. It is further ordered that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, subject to oversight by the Community Preservation Committee.

**VOTE: PASSES 13 YES**

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

**2023-143 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$300,000 IN COMMUNITY PRESERVATION OPEN SPACE/RECREATION FUNDS FOR THE PURPOSE OF FUNDING CAPE COD RAIL TRAIL, PHASE 4 – PRE-25% DESIGN SERVICES INTRO: 03/16/2023, 04/06/2023**

Lindsey Counsell gave the rationale along with Paul Graves, Senior Project Manager of the Department of Public Works Open public hearing seeing no one and no one on zoom, close public hearing

**Councilor questions and comments**

(Starr) do you go next for 70 percent design and then for 100 percent (Graves) the major steps that have been done now are the aerial survey and on the ground survey, topography, trees,

property lines, utility poles, then the next step by the consultants to prepare the rough draft of the line; (Starr) we already gave money for aerial mapping (Graves) we have only released 500,000 worth of work so far; the work that had to be done first (Starr) is there a way you can do the western section first to open up more trail (Graves) Sandwich is in the process (Ludtke) the section crossing 132 that is where the Park City Wind is going to put their substation.

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 amount of **\$300,000** be appropriated and transferred from the amount set aside for Open Space/Recreation within the Community Preservation Fund for the purpose of funding Cape Cod Rail Trail, Phase 4 – Pre-25% Design Services. It is further ordered that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, subject to oversight by the Community Preservation Committee.

**VOTE: PASSES 13 YES**

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

<p><b>2023-144 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$300,000 FROM COMMUNITY PRESERVATION FUNDS FOR THE RESTORATION AND PRESERVATION OF THE UNITARIAN CHURCH OF BARNSTABLE, 3330 MAIN STREET, BARNSTABLE, MA INTRO: 03/16/2023, 04/06/2023</b></p>
---

Lindsey Counsell gave the rationale; Lyn Spencer of Spencer Restoration Group specializes in Historic restorations  
Open public hearing

**Zoom:**

Crystal Gibbs supporting the restoration of the Unitarian Church of Barnstable, members and friends of the church are committed to the restoration, the building serves as a cornerstone; represent the nature of early colonial village. We hope you will approve this item.  
Close public hearing

**Councilor questions and comments:**

(Ludtke) Maintaining the character of the Town, this is fantastic (Schnepf) this is a place where the community gathers, when will the project be completed (Spencer) we will add to the building as we obtain more money; a year to two years out

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 amount of Three Hundred Thousand Dollars (**\$300,000**) be appropriated for the purpose of funding the restoration and preservation of the Unitarian Church of Barnstable located at 3330 Main Street, Barnstable, MA, Assessors Map 299, Parcel 041, and to fund this appropriation that **\$261,000** be transferred from the amount set aside for Historic Preservation within the Community Preservation Fund and **\$39,000** be transferred from the Undesignated Fund Balance within the Community Preservation Fund. It is further ordered that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, subject to oversight by the Community Preservation Committee.

**VOTE: PASSES 13 YES**

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

**2023-145 ORDER AMENDING ARTICLE II, SEWER ASSESSMENTS, CHAPTER 184 SEWERS AND WATER OF THE GENERAL ORDINANCES INTRO: 03/16/2023, 04/06/2023**

Town Attorney, Karen Nober gave the rationale and went through each of the sections

Upon a motion duly made and seconded it was

**ORDERED:** That Article II, Sewer Assessments, Chapter 184 Sewers and Water, of the General Ordinances of the Code of the Town of Barnstable shall be amended as follows:

**AMENDMENT SECTION 1** – deletes section 184-9.7 in its entirety and inserts a new section in its place:

Current language to be deleted:

Sewer connection costs.

The cost of connecting the abutter to the completed section of sewer will be assessed back to the property abutter at one hundred percent (100%) of the cost. Property abutters may elect to pay the entire cost of connection upon completion or may choose to have it added to their sewer assessment. Alternatively, property abutters may elect to privately arrange and pay for the connection to the completed section of sewer.

New language to be inserted:

Sewer connection costs.

Property owners must select and contract with a contractor to connect their property to the completed section of sewer. Property owners may elect to privately pay directly to the contractor the entire cost of connection or may choose to enter into an agreement with the Town under which the Town will pay the connection costs upon completion and will then finance and assess 100% of the costs plus interest back to the property owner as an additional and separate sewer assessment. The apportionment of such assessment and the applicable interest rate thereon shall be in accordance with Section 184-9.8 hereof.

