

Town of Barnstable Town Council

367 Main Street, 2nd floor, Hearing Room
Village of Hyannis, MA 02601
Office 508.862.4738 • Fax 508.862.4770
E-mail: council@town.barnstable.ma.us

MEETING AGENDA TOWN HALL HEARING ROOM November 07, 2019 7:00 PM

Councilors:

James H. Crocker Jr.
President
Precinct 5

John G. Flores
Vice President
Precinct 1

Eric R. Steinhilber
Precinct 2

Paul Hebert
Precinct 3

Britt Beedenbender
Precinct 4

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Precinct 7

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Precinct 8

James M. Tinsley
Precinct 9

Matthew Levesque
Precinct 10

Philip N. Wallace
Precinct 11

Paula Schnepf
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell

Administrative
Assistant:
Kelly Crahan

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. PUBLIC COMMENT**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
- 6. TOWN MANAGER COMMUNICATIONS**
- 7. ACT ON MINUTES (Including Executive Session)**
- 8. COMMUNICATIONS- from elected officials, boards, committees, staff commission reports, correspondence and announcements**
- 9. ORDERS OF THE DAY**
 - A. Old Business**
 - B. New Business**
- 10. ADJOURNMENT**

Original posted on 11/05/19 @ 10:51AM; Updated on 11/06/19 @ 9:24 AM to include Item # 2020-057 Updated on 11/07/19 to add Item # 2020-058. Updated on 11/7/19 @ 2:00PM to add Item 2020-059

NEXT REGULAR MEETING: November 21, 2019

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Approve Minutes; October 3, 2019; October 10, 2019

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

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-019
INTRO: 09/05/19, 11/07/19**

**2020-019 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE II SECTION 9
TO REMOVE SEASONAL RESTRICTIONS ON THE ERECTION OF TENTS
AS TEMPORARY ACCESSORY STRUCTURES TO EXISTING PERMANENT
BUSINESSES**

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

SECTION 1: That Chapter 240, Article II, §9 “Temporary uses” of the Zoning Ordinance is hereby amended as follows:

1. Amend §240-9D(4) as follows:

a. Strike the phrase “only during the period beginning May 1 until October 31” so that it reads as follows:

(4) Subject to annual approval by the Building Commissioner, a tent may be erected and used as a temporary accessory structure to an existing permanent business. The tent shall conform to all parking requirements and bulk or dimensional requirements of this chapter.

SPONSOR: Barnstable Economic Development Task Force

DATE	ACTION TAKEN
<u>09/05/19</u>	<u>Refer to Planning Board</u>

-
- Read Item
 - Motion to Open Public Hearing
 - Rationale
 - Public Hearing
 - Close Public Hearing
 - Council Discussion
 - Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2020-019
INTRO: 09/05/19, 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Economic Development Task Force via Elizabeth Jenkins, Director, Planning & Development
DATE: September 05, 2019
SUBJECT: Zoning Amendment to remove seasonal restrictions for tents

SUMMARY: This proposal is brought forward as part of an ongoing review of ordinances that place unnecessary restrictions on business operation in Barnstable. This proposal removes the requirement that a tent may only be erected and used during the period from May 1 through October 31 and retains all other applicable regulations such as permit requirements, conformance to parking requirements, and bulk or dimensional requirements within the Zoning Ordinance. Removing the restriction supports year-round businesses planning events outside of the seasonal window.

STAFF ASSISTANCE: Elizabeth S. Jenkins, Director, Planning & Development; Brian Florence, Building Commissioner; Paul Wackrow, Senior Planner, Planning & Development

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM # 2020-020
INTRO: 09/05/19, 11/07/19

**2020-020 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE VII SIGN
REGULATIONS TO ELIMINATE THE LOCATION HARDSHIP
REQUIREMENT FOR A-FRAME SIGNS IN HYANNIS VILLAGE BUSINESS
DISTRICT**

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

SECTION 1

That Chapter 240, Article VII, Section 60 “Definitions” of the Zoning Ordinance is hereby amended to strike the definition for “LOCATION HARDSHIP SIGN”

SECTION 2

That Chapter 240, Article VII, Section 61 “Prohibited Signs” of the Zoning Ordinance is hereby amended as follows:

2. Amend §240-61(H) as follows:

- a. Strike the phrase “with the exception of a location hardship sign in the HVB” and replace it with “with the exception of A-Frame Signs expressly permitted herein” so that it reads as follows:

(H) Any portable sign, with the exception of A-Frame Signs expressly permitted herein, including any sign displayed on a stored vehicle, except for temporary political signs.

SECTION 3

That Chapter 240, Article VII, Section 71 “Signs HVB District” of the Zoning Ordinance is hereby amended as follows:

1. Amend §240-71(E) as follows:

- a. Strike the phrase “location hardship sign” and replace it with “A-Frame Sign” so that it reads as follows:

(E) Open/closed sign, business trade figure or symbol, or A-Frame Sign: Subject to § 240-85, Permit required; identification stickers.

2. Amend §240-71(E)(3) as follows:

- a. Strike the phrase “location hardship sign” and replace it with “A-Frame Sign”; and
- b. Strike the phrase “provided that a special permit is obtained from the Planning Board subject to the provisions of § 240-125C herein and”; so that it reads as follows:

(E)(3) A-Frame Sign. These signs are allowed in the HVB District, subject to the following criteria and performance standards.

3. Amend §240-71(E)(3)(a) as follows:

- a. Strike subsection [1] in its entirety, which reads “Applications for location hardship signs shall demonstrate through visual evidence substantial obstruction or other substantial location hardship as defined herein.”; and
- b. In subsection [2], strike the phrase “location hardship sign” and replace it with A-Frame sign and strike the word “frontage”
- c. In subsection [3], strike the phrases “the Planning Board and” and “that is the subject of the special permit application”
- d. Strike subsection [4] in its entirety, which reads “Where the location hardship sign is within the Hyannis Main Street and Waterfront Historic District a certificate of appropriateness shall be obtained prior to and submitted with the application for special permit.”
- e. In subsection [5], strike the phrase “location hardship sign” and replace it with “A-Frame Sign”
- f. In subsection [5][b], strike the phrase “the Planning Board and”
- g. Renumber the remaining subsections [1] through [3];

So that §240-71(E) (3) (a) reads as follows:

(a) Criteria.

- [1] One A-Frame Sign is permitted per each business.
- [2] Evidence demonstrating to the satisfaction of the Building Commissioner that explicit written permission has been given by the owner(s) of the property proposed for placing the sign.
- [3] Where the A-Frame Sign is proposed on Town property, the following additional criteria shall be met:
 - [a] Proof of receipt of a license from the Town Manager or designee for the sign at the proposed location.
 - [b] Proof of insurance consistent with this license from the Town Manager or designee shall be provided to the Building Commissioner prior to placing any approved sign.

4. Amend §240-71(E)(3)(b) as follows:

- a. Strike the phrase “location hardship signs” in subsection [1] and replace it with the phrase “A-Frame Signs”.

5. Amend §240-71(E)(3)(b)[1] as follows:

- a. Strike the phrase “two feet by four feet” in subsection [1] and replace it with “eight square feet per side and four feet in height”, so that it reads as follows:

Shall not exceed eight square feet per side and four feet in height.

SPONSOR: Barnstable Economic Development Task Force

DATE	ACTION TAKEN
<u>09/05/19</u>	<u>Refer to Planning Board</u>

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2020-020
INTRO: 09/05/19, 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Economic Development Task Force via Elizabeth Jenkins, Director, Planning & Development
DATE: September 05, 2019
SUBJECT: Zoning Amendment to remove “location hardship” requirements for portable “A-Frame Signs

SUMMARY: This proposal is brought forward as part of a review of ordinances that place unnecessary restrictions on business operation in Barnstable. This proposal removes the requirement for businesses in the Hyannis Main Street Village Business District to demonstrate a “location hardship” to display a portable “A-Frame” style sign. The process to demonstrate a “hardship” included a lengthy discretionary review by the Planning Board, burdensome to businesses and difficult from administrative and enforcement perspectives. The ordinance maintains criteria for signs to be in safe location and have a quality appearance.