**Councilor questions and comments**

(Starr) does this include the grinder pump (Nober) I can't answer that (Ludtke) Did you say plus interest? (Starr) the interest charge, is it whatever the prevailing rate plus 2 % (Milne) we have to borrow the money at the prevailing rate, plus two percent (Schnepp) Is there any limit to the cost that can be occurred (Nober) that is between the resident and their contractor (Schnepp) there may be a county program for assistance (Nober) Yes that is up to the owner

**AMENDMENT SECTIONS 2, 3 and 4** – new added language to section 184-9.9 in bold, deletion noted:

**Deferral and suspension** of charges.

A. In accordance with and subject to the provisions of Section 16G of Chapter 83 of the General Laws, the Department of Public Works shall, upon application of the owner of real property served by the common sewers, if such owner is receiving an exemption from property taxes under clause Forty-first A of Section 5 of Chapter 59 of the General Laws with respect to such property, defer charges for said use of the common sewers. An application for deferral may be filed with the Department of Public Works within the time limit established for the filing of an application for exemption under said clause Forty-first A.

B. The provisions of section 16G of Chapter 83 of the General Laws, with respect to the ability of certain eligible property owners to defer payments of sewer **use charges** (delete: "assessments"), are hereby accepted by reference as a part of the general ordinances of the Town.

**C. In accordance with and subject to the provisions of Section 13B of Chapter 80 of the General Laws, the Town Manager shall, upon the application of the owner of real property on which a sewer assessment has been imposed, if such owner is receiving an**



exemption from property taxes under clause Forty-first A of Section 5 of Chapter 59 of the General Laws with respect to such property, enter into a deferral and recovery agreement with such owner on behalf of the Town. Any such application shall be filed with the Town Manager within six months after notice of the assessment has been sent. In the case of each such deferral and recovery agreement entered into by the Town Manager and the property owner, the Town Manager shall record in the Barnstable County Registry of Deeds a statement of his or her action which shall constitute a lien upon the land covered by such agreement for such sewer assessment. Such statement shall name the name the owner or owners and shall include a description of the land. The filing fee for any such statement recorded by the Town Manager shall be paid by the owner or owners of such real property.

D. The provisions of Section 13B of Chapter 80 of the General Laws are hereby accepted by reference as a part of the general ordinances of the Town.

E. In accordance with and subject to the provisions of Section 5 of Chapter 61 of the General Laws, land classified as forest land under said Chapter 61 is subject to a sewer assessment to such pro rata extent that the service or facility financed by such assessment is used for improving the forest production use capability of said land or for the personal benefit of the owner thereof. However, upon application of the property owner, any such assessment shall be suspended during the time the land is in forest production use and shall become due and payable as of the date when the use of the land is changed. Interest shall be computed from the date of the change in use.

F. In accordance with and subject to the provisions of Section 18 of Chapter 61A of the General Laws, land classified as agricultural or horticultural under said Chapter 61A, is subject to a sewer assessment to such pro rata extent as the service or facility financed by such assessment is used for improving the agricultural or horticultural use capability of said land or for the personal benefit of the owner thereof. However, upon application of the property owner, any such assessment shall be suspended during the time the land is in agricultural or horticultural use and shall become due and payable as of the date when the use of such land is changed. Interest shall be computed from the date of the change in use.

G. In accordance with and subject to the provisions of Section 13 of Chapter 61B of the General Laws, land classified as recreational under said Chapter 61B, is subject to a sewer assessment to such pro rata extent as the service or facility financed by such assessment is used for improving the recreational capability of said land or for the personal benefit of the owner thereof. However, upon application of the property owner, any such assessment shall be suspended during the time the land is in classified recreational use and shall become due and payable as of the date when the use of such land is changed. Interest shall be computed from the date of the change in use.

**SECTION 4:** By further amending § 184-9.9 by adding the following new Subsections C, D, E, F and G:

- C. In accordance with and subject to the provisions of Section 13B of Chapter 80 of the General Laws, the Town Manager shall, upon the application of the owner of real property on which a sewer assessment has been imposed, if such owner is receiving an exemption from property taxes under clause Forty-first A of Section 5 of Chapter 59 of the General Laws with respect to such property, enter into a deferral and recovery agreement with such owner on behalf of the Town. Any such application shall be filed with the Town Manager within six months after notice of the assessment has been sent. In the case of each such deferral and recovery agreement entered into by the Town Manager and the property owner, the Town Manager shall record in the Barnstable

County Registry of Deeds a statement of his or her action which shall constitute a lien upon the land covered by such agreement for such sewer assessment. Such statement shall name the name the owner or owners and shall include a description of the land. The filing fee for any such statement recorded by the Town Manager shall be paid by the owner or owners of such real property.

- D. The provisions of Section 13B of Chapter 80 of the General Laws are hereby accepted by reference as a part of the general ordinances of the Town.
- E. In accordance with and subject to the provisions of Section 5 of Chapter 61 of the General Laws, land classified as forest land under said Chapter 61 is subject to a sewer assessment to such pro rata extent that the service or facility financed by such assessment is used for improving the forest production use capability of said land or for the personal benefit of the owner thereof. However, upon application of the property owner, any such assessment shall be suspended during the time the land is in forest production use and shall become due and payable as of the date when the use of the land is changed. Interest shall be computed from the date of the change in use.
- F. In accordance with and subject to the provisions of Section 18 of Chapter 61A of the General Laws, land classified as agricultural or horticultural under said Chapter 61A, is subject to a sewer assessment to such pro rata extent as the service or facility financed by such assessment is used for improving the agricultural or horticultural use capability of said land or for the personal benefit of the owner thereof. However, upon application of the property owner, any such assessment shall be suspended during the time the land is in agricultural or horticultural use and shall become due and payable as of the date when the use of such land is changed. Interest shall be computed from the date of the change in use.
- G. In accordance with and subject to the provisions of Section 13 of Chapter 61B of the General Laws, land classified as recreational under said Chapter 61B, is subject to a sewer assessment to such pro rata extent as the service or facility financed by such assessment is used for improving the recreational capability of said land or for the personal benefit of the owner thereof. However, upon application of the property owner, any such assessment shall be suspended during the time the land is in classified recreational use and shall become due and payable as of the date when the use of such land is changed. Interest shall be computed from the date of the change in use.

**Councilor questions and comments:**

(Schnepp) Who is eligible to have the sewer assessments deferred? (Nober) Seniors, under Chapter 59 (Schnepp) no one else; (Milne) Only seniors that fall under Chapter 59: (Schnepp) with a new owner will it transfer (Milne) Yes if they fall under the same Chapter 59.

**AMENDMENT SECTION 5** – deletes section 184-9.10 in its entirety and inserts a new section in its place:

Current language to be deleted:

Abatements.

A property owner aggrieved by a sewer assessment imposed under this Article II may apply for abatement thereof by filing a request for abatement with the Town Manager on a form provided by the Department of Public Works within six months of the date of notice of such Assessment. The Town Manager shall make a final ruling on the application within 45 days from the date of

filing. The filing of the application does not stay the payment of the sewer assessment, which must be paid as assessed. If the abatement request is allowed, the appropriate refund will be made by the Town. A property owner who is aggrieved by the refusal of the Town Manager to abate an assessment in whole or in part may within thirty days after notice of the decision of the Town Manager appeal Page 9 of 21 therefrom by filing a petition for the abatement of such assessment in the superior court in accordance with Section 7 of Chapter 80 of the General Laws.

New language to be inserted:

Abatements.

- A. Petition for Abatement. The owner of any property on which a sewer assessment has been imposed under this Article II may file with the Town Manager a petition for abatement of such assessment on a form provided by the Department of Public Works within six months of the date of notice of such assessment. The Town Manager shall act on such petition within four months of the date of its filing. If the Town Manager fails to act within that time, the petition is deemed to be denied. The Town Manager shall give written notice to the petitioner of his or her decision within ten days after it has been made. The filing of such petition does not stay the payment of the sewer assessment, which must be paid as assessed. If the abatement petition is allowed, the appropriate refund will be made by the Town in accordance with M.G.L. c. 80, § 5.
- B. Appeal of Denial of Abatement. A property owner who is aggrieved by the refusal of the Town Manager to abate a sewer assessment in whole or in part may, within thirty days after notice of the decision of the Town Manager, file an appeal in the Superior Court pursuant to M.G.L. c. 80, § 7, or, alternatively, appeal such decision within said thirty day period to the Barnstable County Commissioners pursuant to M.G.L. § 10. If the Town Manager fails to act on a petition within four months of the date of its filing, the property owner shall have sixty days after the expiration of such four month period to file an appeal.

New language to be inserted:

Abatements.

- C. Petition for Abatement. The owner of any property on which a sewer assessment has been imposed under this Article II may file with the Town Manager a petition for abatement of such assessment on a form provided by the Department of Public Works within six months of the date of notice of such assessment. The Town Manager shall act on such petition within four months of the date of its filing. If the Town Manager fails to act within that time, the petition is deemed to be denied. The Town Manager shall give written notice to the petitioner of his or her decision within ten days after it has been made. The filing of such petition does not stay the payment of the sewer assessment, which must be paid as assessed. If the abatement petition is allowed, the appropriate refund will be made by the Town in accordance with M.G.L. c. 80, § 5.
- D. Appeal of Denial of Abatement. A property owner who is aggrieved by the refusal of the Town Manager to abate a sewer assessment in whole or in part may, within thirty days after notice of the decision of the Town Manager, file an appeal in the Superior Court pursuant to M.G.L. c. 80, § 7, or, alternatively, appeal such decision within said thirty day period to the Barnstable County Commissioners pursuant to M.G.L. § 10. If the Town Manager fails to act on a petition within four months of the date of its filing, the property owner shall have sixty days

after the expiration of such four month period to file an appeal.

**AMENDMENT SECTION 6** – inserts the following new section 184-9-11:

**Municipal lien.**

Deferred Recording Procedure. The provisions of Section 12 of Chapter 80 of the General Laws, with respect to deferring the recording of the required information for sewer assessments authorized by M.G.L. c. 83 until after the project is completed, assessments are made, and bills issued, and then only for those properties where the assessment was not paid in full within the thirty day period for paying without incurring interest, are hereby accepted by reference as a part of the general ordinances of the Town

**Open public hearing seeing no one, no one on zoom, close public hearing**

**Councilor questions and comments:**

(Clark) Do you want to make an amendment? (Schnepp) does it require an amendment?