STAFF ASSISTANCE: Elizabeth S. Jenkins, Director, Planning & Development

A. OLD BUSINESS (Public Hearing) (Roll call 2/3)

BARNSTABLE TOWN COUNCIL

ITEM # 2020-021
INTRO: 09/05/19, 11/07/19

**2020-021 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 240 ZONING, TO UPDATE AND
STANDARDIZE REQUIREMENTS FOR EXTERIOR LIGHTING**

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

SECTION 1

That Chapter 240, Article III District Regulations, Section 24.1.3 “Hyannis Village Business District” subsection (D) “Site Development Standards” of the Zoning Ordinance is hereby amended as follows:

3. Amend §240-24.1.3D(6) as follows:
 - a. Strike the subsection in its entirety and replace it with “Exterior Lighting shall comply with the requirements in Section 240-24.1.11.”

SECTION 2

That Chapter 240, Article III District Regulations, Section 24.1.11 “Site Development Standards” subsection (A) (7) “Lighting” of the Zoning Ordinance is hereby amended as follows:

1. Amend §240-24.1.11(A)(7) as follows:
 - a. Strike the subsection in its entirety and replace it with the following:

(7) Exterior Lighting.

 - (a) Any outdoor lighting shall be directed onsite only.
 - (b) Light fixtures shall have a total cutoff of all light at less than 90 degrees and a beam cutoff of less than 75 degrees. Attached building or wall pack lighting should be screened by the building's architectural features or contain a 45 -degree cutoff shield.
 - (c) For commercial or mixed use developments, trespass of light at the property boundary shall not exceed 0.1 foot candles. Where commercial or mixed use developments abut a residential district, trespass of light at that boundary shall not exceed 0.05 foot candles. For developments that are exclusively residential, trespass of light at property boundaries shall not exceed 0.05 foot candles. At driveways, lighting may be up to 0.5 foot candles at the property line adjacent to a roadway. Electric service for lighting on posts or poles shall be placed underground.
 - (d) In no case shall exterior or outdoor lighting cause glare that impacts motorists, pedestrians or neighboring premises.

SECTION 3

That Chapter 240, Article IX “Site Plan Review”, Section 103 “Site Development Standards” of the Zoning Ordinance is hereby amended as follows:

2. Amend §240-103(E) as follows:

- a. Strike the phrase “All illumination shall be directed and/or shielded so as not to shine beyond the perimeter of the site or interfere with traffic” and amend the subsection to include the following subsections:
 - (1) Any outdoor lighting shall be directed onsite only.
 - (2) Light fixtures shall have a total cutoff of all light at less than 90 degrees and a beam cutoff of less than 75 degrees. Attached building or wall pack lighting should be screened by the building's architectural features or contain a 45 -degree cutoff shield.
 - (3) For commercial or mixed use developments, trespass of light at the property boundary shall not exceed 0.1 foot candles. Where commercial or mixed use developments abut a residential district, trespass of light at that boundary shall not exceed 0.05 foot candles. For developments that are exclusively residential, trespass of light at property boundaries shall not exceed 0.05 foot candles. At driveways, lighting may be up to 0.5 foot candles at the property line adjacent to a roadway. Electric service for lighting on posts or poles shall be placed underground.
 - (4) In no case shall exterior or outdoor lighting cause glare that impacts motorists, pedestrians or neighboring premises.

SPONSOR: Barnstable Economic Development Task Force

DATE	ACTION TAKEN
<u>09/05/19</u>	<u>Refer to Planning Board</u>
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2020-021
INTRO: 09/05/19, 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Economic Development Task Force via Elizabeth Jenkins, Director of Planning and Development
DATE: September 05, 2019
SUBJECT: Zoning Amendment to Update and Standardize Requirements for Exterior Lighting

SUMMARY: This proposal is brought forward as part of a review of ordinances that place unnecessary restrictions on business operation or permitting in Barnstable. These amendments update the requirements for exterior lighting applicable to the town's primary commercial areas. The updated standards were developed to be consistent with the standards published by the International Dark Sky Association and the updated Cape Cod Commission Regional Policy Plan, while allowing for customary lighting design intended to promote safety and security.

STAFF ASSISTANCE: Elizabeth S. Jenkins, Director, Planning & Development

A. OLD BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM # 2020-035
INTRO: 10/03/19, 11/07/19

2020-035 ACCEPTANCE OF FISCAL YEAR 2020 LEGISLATIVE EARMARK GRANT IN THE AMOUNT OF \$45,000 FROM THE MASSACHUSETTS DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE PURPOSE OF FUNDING HOMELESS OUTREACH SHELTERING SERVICES IN THE EVENT OF SEVERE COLD TEMPERATURES

RESOLVED: That the Barnstable Town Council does hereby accept a Fiscal Year 2020 Legislative Earmark Grant in the amount of **\$45,000**, from the Massachusetts Department of Housing and Community Development for the purpose of funding emergency sheltering and police security for high risk homeless individuals during extremely harsh weather conditions and that the Town Manager is authorized to contract for and expend the grant funds for the purpose stated herein

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>10/03/19</u>	<u>Continue Item until 11/07/19 at the request of the Barnstable Police Dept</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-035
INTRO: 10/03/19, 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: November 07, 2019
SUBJECT: Acceptance of Fiscal Year 2020 Legislative Earmark Grant in the amount of **\$45,000** from the Massachusetts Department of Housing and Community Development for the purpose of funding Homeless Outreach Sheltering Services in the event of severe cold temperatures

BACKGROUND: The Barnstable Police Department was notified by the Massachusetts Department of Housing and Community Development that the Town of Barnstable was being awarded an earmark grant in the amount of **\$45,000** to fund outreach services to the homeless in the form of shelter in the event of severe cold weather. Sheltering will be offered for homeless persons not suitable for traditional sheltering in the most extreme weather during the winter season. Without these services these homeless individuals run the risk of perishing in the extreme cold.

ANALYSIS: The acceptance of this earmark grant will allow the Department to work in partnership with the Duffy Health Center. Duffy Health Center will determine what homeless individuals will need sheltering services once temperatures are determined to be at a life-threatening level under extended outdoor exposure. \$40,000 will be allocated to the Duffy Health Center to fund prearranged sheltering in the towns of Barnstable and Yarmouth for the individuals served and to fund personnel costs for police security services provided to the shelters. \$2,500 will be allocated to the Duffy Health Center for the costs of administering the program and \$2,500 will be allocated to the Barnstable Police Department for costs of administering the earmark grant and completing required paperwork and follow-up reporting.

FISCAL IMPACT: This is a reimbursement grant for sheltering, personnel, and administrative costs. The Town of Barnstable and Duffy Health Center must expend the funds upfront and subsequently submit requests for reimbursement providing a full accounting of the expenses associated with the provision of sheltering services.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends acceptance of this grant.

STAFF ASSISTANCE: Chief Matthew K. Sonnabend, Barnstable Police Department;
Lt. Jennifer Ellis, Barnstable Police Department; Anne Spillane, Finance and Support Services
Barnstable Police Department

A. OLD BUSINESS (Public Hearing)(Roll Call) (Majority)

BARNSTABLE TOWN COUNCIL

ITEM # 2020-037
INTRO: 10/03/19, 11/07/19

2020-037 ORDER FOR THE ADOPTION OF A LITTER CONTROL ORDINANCE AND ENFORCEMENT PROVISIONS

ORDERED that General Ordinances of the Code of the Town of Barnstable be amended as follows.
SECTION 1. The General Ordinances are hereby amended by adding the following to Chapter 147, Peace and Good Order

“ARTICLE V
Litter Control

§ 147-15. Purpose and intent.

The citizens of the Town of Barnstable desire a clean and healthy environment, free of debris, trash and refuse. The purpose and intent of this article is in the first instance to enhance public awareness and encourage the responsible handling and disposal of waste. Activities and programs such as pack-in, pack-out contribute to maintaining such a clean and healthy environment. Nevertheless, the citizens must impose the responsibility for proper waste disposal by this ordinance in instances where voluntary action is not taken.

§ 147-16. Littering prohibited.

No person shall throw, deposit, sweep or abandon upon any public way or any property owned by the Town or on property of another any litter. For purposes of this provision “litter” includes but is not limited to paper wrappers from sandwiches; paper, styrofoam, or plastic cups; plastic bags; paper bags; cup lids; cigarette butts; cigarette packs; gum packs; paper towels; tissues; fruit skins and containers; nips and all manner of other beverage containers, both alcoholic and non-alcoholic; human or domestic animal feces; or any other refuse which would be considered trash.

§ 147-17. Violations and penalties. Violation of this article is punishable by noncriminal disposition pursuant to the provision of MGL c. 40, §21D as provided in section 1-1 of Article I of Chapter 1 of the General Ordinances. The fines imposed for violation shall be as provided in section 1-3 of Article I of Chapter 1 of the General Ordinances.

§ 147-18. Enforcing officials. The Town of Barnstable officials with the discretion to enforce the provisions of this article as the designated appropriate enforcing persons are the officials named in subsections (1) and (4) through (8), inclusive of section 1-2(A) of Article I of Chapter 1 of the General Ordinances.”

SECTION 2. The General Ordinances are hereby amended by adding to section 1-3 of Article I of Chapter 1 of the General Ordinances after “Ch. 147, Art. II Camping on public or private property \$100” the following: “Ch. 147, Art. V Litter control
First Offense \$100
Second Offense \$200

Third Offense \$300’

SPONSOR: Britt Beedenbender, Councilor, Precinct 4; Jennifer Cullum, Councilor, Precinct 13

DATE	ACTION TAKEN
<u>10/03/19</u>	<u>Refer to Second Reading 11/07/19</u>

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Move/Vote

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-041
INTRO: 11/07/19**

2020-041 ACCEPTANCE OF FISCAL YEAR 2020 STATE 911 DEPARTMENT TRAINING AND EMERGENCY MEDICAL DISPATCH GRANT IN THE AMOUNT OF \$49,230.76 FROM THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

RESOLVED: That the Town Council hereby accepts a Fiscal Year 2020 State 911 Department Training and Emergency Medical Dispatch Grant award in the amount of **\$49,230.76** from the Commonwealth of Massachusetts Executive Office of Public Safety and Security for the purpose of funding costs associated with the mandatory training of all 911 dispatchers who perform emergency dispatch operations, and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-041
INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: November 07, 2019
SUBJECT: Acceptance of a Fiscal Year 2020 State 911 Department Training and Emergency Medical Dispatch (EMD) Grant award in the amount of **\$49,230.76** from the Commonwealth of Massachusetts Executive Office of Public Safety and Security

BACKGROUND: The Department has been awarded a grant in the amount of **\$49,230.76** relative to our role as a primary Public Safety Answering Point (PSAP) to fund the training and certification of enhanced 911 telecommunicators, including Emergency Medical Dispatch (EMD).

This grant will fund 16 hours each of continuing education courses as required by law in such areas as CPR, EMD Recertification and specialized dispatch training on other topics such a active shooter, domestic violence and suicide for 40 tele communicators. Only tele communicators who are trained/certified in basic telecommunications and EMD can work in the dispatch area and must complete 16 hours of continuing education annually. The grant will also fund the training costs associated with the initial training of newly hired civilian dispatchers.

ANALYSIS: Acceptance of this grant will enable the department to fulfill their training obligations as a primary PSAP as mandated by State 911.

GRANT DETAIL: The amount of **\$49,230.76** will be directed to pay for class fees and personnel costs associated with the training.

FISCAL IMPACT: This is a reimbursement grant for all training costs, materials and overtime. The town must expend the funds upfront and subsequently submit for reimbursement. The elimination of this source of grant funding would have a direct impact on future General Fund budgets, as the cost would still remain a mandatory recurring operational expense and therefore would have to be replaced with general fund revenue. All costs associated with this grant contract must be completed by June 30, 2020.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends acceptance of this grant.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police; Anne Spillane, Finance and Support Services Barnstable Police Department

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2020-042

INTRO: 11/07/19

2020-042 ACCEPTANCE OF A FEDERAL FISCAL YEAR 2019 BULLETPROOF VESTPARTNERSHIP GRANT IN THE AMOUNT OF \$10,415.83 FROM THE US DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS

RESOLVED: That the Barnstable Town Council does hereby accept a Federal Fiscal Year 2019 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs in the amount of **\$10,415.83** for the purpose of funding the replacement of bulletproof vests in keeping with the a recommended 5-year replacement safety standard on behalf of each police officer and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-042
INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: November 07, 2019
SUBJECT: Acceptance of a Federal Fiscal Year 2019 Bulletproof Vest Partnership grant in the amount of **\$10,415.83** from the US Department of Justice, Office of Justice Programs

BACKGROUND: The Barnstable Police Department applied for and was awarded a Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs for Federal Fiscal Year 2019 in the amount of \$10,415.83.

This grant funds up to 100% of the cost of bulletproof vests purchased or replaced by the police department in the form of a 50/50 partnership between the Federal Office of Justice Programs and the Massachusetts Executive Office of Public Safety. Replacement of vests is recommended every 5 years, as the reliability of the vest deteriorates over time and use. State reimbursement is only made upon receipt of 50% payment from the Federal program.

ANALYSIS: The acceptance of this grant will allow the Department to replace bulletproof vests and maintain safety standards for replacement of these vests on behalf of each police officer at no cost to the Town once the 50/50 reimbursements are filed for and received by the Federal and State grants. These grants offer significant savings to the Town, as each vest costs upwards of \$1,000 and is an expenditure that is anticipated every five years for each officer. Each officer is on a 5 year replacement cycle tied back to the date of the purchase of their first vest. For this reason, these grants are applied for each year that they are made available for application.

FISCAL IMPACT: This is a reimbursement grant. The town must expend the funds upfront and subsequently submit for reimbursement. The elimination of this source of grant funding would have a direct impact on future General Fund budgets, as the cost would still remain a mandatory recurring operational expense and therefore would have to be replaced with general fund revenue.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends acceptance of this grant.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police; Anne Spillane, Finance and Support Services Barnstable Police Department

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-043
INTRO: 11/07/19**

2020-043 ACCEPTANCE OF FISCAL YEAR 2020 911 DEPARTMENT SUPPORT AND INCENTIVE GRANT IN THE AMOUNT OF \$202,282 FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF PUBLIC SAFETY

RESOLVED: That the Barnstable Town Council does hereby accept the Fiscal Year 2020 911 Department Support & Incentive Grant from the Commonwealth of Massachusetts, Executive Office of Public Safety, in the amount of **\$202,282** for the purpose of funding overtime costs associated with shift shortages in the 911 center and also to fund the base salary of a portion of civilian dispatchers working in the 911 center, and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-043
INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: November 07, 2019
SUBJECT: Acceptance of a Fiscal Year 2020 911 Department Support & Incentive Grant in the amount of **\$202,282** from the Commonwealth of Massachusetts, executive Office of Public Safety and Security, State 911 Department

BACKGROUND: The Police Department applied for and was awarded a 911 Support and Incentive Grant from the Commonwealth of Massachusetts, executive Office of Public Safety and Security, State 911 Department in the amount of **\$202,282**. The Barnstable Police Department serves as a primary Public Safety Answering Point (PSAP) in that it receives all categories of 911 calls (Fire, Police & Medical Emergency) and then dispatches to the appropriate service according to the type of need of the call. Additionally, Emergency Medical Dispatch continues to be administered by the Barnstable Police Department throughout the duration of the call, in keeping with State 911 regulations. Eligible entities for this grant are primary, regional and regional secondary PSAPS and Regional Emergency Communications Centers (RECC). Additional monies are available under the grant guidelines pertinent to this grant, because the Barnstable Police Department serves as a Primary PSAP and also take cell phone calls. The Barnstable Police Department proposes that this funding be used to fund personnel costs incurred in the operation of the department's 911 Telecommunications Center.