(Nober) Yes, Amend Section 5 of the proposed item 2023-145 to amend subsection A Petition for Abatement, to move the sentence “The Town Manager shall give written notice to the petitioner of his or her decision within ten days after it has been made.” Move that sentence to after the “the Town Manager shall act on such petition within four months of the date of its filing.”(Schnepp) So moved

**Discussion:**

(Neary) clarification the last sentence almost implies “should or if” (Shaughnessy) I agree, it doesn’t flow, however, sentence one directs; sentence two if they fail to act; and sentence three once it is acted they have a certain amount of time to respond. Action or inaction (Schnepp) if the Town Manager does not make a decision is there notice to the resident, a failure to act (Nober) no.

**(Schnepp) Amendment Withdrawn**

**VOTE: PASSES UNANIMOUS AS WRITTEN**

**Upon a motion duly made and seconded it was to refer Items 2023-073 through 2023-125, inclusive, and as written, to individual public hearings to be held on each item on April 27, 2023**

**VOTE: PASSES UNANIMOUS**

<p><b>2023-073 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 FOR THE PURPOSE OF FUNDING THE FINAL DESIGN OF THE SANDY NECK FACILITY RECONFIGURATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023</b></p>
--

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$50,000** be appropriated for the purpose of funding the Final Design of the Sandy Neck Facility Reconfiguration Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$50,000** be provided from the Sandy Neck Enterprise Fund surplus, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-074 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$195,000 FOR THE PURPOSE OF FUNDING THE DESIGN OF THE PRINCE COVE IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$195,000** be appropriated for the purpose of funding the Design of the Prince Cove Improvements Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$56,000** be transferred from the remaining balance in Town Council order 2016-109, and that **\$139,000** be provided from the Marina Enterprise Fund surplus, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-075 APPROPRIATION ORDER IN THE AMOUNT OF \$172,000 FOR THE PURPOSE OF FUNDING THE DESIGN AND PERMITTING OF THE BARNSTABLE HARBOR MARINA REVETMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$172,000** be appropriated for the purpose of funding the Design and Permitting of the Barnstable Harbor Marina Revetment Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$172,000** be provided from the General Fund surplus, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-076 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$496,000 FOR THE PURPOSE OF FUNDING THE SCUDDER'S LANE BOAT RAMP RECONSTRUCTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$496,000** be appropriated for the purpose of funding the Scudder's Lane Boat Ramp Reconstruction Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$496,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-077 APPROPRIATION ORDER IN THE AMOUNT OF \$90,000 FOR THE PURPOSE OF FUNDING THE LITTLE RIVER FISH PASSAGE RESTORATION EVALUATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$90,000** be appropriated for the purpose of funding the Little River Fish Passage Restoration Evaluation Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$90,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-078 APPROPRIATION ORDER IN THE AMOUNT OF \$225,000 FOR THE PURPOSE OF FUNDING THE ROSA LANE FISH PASSAGE CULVERT REPLACEMENT DESIGN PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$225,000** be appropriated for the purpose of funding the Rosa Lane Fish Passage Culvert Replacement Design Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$225,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-079 APPROPRIATION ORDER IN THE AMOUNT OF \$125,000 FOR THE PURPOSE OF FUNDING THE LAKE ELIZABETH FISH RUN, DAM AND CULVERT REPLACEMENT DESIGN PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$125,000** be appropriated for the purpose of funding the Lake Elizabeth Fish Run, Dam and Culvert Replacement Design Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$125,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-080 APPROPRIATION ORDER IN THE AMOUNT OF \$295,000 FOR THE PURPOSE OF FUNDING THE MCCARTHY’S LANDING DINGHY DOCK CONSTRUCTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$295,000** be appropriated for the purpose of funding the McCarthy’s Landing Dinghy Dock Construction Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$295,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-081 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000 FOR THE PURPOSE OF FUNDING THE DESIGN AND PERMITTING OF THE COTUIT TOWN DOCK IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$100,000** be appropriated for the purpose of funding the design and permitting of the Cotuit Town Dock Improvements Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$58,570** be transferred from the remaining balance in Town Council order 2019-150 and that **\$41,430** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-082 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$50,000 FOR THE PURPOSE OF FUNDING THE LICENSE PLATE READER TECHNOLOGY PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$50,000** be appropriated for the purpose of funding the License Plate Reader Technology Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$14,681** be transferred from the remaining balance in Town Council order 2019-140, that **\$8,490** be transferred from the remaining balance in Town Council order 2020-125, and that **\$26,829** be provided from the Solid Waste Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-083 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 FOR THE PURPOSE OF FUNDING THE CONTAINER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$50,000** be appropriated for the purpose of funding the Container Replacement Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$50,000** be provided from the Solid Waste Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-084 APPROPRIATION, TRANSFER AND LOAN ORDER IN THE AMOUNT OF \$1,750,000 FOR THE PURPOSE OF FUNDING THE PUMP STATION REHABILITATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$1,750,000** be appropriated for the purpose of funding the Pump Station Rehabilitation Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$134,000** be transferred from the remaining balance in Town