ANALYSIS: The acceptance of this grant will allow the Department to place qualified personnel in the communications center in order to provide adequate staffing to that area without incurring undo personnel expenses. As approved in the Fiscal Year 2019 personnel budget this grant will fund the base pay and/or overtime of 911 EMD certified civilian dispatchers as well as the replacement overtime costs of sworn officer certified in 911 EMD up to the funding limit of \$202,282.

FISCAL IMPACT: This is a reimbursement grant for personnel costs. The town must expend the funds upfront and subsequently submit for reimbursement. The elimination of this source of grant funding would have a direct impact on future General Fund budgets, as the cost would still remain a mandatory recurring operational expense and therefore would have to be replaced with general fund revenue. All costs associated with this grant contract must be completed by June 30, 2020.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends acceptance of this grant.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police; Anne Spillane, Finance and Support Services Barnstable Police Department

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-044
INTRO: 11/07/19**

**2020-044 ACCEPTANCE OF FISCAL YEAR 2020 STATE 911 DEPARTMENT
EMERGENCY MEDICAL DISPATCH GRANT IN THE AMOUNT OF \$20,038
FROM THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE
OFFICE OF PUBLIC SAFETY AND SECURITY**

RESOLVED: That the Town Council hereby accepts a Fiscal Year 2020 State 911 Department Emergency Medical Dispatch Grant award in the amount of **\$20,038** from the Commonwealth of Massachusetts Executive Office of Public Safety and Security for the purpose of funding costs associated with emergency dispatch operations, and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-044
INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: November 07, 2019
SUBJECT: Acceptance of a Fiscal Year 2020 State 911 Department Training and Emergency Medical Dispatch (EMD) Grant award in the amount of **\$20,038** from the Commonwealth of Massachusetts Executive Office of Public Safety and Security

BACKGROUND: This grant will fund an annual software maintenance contract with PowerPhone in the amount of \$319.60; an annual EMD medical director contract with Cape & Islands Emergency Medical Services in the amount of \$6,500; and the costs of 160 hours of overtime to complete quality assurance oversight and call review as required by State 911 in the amount of \$13,218.40. The total value of the grant is \$20,038.

ANALYSIS: Acceptance of this grant will enable the department to fulfill their obligations as a primary PSAP relative to the performance of Emergency Medical Dispatch, as mandated by State 911.

FISCAL IMPACT: This is a reimbursement grant for all contract costs and overtime. The town must expend the funds upfront and subsequently submit for reimbursement. The elimination of this source of grant funding would have a direct impact on future General Fund budgets, as the cost would still remain a mandatory recurring operational expense and therefore would have to be replaced with general fund revenue. All costs associated with this grant contract must be completed by June 30, 2020.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends acceptance of this grant.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police; Anne Spillane, Finance and Support Services Barnstable Police Department

B. NEW BUSINESS (Refer to Public Hearing 11/21/19)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-045
INTRO: 11/07/19**

2020-045 APPROPRIATION AND LOAN ORDER OF \$515,400 PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM REGARDING WHEELER ROAD IN BARNSTABLE.

ORDERED: That the sum of \$515,400 be appropriated for the purpose of making temporary repairs to WHEELER ROAD in the Village of Marstons Mills, Barnstable, MA, a private road within the town of Barnstable, and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow \$515,400 under and pursuant to Chapter 174 of the Acts of 1994, as amended by Chapter 350 of the Acts of 2014 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, and for these purposes assess betterments in accordance with M.G.L. c. 80, and further that the Town Manager is authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mathew Levesque, Councilor, Precinct 10

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2020-045

INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: November 07, 2019
SUBJECT: Appropriation and Loan Order for **\$515,400** Pursuant to Temporary Repair to Private Roads Program Regarding Wheeler Road in the Village Of Marstons Mills, Barnstable, MA.

BACKGROUND: Chapter 174 of the Acts of 1994, as amended by Chapter 350 of the Acts of 2014, authorized the Town to borrow funds to repair and improve private roads within the Town. Under this Program the abutters to roads being repaired can be charged betterment assessments for 100% of the actual costs of repairs which they can elect to pay in one lump sum or over a period of up to 20 years (with interest). This road will not be taken by the Town of Barnstable and will remain a private road. A majority of the property abutters to WHEELER ROAD in the Village of Marstons Mills, Barnstable, MA have expressed an interest in having repairs made to their private road and 67% of the abutters have signed a Consent and Acknowledgement Agreement for Betterment Assessment. The proposed work includes Drainage System Installations and Pavement Reclamation.

The cost of improvements is estimated at \$515,400, distributed as 42 full shares, not to exceed \$12,270 per full share abutter.

FISCAL IMPACT: There is no cost to the Town, as all costs will be recovered by betterments assessed to the abutters. The town will issue a bond to cover the cost of the repairs and use the revenue collected from the betterment assessments to make the annual loan repayments on the bond.

TOWN MANAGER RECOMMENDATION: The Town Manager requests favorable action by the Town Council.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public Works

B. NEW BUSINESS (Refer to Public Hearing 11/21/19)

BARNSTABLE TOWN COUNCIL

**ITEM # 2020-046
INTRO: 11/07/19**

2020-046 SUPPLEMENTAL APPROPRIATION REQUEST IN THE AMOUNT OF \$100,200 FOR THE BARNSTABLE POLICE DEPARTMENT FISCAL YEAR 2020 OPERATING BUDGET FOR THE PURPOSE OF FUNDING THE HIRING OF FIVE CURRENT PATROL OFFICER VACANCIES

ORDERED: That the sum of **\$100,200** be added to the Fiscal Year 2020 Police Department General Fund Operating Expense Budget for the purpose of funding Fiscal Year 2020 expenses related to hiring and training new officer set-up expenses.

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2020-046
INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: November 07, 2019
SUBJECT: Supplemental Appropriation in the amount of **\$100,200** for the Barnstable Police Department Fiscal Year 2020 Operating Budget for the purpose of funding the hiring of five current patrol officer vacancies

BACKGROUND: The department has 6 patrol officer vacancies they can fill at this time and is currently in the hiring process. We will be enrolling these 6 new police officer recruits in the next available police training academy in February, 2020 conducted by the Cape Cod Municipal Police Academy. At the time of the preparation and finalization of the Fiscal Year 2020 budget, the Police Department did not have confirmation on the number of retirements to take place nor the availability of police academy seats that would be available. The costs to hire and secure these 6 academy seats relative to recruiting costs, training and outfitting of these recruits requires a supplemental appropriation to the Police Department's Fiscal Year 2020 operating budget in the amount of \$100,200 as outlined below for costs not allocated in the original approved budget:

<u>Expense Item</u>	<u>Unit</u>	<u>Total -6 Recruits</u>
Medical Exams (x 6)	\$875	\$5,250
Psychological Assessment (x 6)	\$475	\$2,850
Physical Agilities Test (x 6)	\$150	\$900
Police Academy Tuition & Tablet (x 6)	\$4,689	\$28,134
Academy Uniform & Gear Bag (x 6)	\$2,616	\$15,696
Firearm (x 6)	\$1,100	\$6,600
Taser (x 6)	\$1,400	\$8,400
Handheld Radio (x 6)	\$3,500	\$21,000
Bullet-Proof Vest (x 6)	\$995	\$5,970
Initial Service Uniform (x 6)	\$900	<u>\$5,400</u>
Total Appropriation Request		<u>\$100,200</u>

ANALYSIS: This supplemental appropriation request totals \$100,200 and is comprised of three parts: 1) Pre-employment requirements including medical exams and psychological assessments; 2) academy tuition and textbooks; and 3) uniforms and gear.

FISCAL IMPACT: Funds will be provided from the General Fund Reserves. The balance was recently certified by the Division of Local Services at \$14,688,744. The appropriation will not be added to the department's Fiscal Year 2021 base operating budget.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of this supplemental appropriation request.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police; Anne Spillane, Finance and Support Services Barnstable Police Department

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM#2020-047
INTRO: 11/07/19**

**2020-047 RESOLVE AUTHORIZING THE RELEASE OF THE DRAFT
COMPREHENSIVE WASTEWATER MANAGEMENT PLAN FOR
REGULATORY REVIEW**

RESOLVED: That the Town Council approve the release of the Draft Comprehensive Wastewater Management Plan in the form as presented to the Town Council on October 3, 2019, for regulatory review by the Massachusetts Environmental Policy Act Office, Cape Cod Commission, and the Massachusetts Department of Environmental Protection, and any other local, state or federal agency having regulatory oversight.

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM#2020-047
INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director, Department of Public Works
DATE: November 07, 2019
SUBJECT: Resolve authorizing the release of the draft Comprehensive Wastewater Management Plan for Regulatory Review

BACKGROUND: Pursuant to section 208 of the Federal Clean Water Act, in 2015, Cape Cod Commission submitted the updated Cape Cod Water Quality Management Plan (208 Plan) to the US Environmental Protection Agency. In conjunction with development of the 208 Plan, the Commonwealth of Massachusetts requires Towns to develop Comprehensive Wastewater Management Plans (CWMP) intended to, in part, protect and restore water quality to meet applicable water quality standards in coastal water resources.

ANALYSIS: Since 2015, the Town has been preparing its updated CWMP. It was recently finalized and on October 3, 2019, the draft report distributed to the Town Council for review. During the past month DPW has conducted 4 public meetings to present the plan to the public. The next step in finalizing the plan is to release to regulatory agencies for formal review and this will require an affirmative action of the Town Council.

FISCAL IMPACT: There is no direct fiscal impact resulting from releasing the Draft CWMP for regulatory review. The Town will continue to plan for and implement wastewater projects through the normal budgeting process.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of this resolve.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director, Department of Public Works

B. NEW BUSINESS (Refer to Public Hearing 11/21/19)

BARNSTABLE TOWN COUNCIL

**ITEM# 2020-048
INTRO: 11/07/19**

2020-048 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$134,281.00 FOR THE REHABILITATION AND RESTORATION WORK TO THE UNITARIAN CHURCH OF BARNSTABLE LOCATED AT 3330 MAIN STREET (ROUTE 6A), BARNSTABLE, MA

ORDERED: That the sum of **\$134,281.00** be appropriated for the purpose of rehabilitation and restoration work at the Unitarian Church of Barnstable, 3330 Main Street (Route 6A), Barnstable, MA, and that to fund this appropriation, that pursuant to the provisions of the Community Preservation Act, G. L. c 44B, the sum of One Hundred Thirty-four Thousand Two-hundred and Eighty-one dollars and NO/100 (\$134,281.00) be transferred from the amount set aside for historic preservation within the Community Preservation Fund, including without limitation the restoration or replacement of 33 windows; repairs and renovations to the church entrance including a front door with hardware; repairs to the granite wall and stairwell; replacement of the cupola on Warren Hall with a replica; installation of dehumidification and vapor barrier in the basement/crawl space; and siding for Warren Hall, subject to oversight by the Community Preservation Committee, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Mark S. Ells, Town Manager upon recommendation of the Community Preservation Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Motion to Open Public Hearing
- Rationale
- Public Hearing
- Close Public Hearing
- Council Discussion
- Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2020-048
INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lindsey Counsell, Chair, Community Preservation Committee
DATE: November 07, 2019
SUBJECT: Community Preservation Fund - Historic Preservation of Unitarian Church of Barnstable
3330 Main Street (Route 6A), Barnstable Map 136, Parcel 145

BACKGROUND: At the February 25, 2019 Community Preservation Committee, the eight members present voted unanimously to recommend to the Town Council through the Town Manager, the Unitarian Church of Barnstable's request for up to **\$134,281.00** in Historic Preservation funds to restore or replace 33 windows; repair and renovate the church entrance including a front door with hardware; repair the granite wall and stairwell; replace the cupola on Warren Hall with a replica; install a dehumidifier and vapor barrier in the basement/crawl space; and siding for Warren Hall. This funding request represents a portion of the total project cost of \$167,851 with 25% or \$33,570 contributed by the congregation. The Unitarian Church of Barnstable is an historic building listed as a contributing building in a National Register District and is recognized by the Massachusetts Historical Commission as historically/architecturally significant. The church is used by a wide range of community groups from the general public, including meeting space for Alcoholics Anonymous and Alanon, lecture groups, and use of the kitchen for meal preparation for the homeless at St. Joseph's Homeless Shelter.

FISCAL IMPACT: This appropriation will be funded from the amount set-aside for historic preservation within the Community Preservation Fund which has an available balance of \$266,527.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends appropriation and transfer in the stated amount.

STAFF ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee
Ellen Swiniarski, CPC Assistant, Mark A. Milne, Director of Finance

B. NEW BUSINESS (First Reading)

BARNSTABLE TOWN COUNCIL

**ITEM #2020-049
INTRO: 11/07/19**

2020-049 AMENDMENTS TO THE ADMINISTRATIVE CODE, CHAPTER 241, ARTICLE IV, MUNICIPAL ORGANIZATION CHANGING THE SENIOR SERVICES DIVISION OF THE COMMUNITY SERVICES DEPARTMENT TO THE COUNCIL ON AGING DIVISION

ORDERED that pursuant to Section 5-1 and Section 10-7(k)(1)-(2) of the Town of Barnstable Home Rule Charter, the Administrative Code, Section 241, Article IV, Municipal Organization, is hereby amended by striking out Section 241-47.10 C in their entirety and substituting in place thereof the following:

§ 241-47.10 Community Services Department.

The Community Services Department provides an array of recreation, social, leisure time, and informative services to the citizens of Barnstable that appeal to a wide range of ages and interests.

C. Council on Aging Division.

- (1) Purpose. The Council on Aging Division supports older adults in our community by providing programs and services designed to optimize their quality of life and help them maintain their independence so they may successfully age-in-place in the Town of Barnstable. The Council on Aging assesses the needs of citizens age 60 and over and develops programs to meet those needs, advocates and educates the community on issues affecting older people, and enlists support and funding for the programs from federal, state, Town, and other public and private organizations.
- (2) Authorities and responsibilities. The Council on Aging provides a wide and diverse array of programs designed to meet the needs of older adults that includes, but is not limited to, the following: community outreach, health and wellness education and assistance, supportive day, social, recreational and educational programming, benefits counseling, information and referral, caregiver support, nutrition, and transportation. Services are developed and provided through staff, volunteers and cooperative efforts with community groups and agencies. It also serves as a resource to other departments and community groups concerning issues having an impact on older people, as well as regularly assessing needs and developing financial resources.
- (3) Interrelationships.
 - (a) Town Manager. The Council on Aging interacts with the Town Manager primarily for program approval, budget expenditures, secondarily and for all other appropriate matters.
 - (b) Other departments. The Council on Aging interacts with Public Works relative to facilities program preparation, maintenance, and improvement. It interacts with the Health Division for cooperation in providing appropriate health services. Ongoing interaction with all other departments and organizational components to insure accomplishment of its goals and objectives is commonplace.
 - (c) Multiple-member boards. The Council on Aging provides administrative support to the Council on

Aging Board and receives advisory information regarding program service delivery.