Council Order 2019-132, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,616,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-085 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$4,500,000 FOR THE PURPOSE OF FUNDING THE WATER POLLUTION CONTROL FACILITY IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$4,500,000** be appropriated for the purpose of funding the Water Pollution Control Facility Improvements Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$4,500,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-086 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$800,000 FOR THE PURPOSE OF FUNDING THE DOWNTOWN HYANNIS FORCE MAIN REHABILITATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$800,000** be appropriated for the purpose of funding the Downtown Hyannis Force Main Rehabilitation Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$800,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**



**2023-087 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$30,900,000 FOR THE PURPOSE OF FUNDING THE PARK CITY WIND SEWER EXPANSION CONSTRUCTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN**

**INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$30,900,000** be appropriated for the purpose of funding the Park City Wind Sewer Expansion Construction Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$30,900,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-088 APPROPRIATION ORDER IN THE AMOUNT OF \$1,500,000 FOR THE PURPOSE OF FUNDING THE DESIGN AND PERMITTING OF THE OLD CRAIGVILLE ROAD SEWER EXPANSION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN**

**INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$1,500,000** be appropriated for the purpose of funding the Design and Permitting of the Old Craigville Road Sewer Expansion Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$1,500,000** be provided from the Capital Trust Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-089 APPROPRIATION ORDER IN THE AMOUNT OF \$350,000 FOR THE PURPOSE OF FUNDING THE PRELIMINARY DESIGN AND SURVEY OF THE LONG BEACH SEWER EXPANSION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN**

**INTRO: 0/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$350,000** be appropriated for the purpose of funding the Preliminary Design and Survey of the Long Beach Sewer Expansion Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$350,000** be provided from the Sewer Construction and Private Way Improvement Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-090 APPROPRIATION ORDER IN THE AMOUNT OF \$650,000 FOR THE PURPOSE OF FUNDING THE FINAL DESIGN AND PERMITTING OF THE OLD YARMOUTH ROAD SEWER EXPANSION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$650,000** be appropriated for the purpose of funding the final design and permitting of the Old Yarmouth Road Sewer Expansion Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$650,000** be provided from the Sewer Construction and Private Way Improvement Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-091 APPROPRIATION ORDER IN THE AMOUNT OF \$150,000 FOR THE PURPOSE OF FUNDING THE WARREN'S COVE AQUACULTURE FEASIBILITY STUDY PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$150,000** be appropriated for the purpose of funding the Warren's Cove Aquaculture Feasibility Study Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$150,000** be provided from the Sewer Construction and Private Way Improvement Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-092 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,500,000 FOR THE PURPOSE OF FUNDING THE PIPE REPLACEMENT AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$1,500,000** be appropriated for the purpose of funding the Pipe Replacement and Upgrade Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,500,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-093 APPROPRIATION ORDER IN THE AMOUNT OF \$200,000 FOR THE PURPOSE OF FUNDING THE WELLS, PUMP STATIONS, TREATMENT PLANT REPAIR AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$200,000** be appropriated for the purpose of funding the Wells, Pump Stations, Treatment Plant Repair and Upgrade Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$200,000** be provided from the Water Supply Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-094 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$927,000 FOR THE PURPOSE OF FUNDING THE MARY DUNN 1 WATER STORAGE TANK REHABILITATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$927,000** be appropriated for the purpose of funding the Mary Dunn 1 Water Storage Tank Rehabilitation Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$927,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-095 APPROPRIATION, TRANSFER AND LOAN ORDER IN THE AMOUNT OF \$620,000 FOR THE PURPOSE OF FUNDING THE NEW WELL EXPLORATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$620,000** be appropriated for the purpose of funding the New Well Exploration Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$147,600** be transferred from the remaining balance in Town Council order 2017-080, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$472,400** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-096      APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR THE PURPOSE OF FUNDING THE MARY DUNN 4 WELL BUILDING PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$1,000,000** be appropriated for the purpose of funding the Mary Dunn 4 Well Building Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,000,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-097      APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$3,000,000 FOR THE PURPOSE OF FUNDING THE MARY DUNN ROAD WATER MAIN REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$3,000,000** be appropriated for the purpose of funding the Mary Dunn Road Water Main Replacement Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$3,000,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-098      APPROPRIATION ORDER THE AMOUNT OF \$185,235 FOR THE PURPOSE OF FUNDING THE TOWN HALL ROOF ANALYSIS AND REPAIR PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$185,235** be appropriated for the purpose of funding the Town Hall Roof Analysis and Repair Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$185,235** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-099 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,141,929 FOR THE PURPOSE OF FUNDING THE SCHOOL ADMINISTRATION BUILDING MECHANICAL COOLING UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$1,141,929** be appropriated for the purpose of funding the School Administration Building Mechanical Cooling Upgrades Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,141,929** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-100 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,752,400 FOR THE PURPOSE OF FUNDING THE HYANNIS YOUTH & COMMUNITY CENTER MECHANICALS IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$1,752,400** be appropriated for the purpose of funding the Hyannis Youth & Community Center Mechanicals Improvements Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,752,400** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-101 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$400,000 FOR THE PURPOSE OF FUNDING THE DEPARTMENT OF PUBLIC WORKS OFFICE ADMINISTRATION BUILDING EXPANSION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$400,000** be appropriated for the purpose of funding the Department of Public Works Office Administration Building Expansion Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$373,320** be transferred from the remaining balance in Town Council order 2021-097 and that **\$26,680** be provided from