- (d) Other interactions. The Council on Aging interacts with appropriate community agencies and groups as well as state and regional agencies to seek effective accomplishment of the departmental programming.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM #2020-049
INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: November 07, 2019
SUBJECT: Amendments to the Administrative Code, Chapter 241, Article IV, Municipal Organization changing the Senior Services Division of the Community Services Department to the Council on Aging Division

RATIONALE: In an effort to better reflect the changing landscape of aging services and to ensure that we are using inclusive and welcoming language to refer to older adults, the Barnstable Senior Center was recently renamed to the Barnstable Adult Community Center. As part of this transition, it is proposed that the Senior Services Division be renamed as the Council on Aging Division. This amendment will help to ease confusion by bringing the division in line with the standard term that is used to refer to municipal aging service departments across the state, as outlined in the General Laws of the Commonwealth of Massachusetts, M.G.L. Chapter 40, Section 8B. The Executive Office of Elder Affairs defines Councils on Aging as “municipal agencies that provide local outreach, social and health services, advocacy, information and referral for older adults, their families and caregivers.”

STAFF ASSISTANCE: Madeline Noonan, Director, Senior Services

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2020-050
INTRO: 11/07/19

2020-050 RESOLVE AUTHORIZING INTERMUNICIPAL AGREEMENTS BETWEEN BARNSTABLE, BOURNE, BREWSTER, CHATHAM, DENNIS, FALMOUTH, HARWICH, MASHPEE, ORLEANS, SANDWICH AND YARMOUTH FOR WEIGHTS AND MEASURES SERVICES

RESOLVED: That the Town Council authorizes the execution and delivery by the Town Manager of Intermunicipal Agreements for the provision of Weights and Measures services by the Town of Barnstable to the Towns of Bourne, Brewster, Chatham, Dennis, Falmouth, Harwich, Mashpee, Orleans, Sandwich and Yarmouth for a maximum term of twenty-five (25) years

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-050

INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Richard V. Scali, Licensing Director
DATE: November 7, 2019
SUBJECT: Authorization of Intermunicipal Agreements by the Town Manager, for the provision of Weights and Measures services by the Town of Barnstable with the Towns of Bourne, Brewster, Chatham, Dennis, Falmouth, Harwich, Mashpee, Orleans, Sandwich and Yarmouth.

BACKGROUND: The Town of Barnstable has provided Weights and Measures services to these towns for the past 20 +/- years under agreements with each town. These towns do not have the personnel equipment to provide these services and wish to continue the regional services. In reviewing each agreement, it was determined that a review of costs, expenses and revenues needed to be reviewed with each town for a full cost recovery, retirement and funds for equipment replacement needs, producing new agreements with each town. In working with the Town Finance department and Legal department, a full review chart and agreement was produced and provided to each town for an annual assessment to be paid by each town in addition to the revenues collected from each town's businesses. The agreement with each town would provide for an initial three year term, to be reviewed and renewable each year. The agreement provides personnel, equipment, billing and collection and hold harmless and indemnity clauses in the interest of the Town of Barnstable and sets out an assessment fee for each town to be paid each July 1st with a 2.5% increase each year. This continues the regional approach to these services, provides uniformity and equity to customers and businesses and fairness in the marketplace in all 10 towns and Barnstable.

FISCAL IMPACT: The Town of Barnstable will be reimbursed for all labor and expenses to provide the subject services.

TOWN MANAGER RECOMMENDATION: The Town Manager requests favorable action by the Town Council.

STAFF ASSISTANCE: Richard V. Scali, Licensing Director; Jane Zulkiewicz, Weights and Measures Sealer

B. NEW BUSINESS (May be acted upon)(Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2020-051
INTRO: 11/07/2019**

2020-051 BUDGET REDUCTION OF \$151,500 FOR THE FISCAL YEAR 2020 SANDY NECK ENTERPRISE FUND OPERATING BUDGET

RESOLVED: That the sum of **\$1,147,959** appropriated for the purpose of funding the Town’s Fiscal Year 2020 Sandy Neck Park Enterprise Fund budget under Town Council order 2019-171 be reduced by **\$151,500** resulting in a revised Fiscal Year 2020 operating budget of **\$996,459**, and that to meet such appropriation the **\$957,055** be raised from Enterprise Fund Revenues and that **\$39,404** be transferred from the Sandy Neck Enterprise Fund Reserves.

SPONSOR: Mark S. Ells, Town Manger

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM #2020-051
INTRO: 11/07/2019

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel J. Horn, Director of Marine & Environmental Affairs
DATE: November 07, 2019
SUBJECT: Resolve to reduce the Fiscal Year 2020 Appropriation for the Sandy Neck Enterprise Fund Operating Budget by **\$151,500**

SUMMARY: Revenue at Sandy Neck Park has been negatively impacted by beach closures. At the time of the development of the Sandy Neck Enterprise Fund Fiscal Year 2020 Operating Budget it was unknown as to the level of beach closures that would occur in the upcoming season. The Enterprise Fund Fiscal Year 2020 Operating Budget was prepared assuming an average level of revenue achieved in the prior three years would be generated again. After completion of the immediate past summer season it became clearer that the revenue estimate used was too high and the operating budget would need to be scaled back to reflect the reality of a decrease in revenue due to extensive beach closures.

ANALYSIS: In conjunction with the Town's Fiscal Year 2020 tax rate setting process, the Division of Local Services of the Department of Revenue compares all enterprise fund revenue with the actual amount collected in the previous fiscal year. If a higher estimated revenue figure is used, supporting documentation needs to be provided to support the higher estimate. A higher revenue estimate could result from an approved fee increase or higher levels of activity, for example. There is no fee increase planned for FY 2020 and, at this time, it cannot be supported that activity levels will increase and result in more revenue at Sandy Neck. It is being recommended that the Enterprise Fund Operating Budget be reduced along with a corresponding decrease in the estimated revenue to be generated to reflect the lower activity levels. The reduction of the Enterprise Fund has no effect on the tax rate. It must, however, be reported in conjunction with the tax rate setting process.

FISCAL IMPACT: Budget reductions are proposed to several line items including \$10,000 in seasonal wages; \$22,000 for repairs and maintenance to vehicles and facilities; \$10,000 in police details; \$19,500 for a replacement vehicle; \$15,000 for new equipment; and \$75,000 for sand replenishment. The sand replenishment account will still have \$50,000 remaining in the budget. With the busy season just completed, the reductions to the other line items in the budget are manageable.

STAFF ASSISTANCE: Daniel J. Horn, Director of Marine & Environmental Affairs; Nina Z. Coleman, Director of Natural Resources/Sandy Neck Park Manager; Mark A. Milne C.P.A., Director of Finance

B. NEW BUSINESS (Refer to a Public Hearing 11/ 21/ 19)

BARNSTABLE TOWN COUNCIL

**ITEM 2020-052
INTRO: 11/07/2019**

2020-052 SUPPLEMENTAL APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$150,000 FOR THE FISCAL YEAR 2020 AIRPORT CAPITAL BUDGET FOR THE PURPOSE OF FUNDING AIRPORT CAPITAL IMPROVEMENT PROJECTS FOR MITIGATION OF PER AND POLYFLUOROALKYL SUBSTANCES (PFAS) AND 1,4- DIOXANE

ORDERED: That the sum of **\$150,000** be appropriated for the purpose of funding mitigation for the impacts of per and polyfluoroalkyl substances (PFAS) and 1,4- dioxane in soil and groundwater associated with the use of firefighting foams; and that to meet this appropriation that \$150,000 be transferred from the Airport Enterprise Fund reserves; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM 2020-052
INTRO: 11/07/2019

SUMMARY

TO: Town Council
FROM: Mark S. Eells, Town Manager
THROUGH: Katie R. Servis, Airport Manager
DATE: October 28, 2019
SUBJECT: Supplemental Appropriation and Transfer Order in the amount of **\$150,000** for the Fiscal Year 2020 Airport Capital Budget for the purpose of funding Airport Capital Improvement Projects for mitigation of Per and Polyfluoroalkyl substances (PFAS) and 1,4- Dioxane

BACKGROUND: A total of \$150,000 is requested for mitigation of these compounds at the Airport. The work proposed includes response actions to reduce infiltration of precipitation through PFAS- impacted soil, such as temporarily capping the source areas; excavating and properly disposing of the PFAS- impacted soil; or some equivalent approach.

The Airport initially proposed a temporary soil cap using two layers of 6- mil polyethylene sheeting with one layer being reinforced polyethylene sheeting or a combination of the two. However, site investigations revealed that the addition of an asphalt be added in some areas to allow for a permanent cap and thus increased the cost of the project. The original appropriation was for \$100,000 (A.O. 2019-110).

Burning fuel from an aircraft accident relies on more than water to put out the flames. The Federal Aviation Administration (FAA) requires airports to carry chemical agents that are effective in smothering fuels and other onboard liquids such as hydraulic fluids, and for decades the industry standard, and only approved chemical, has been aqueous film-forming foams — known as AFFF. But the same chemicals that make it effective for fighting fires are also linked to contamination in drinking water.

The Environmental Protection Agency (EPA) has identified per- and polyfluoroalkyl substances (PFAS) as a group of synthetic chemicals that have been in use since the 1940s and are found in a wide array of consumer and industrial products. Due to their widespread use and persistence in the environment, most people in the United States have been exposed to PFAS. However because there is evidence that continued exposure above specific levels to certain PFAS may lead to adverse health effects, the EPA has developed an Action Plan with an approach to identifying and understanding PFAS, approaches to addressing current PFAS contamination, and preventing future contamination.

The Massachusetts Department of Environmental Protection (MassDEP) Bureau of Waste Site Cleanup was tasked with ensuring the cleanup of oil and hazardous material releases pursuant to the Massachusetts Oil and Hazardous Material Release Prevention and Response Act (M.G.L. Chapter 21E). This law is implemented through regulations known as the Massachusetts Contingency Plan (310 CMR 40.0000 et seq. - the MCP). Both M.G.L. c 21E and the MCP require the performance of response actions to provide for protection of harm to health, safety, public welfare and the environment which may result from releases and/or threats of releases of oil and/or hazardous material (OHM) at disposal sites.

MassDEP is analyzing PFAS use in industrial and consumer applications, including stain- and water-resistant coatings for fabrics and carpets, oil-resistant coating for paper products approved for food contact, mining and oil well surfactants, floor polishes, insecticide formulations and aqueous film forming foam (AFFF). In 2016,

MassDEP has reached out to airports across the Commonwealth of Massachusetts investigating the current and historic use of AFFF.

Currently, AFFF is the only substance approved by the Federal Aviation Administration (FAA) for use in airport emergency responses. Although the FAA is investigating alternatives, to date, none have been approved. In the interim, Barnstable Municipal Airport has modified its use of AFFF due to the health risks associated with PFAS.

The Airport:

- Ceased use of foam in 2015 for tri-annual exercises and annual testing
- In 2016 was the first airport in Massachusetts to purchase the ecologic unit (photo below) to test foam to meet FAA requirements without the need to deploy foam on the ground for testing. We bought this unit well before this was approved by FAA as an alternative testing platform so that we could respond quickly to the issue at hand



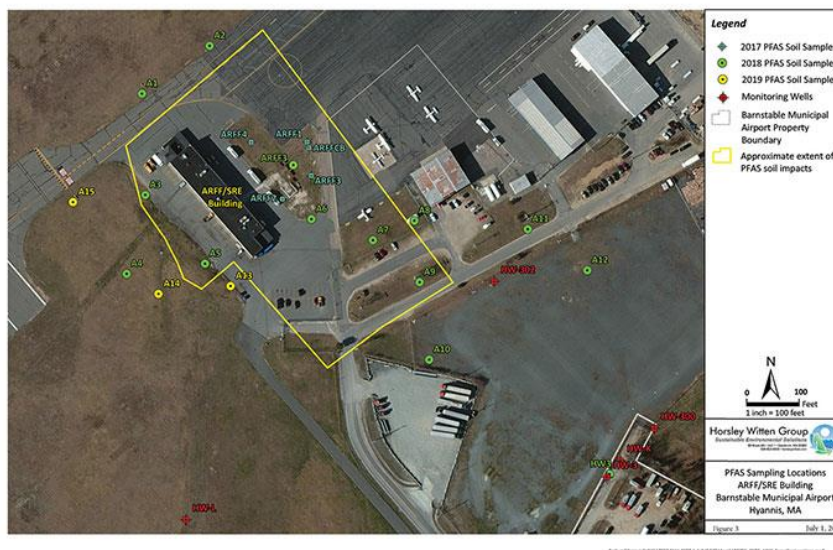
- Successfully captured foam used in 2016 to respond to aircraft accident, in which all 10 gallons of foam applied at the site of the accident was captured in an enclosed catch basin, vacuumed out and removed from site.

Additionally, the Airport continues to coordinate with MassDEP and the Town of Barnstable completing ongoing investigations into the impacts of PFAS in soil and groundwater. To date, the Airport has completed the following:

- In 2016, we started the process of reporting and analysis following requirements outlined Massachusetts General Law, and the Massachusetts Contingency Plan or MCP. The following is the timeline of analyses:
 - August 4, 2016 Request for Information (RFI) from DEP
 - September 2016 Airport Response to the RFI
 - November 10, 2016 Notice of Responsibility (NOR)/Request for Immediate Response Action (RFIRA) from DEP
 - December 2016 Airport Response with an Action Plan
 - October 27, 2017 Request for Information (RFI) Runway 15/33 Soils from DEP
 - November 10, 2017 Airport Response to RFI
 - November 10, 2017 Airport Response Phase I Report & Tier Classification Report
 - Airport has also responded with 6 IRA Status Reports
- The Airport has worked tirelessly with MassDEP to identify the boundaries of our site where firefighting foam use has occurred on our 639-acre parcel. Two small locations of approximately 2.25-acres were identified and confirmed with MassDEP after extensive groundwater and soils tests (see photos below)



Annual Testing and Tri-Annual Drill Site Location (~ 1.79-acres)



ARFF Truck Storage & Maintenance Site Location (~0.46 acres)

- ➔ The Airport has conducted multiple tests of groundwater and soils for the presence of PFAS/PFOS/PFOA
- ➔ On July 29, 2019, the Airport held a public meeting with concerned citizens via a Public Involvement Plan (PIP)
- ➔ The Airport continues to provide analysis and continued reporting, as required by MassDEP - Massachusetts General Law, the Massachusetts Contingency Plan (MCP). We are presently at the Response and Risk Reduction Measure Phase of response with the following still required:
 - Additional sampling
 - Tier II reporting
 - Mitigation
 - On-going status updates and testing of affected areas

To date we have spent nearly \$517,200 on reporting requirements and will need an additional \$100,000 to get through the next phase in FY2020 (subject to a separate appropriation request). The Airport has also scheduled additional funds in FY2021 and FY2022 as may be necessary.

FISCAL IMPACT: The Airport's net share for this Supplemental Appropriation is \$150,000. The request for this project is that \$150,000 be transferred from the Airport Enterprise Fund reserves. As of October 29, 2019, the Airport Enterprise Fund had \$2,761,211.00 certified in cash reserves.