the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-102 APPROPRIATION ORDER IN THE AMOUNT OF \$3,750,000 FOR THE PURPOSE OF FUNDING THE PUBLIC ROADS MAINTENANCE PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$3,750,000** be appropriated for the purpose of funding the Public Roads Maintenance Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$3,750,000** be provided from the Capital Trust Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-103 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$270,000 FOR THE PURPOSE OF FUNDING THE MONITORING AND MANAGEMENT PLAN FOR FRESHWATER PONDS PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$270,000** be appropriated for the purpose of funding the Monitoring and Management Plan for Freshwater Ponds Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$105,440** be transferred from the remaining balance in Town Council order 2013-114 and that **\$164,560** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-104 APPROPRIATION ORDER IN THE AMOUNT OF \$195,000 FOR THE PURPOSE OF FUNDING THE MYSTIC LAKE ALUM TREATMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$195,000** be appropriated for the purpose of funding the Mystic Lake Alum Treatment Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$195,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-105 APPROPRIATION ORDER IN THE AMOUNT OF \$95,000 FOR THE PURPOSE OF FUNDING THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$95,000** be appropriated for the purpose of funding the

Municipal Separate Storm Sewer System (MS4) Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$95,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-106 APPROPRIATION ORDER IN THE AMOUNT OF \$175,000 FOR THE PURPOSE OF FUNDING THE RAISED CROSSWALKS IN COTUIT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$175,000** be appropriated for the purpose of funding the Raised Crosswalks in Cotuit Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$175,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-107 APPROPRIATION ORDER IN THE AMOUNT OF \$131,500 FOR THE PURPOSE OF FUNDING THE DESIGN OF THE HAWES AVE. CULVERT RECONSTRUCTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$131,500** be appropriated for the purpose of funding the Design of the Hawes Ave. Culvert Reconstruction Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$131,500** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-108 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$492,270 FOR THE PURPOSE OF FUNDING THE HYANNIS GOLF COURSE TURF MAINTENANCE EQUIPMENT REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$492,270** be appropriated for the purpose of funding the Hyannis Golf Course Turf Maintenance Equipment Replacement Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$9,335** be transferred from the remaining funds in Town Council order 2021-096 and that **\$482,935** be provided from the Golf Enterprise Fund surplus, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-109 APPROPRIATION ORDER IN THE AMOUNT OF \$82,561 FOR THE PURPOSE OF FUNDING THE OLDE BARNSTABLE FAIRGROUNDS IRRIGATION SPRINKLER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$82,561** be appropriated for the purpose of funding the Olde Barnstable Fairgrounds Irrigation Sprinkler Replacement Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$82,561** be provided from the Golf Enterprise Fund surplus, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-110 APPROPRIATION ORDER IN THE AMOUNT OF \$161,757 FOR THE PURPOSE OF FUNDING THE OLDE BARNSTABLE FAIRGROUNDS CART BARN ROOF REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024- FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$161,757** be appropriated for the purpose of funding the Olde Barnstable Fairgrounds Cart Barn Roof Replacement Project as outlined in the Fiscal Year 2024- Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$161,757** be provided from the Golf Enterprise Fund surplus, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-111 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$400,000 FOR THE PURPOSE OF FUNDING THE COBB ASTRO PARK EXTERIOR INSULATION FINISH SYSTEM (EIFS) REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$400,000** be appropriated for the purpose of funding the Cobb Astro Park Exterior Insulation Finish System (EIFS) Replacement project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$400,000** under and pursuant to M.G.L. c. 44, §7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-112 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR THE PURPOSE OF FUNDING THE CAMPUS-WIDE DOOR AND WINDOW REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/02320**

Upon a motion duly made and seconded it was



**ORDERED:** That the amount of **\$1,000,000** be appropriated for the purpose of funding the Campus-wide Door and Window Replacement project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,000,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-113 APPROPRIATION ORDER THE AMOUNT OF \$350,000 FOR THE PURPOSE OF FUNDING THE CAMPUS-WIDE PAVING AND SIDEWALK REPAIR PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$350,000** be appropriated for the purpose of funding the Campus-wide Paving and Sidewalk Repair Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$350,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-114 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$500,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL CULINARY ARTS KITCHEN IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$500,000** be appropriated for the purpose of funding the Barnstable High School Culinary Arts Kitchen Improvements project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$500,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-115 APPROPRIATION ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE CAMPUS-WIDE MECHANICAL UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$250,000** be appropriated for the purpose of funding the Campus-wide Mechanical Upgrades Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$250,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-116 APPROPRIATION ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE KNIGHT HALL CHILLER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$250,000** be appropriated for the purpose of funding the Knight Hall Chiller Replacement Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$250,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-117 APPROPRIATION ORDER IN THE AMOUNT OF \$1,000,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL PHASE II SOFTBALL FIELD UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$1,000,000** be appropriated for the purpose of funding the Barnstable High School Phase II Softball Field Upgrade Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$1,000,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-118 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$750,000 FOR THE PURPOSE OF FUNDING THE WEST VILLAGES ELEMENTARY CARPET REMOVAL PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$750,000** be appropriated for the purpose of funding the West Villages Elementary Carpet Removal project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$441,549** be transferred from the remaining available balance in Town Council order 2019-101, and that **\$239,605** be transferred from the remaining available balance in Town Council order 2019-102, and that **\$68,846** be provided from the General Fund reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-119 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,015,864 FOR THE PURPOSE OF FUNDING THE HVAC UPGRADES TO THE AIRPORT TERMINAL AND TOWER PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$1,015,864** be appropriated for the purpose of funding the HVAC Upgrades to the Airport Terminal and Tower Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$50,793** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$965,071** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-120 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$525,000 FOR THE PURPOSE OF FUNDING THE MASTER PLAN UPDATES PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$525,000** be appropriated for the purpose of funding the Master Plan Updates Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$26,250** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$498,750** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-121 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$689,000 FOR THE PURPOSE OF FUNDING THE SECURITY CAMERA UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$689,000** be appropriated for the purpose of funding the Security Camera Upgrades Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$34,450** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow

**\$654,550** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-122 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$383,000 FOR THE PURPOSE OF FUNDING THE REPLACEMENT OF SNOW REMOVAL EQUIPMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$383,000** be appropriated for the purpose of funding the Replacement of Snow Removal Equipment Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$19,150** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$363,850** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-123 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,120,580 FOR THE PURPOSE OF FUNDING THE SNOW REMOVAL EQUIPMENT STORAGE FACILITY PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$1,120,580** be appropriated for the purpose of funding the Snow Removal Equipment Storage Facility Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,120,580** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-124 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$505,000 FOR THE PURPOSE OF FUNDING THE ELECTRIC AIRCRAFT SUPPORT VEHICLE AND CHARGING STATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 - FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$505,000** be appropriated for the purpose of funding the Electric Aircraft Support Vehicle and charging Station Project as outlined in the Fiscal Year 2024 - Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$25,250** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$479,750** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**2023-125 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$355,000 FOR THE PURPOSE OF FUNDING THE JET A FUEL STORAGE TANK PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$355,000** be appropriated for the purpose of funding the Jet A Fuel Storage Tank Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$71,000** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$284,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, 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, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

**VOTE: TO A PUBLIC HEARING ON 04-27-2023**

**A motion was duly made and seconded to suspend Town Council rules 12 and 15, to vote on the Appointments Item 2023-146 tonight.**

**VOTE: PASSES UNANIMOUS**

**2023-146 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 04/06/2023**

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: **Council on Aging:** Elaine Ryan, as a regular member, to a term expiring 06/2025; **Hyannis Main Street Waterfront Historic District Commission:** Cornelius Cawley, as a regular member, to a term expiring 06/2023; **Mid Cape Cultural**

**Council:** Nicole LaCour, as a regular member, to a term expiring 06/2025; **Recreation Commission:** Sharon Brown, as a regular member, to a term expiring 06/2024  
**VOTE: PASSES UNANIMOUS**

**2023-147 APPROPRIATION ORDER IN THE AMOUNT OF \$1,362,962 FOR NEW ACCESSIBLE PLAYGROUND EQUIPMENT AT THE OSTERVILLE RECREATION PLAYGROUND LOCATED AT 93 WEST BAY ROAD, OSTERVILLE INTRO: 04/06/2023**

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 amount of One Million Three Hundred Sixty-Two Thousand Nine Hundred Sixty-Two Dollars (**\$1,362,962**) be appropriated for the purpose of replacing outdated playground equipment, previously removed, with new Americans with Disabilities Act-compliant playground equipment and other amenities, and making renovations to provide ADA-compliant access at the Osterville Recreation Playground located at 93 West Bay Road, Osterville, MA, as shown on Assessor's Map 116, Parcel 053; and to fund this appropriation, that **\$904,072** be provided from the amount set aside for Open Space and Recreation within the Community Preservation Fund, that **\$95,683** be provided from the Undesignated Funds within the Community Preservation Fund, and that **\$363,207** be provided from the General Fund Reserves; and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, subject to oversight by the Community Preservation Committee.

**VOTE: TO PUBLIC HEARING ON 4-27-2023**

**2023-148 AUTHORIZATION TO EXPEND A FEDERAL FISCAL YEAR 2022 EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE AMOUNT OF \$20,150 FROM THE MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY INTRO: 04/06/2023**

Chief Sonnabend gave the rationale

**Councilor questions and comments:**

(Ludtke)How large is the drone, will it fit into a car (Sonnabend) Yes, it will fit about the size of the top of the podium (Cusack) Who will use this (Sonnabend) Officers that already trained and have the licenses to use drones (Cusack) So no additional training needed (Sonnabend) No

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 Federal Fiscal Year 2022 Emergency Management Performance Grant in the amount of **\$20,150** from the Massachusetts Emergency Management Agency for the purpose of funding the purchase of an Unmanned Aircraft System.

**VOTE: PASSES UNANIMOUS**

**2023-150 AUTHORIZATION TO EXPEND A FISCAL YEAR 2023 CULTURAL DISTRICT GRANT IN THE AMOUNT OF \$2,500 FROM THE MASSACHUSETTS CULTURAL COUNCIL'S FESTIVAL & PROJECT GRANT PROGRAM FOR THE HYANNIS HYARTS CULTURAL DISTRICT INTRO: 04/06/2023**

Elizabeth Jenkins, Director of Planning and Development gave the rationale

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 2023 grant in the amount of **\$2,500** from the Massachusetts Cultural Council's Festival & Project Grant Program for the purpose of supporting publicly available cultural activities taking place in the Hyannis HyArts Cultural District.

**VOTE: PASSES UNANIMOUS**

**2023-151 SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$35,000 FOR THE PURPOSE OF PAYING OUTSIDE COUNSEL EXPENSES OF THE LEGAL DEPARTMENT INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$35,000** be appropriated for the purpose of paying operating expenses of the Legal Department for the services of the law firm of Anderson & Kreiger, which is serving as outside counsel to the Town with respect to two lawsuits filed against the Town by the Conservation Law Foundation; and to meet such appropriation, that **\$35,000** be provided from the General Fund Reserves.

**VOTE: TO A PUBLIC HEARING ON 4-27-2023-UNANIMOUS**

**2023-152 ORDER AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF BARNSTABLE AND THE TOWN OF PLYMOUTH FOR PROFESSIONAL SERVICES RELATING TO THE DECOMMISSIONING OF THE PILGRIM NUCLEAR PLANT IN PLYMOUTH BY HOLTEC INTERNATIONAL AND SUPPLEMENTAL APPROPRIATION ORDER IN THE AMOUNT OF \$23,667 FOR THE PURPOSE OF PAYING THE TOWN OF BARNSTABLE'S SHARE OF THE COSTS OF SUCH PROFESSIONAL SERVICES INTRO: 04/06/2023**

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Council authorizes the execution and delivery by the Town Manager of an Intermunicipal Agreement with the Town of Plymouth for the provision of professional services by and through the Town of Plymouth relating to the decommissioning of the Pilgrim Nuclear Plant in Plymouth by Holtec International for a term of five years in an amount not-to-exceed **\$23,667**; and that the amount of **\$23,667** be appropriated for the purpose of funding the Town of Barnstable's one-third share of the total costs of such professional services; and that to meet such appropriation, that \$23,667 be provided from the General Fund Reserves.

**VOTE: TO A PUBLIC HEARING ON 4-27-2023- UNANIMOUS**

**2023-153 AUTHORIZATION TO EXPEND A FISCAL YEAR 2023 GRANT IN THE AMOUNT OF \$27,333 FROM THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION TO ACQUIRE THREE ELECTRIC VEHICLE CHARGING STATIONS INTRO: 04/06/2023**

David Anthony, Director of Asset Management gave the rationale

**Councilor questions and comments:**

(Rapp Grassetti) currently to a town owned charging facility is paid by the town (Anthony) Yes, we pay for the electricity; going forward it will be paid by credit card (Rapp Grassetti) so we will have credit card fees and processing by the town (Anthony) no the person using the charger will pay by credit card and any fees will be charged to their card. (Starr) So will you be able to set the amount for the kilowatts (Anthony) with some of the companies we are looking yes, we want to make sure we are covering any maintenance. (Cusack) do these three represent the town's electric vehicle charging stations (Anthony) yes these are the three we have on municipal property; We are looking at other municipal lots.

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 grant in the amount of **\$27,333** to acquire and deploy three Level 2 MassEVIP-

funded electric vehicle (EV) charging station(s) for a total of six charging ports to replace the existing 13 year old EV Chargers located on Public property.

**VOTE: PASSES UNANIMOUS**

**VOTE: ADJOURNMENT:**

Upon a motion duly made and seconded it was

**VOTED TO ADJOURN:**

**VOTE: PASSES UNANIMOUS**

**Adjourned at 10:48 PM**

Respectfully submitted,

Ann M. Quirk  
Town Clerk

**NEXT MEETING: April 27, 2023**

Exhibits

- A. Town Manager Update
- B. Funding Update for FY2024 CWMP
- C. Reasons to Compost at the Transfer Station