STAFF ASSISTANCE: Mark A. Milne, C.P.A., Director of Finance

B. NEW BUSINESS (Refer to a Public Hearing 11/21/19)

BARNSTABLE TOWN COUNCIL

**ITEM 2020-053
INTRO: 11/07/2019**

2020-053 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000 FOR THE FISCAL YEAR 2020 AIRPORT CAPITAL BUDGET FOR THE PURPOSE OF FUNDING AIRPORT CAPITAL IMPROVEMENT PROJECTS FOR ONGOING EVALUATIONS OF PER AND POLYFLUOROALKYL SUBSTANCES (PFAS) AND 1,4- DIOXANE

ORDERED: That the sum of **\$100,000** be appropriated for the purpose of funding ongoing investigations into the impacts of per and polyfluoroalkyl substances (PFAS) and 1,4- dioxane in soil and groundwater and to meet this appropriation that \$100,000 be transferred from the Airport Enterprise Fund reserves; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM 2020-053
INTRO: 11/07/2019

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Katie R. Servis, Airport Manager
DATE: October 28, 2019
SUBJECT: Appropriation and Transfer Order for the Fiscal Year 2020 Airport Enterprise Fund Capital Budget

BACKGROUND: A total of \$100,000 is requested for ongoing efforts to evaluate the extent of these compounds at the Airport. The work proposed includes additional sampling and analysis, assessments of options to manage potentially contaminated areas at the Airport, reporting to the Massachusetts Department of Environmental Protection (MassDEP), and coordination with the Airport, the Town of Barnstable Department of Public Works and MassDEP on how the PFAS and 1,4- dioxane will be managed. The Airport Commission approved of the above expenditure, contingent on Town Council approval, during the September 17, 2019 Airport Commission Meeting.

Burning fuel from an aircraft accident relies on more than water to put out the flames. The Federal Aviation Administration (FAA) requires airports to carry chemical agents that are effective in smothering fuels and other onboard liquids such as hydraulic fluids, and for decades the industry standard, and only approved chemical, has been aqueous film-forming foams — known as AFFF. But the same chemicals that make it effective for fighting fires are also linked to contamination in drinking water.

The Environmental Protection Agency (EPA) has identified per- and polyfluoroalkyl substances (PFAS) as a group of synthetic chemicals that have been in use since the 1940s and are found in a wide array of consumer and industrial products. Due to their widespread use and persistence in the environment, most people in the United States have been exposed to PFAS. However because there is evidence that continued exposure above specific levels to certain PFAS may lead to adverse health effects, the EPA has developed an Action Plan with an approach to identifying and understanding PFAS, approaches to addressing current PFAS contamination, and preventing future contamination.

The Massachusetts Department of Environmental Protection (MassDEP) Bureau of Waste Site Cleanup was tasked with ensuring the cleanup of oil and hazardous material releases pursuant to the Massachusetts Oil and Hazardous Material Release Prevention and Response Act (M.G.L. Chapter 21E). This law is implemented through regulations known as the Massachusetts Contingency Plan (310 CMR 40.0000 et seq. - the MCP). Both M.G.L. c 21E and the MCP require the performance of response actions to provide for protection of harm to health, safety, public welfare and the environment which may result from releases and/or threats of releases of oil and/or hazardous material (OHM) at disposal sites.

MassDEP is analyzing PFAS use in industrial and consumer applications, including stain- and water-resistant coatings for fabrics and carpets, oil-resistant coating for paper products approved for food contact, mining and oil well surfactants, floor polishes, insecticide formulations and aqueous film forming foam (AFFF). In 2016, MassDEP has reached out to airports across the Commonwealth of Massachusetts investigating the current and historic use of AFFF.

Currently, AFFF is the only substance approved by the Federal Aviation Administration (FAA) for use in airport emergency responses. Although the FAA is investigating alternatives, to date, none have been approved. In the interim, Barnstable Municipal Airport has modified its use of AFFF due to the health risks associated with PFAS.

The Airport:

- Ceased use of foam in 2015 for tri-annual exercises and annual testing
- In 2016 was the first airport in Massachusetts to purchase the ecologic unit (photo below) to test foam to meet FAA requirements without the need to deploy foam on the ground for testing. We bought this unit well before this was approved by FAA as an alternative testing platform so that we could respond quickly to the issue at hand



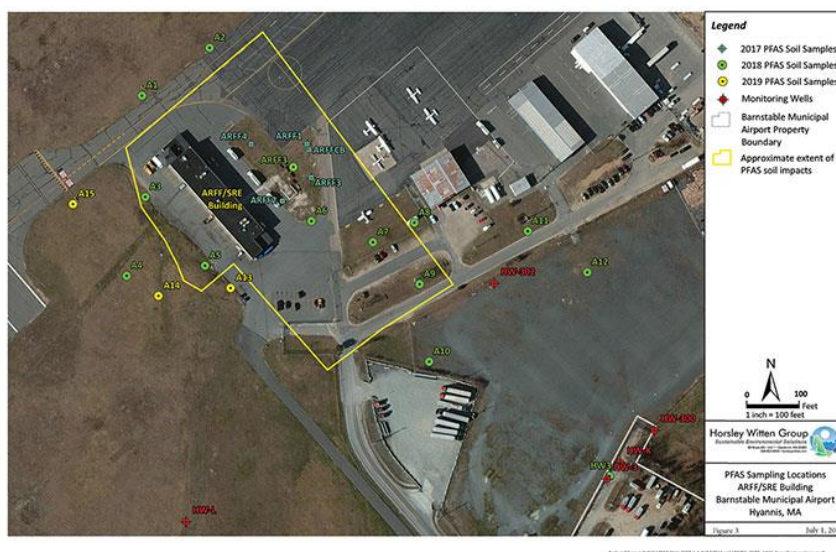
- Successfully captured foam used in 2016 to respond to aircraft accident, in which all 10 gallons of foam applied at the site of the accident was captured in an enclosed catch basin, vacuumed out and removed from site.

Additionally, the Airport continues to coordinate with MassDEP and the Town of Barnstable completing ongoing investigations into the impacts of PFAS in soil and groundwater. To date, the Airport has completed the following:

- In 2016, we started the process of reporting and analysis following requirements outlined Massachusetts General Law, and the Massachusetts Contingency Plan or MCP. The following is the timeline of analyses:
 - August 4, 2016 Request for Information (RFI) from DEP
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 - November 10, 2017 Airport Response Phase I Report & Tier Classification Report
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- The Airport has worked tirelessly with MassDEP to identify the boundaries of our site where firefighting foam use has occurred on our 639-acre parcel. Two small locations of approximately 2.25-acres were identified and confirmed with MassDEP after extensive groundwater and soils tests (see photos below)



Annual Testing and Tri-Annual Drill Site Location (~ 1.79-acres)



AFFF Truck Storage & Maintenance Site Location (~0.46 acres)

- ➔ The Airport has conducted multiple tests of groundwater and soils for the presence of PFAS/PFOS/PFOA
- ➔ On July 29, 2019, the Airport held a public meeting with concerned citizens via a Public Involvement Plan (PIP)
- ➔ The Airport continues to provide analysis and continued reporting, as required by MassDEP - Massachusetts General Law, the Massachusetts Contingency Plan (MCP). We are presently at the Response and Risk Reduction Measure Phase of response with the following still required:
 - Additional sampling
 - Tier II reporting
 - Mitigation
 - On-going status updates and testing of affected areas

To date we have spent nearly \$517,200 on reporting requirements and will need an additional \$100,000 to get through the next phase in FY2020. The Airport has scheduled additional funds in FY2021 and FY2022 as necessary.

FISCAL IMPACT: The Airport's net share for this Appropriation is \$100,000. The request for this project is that \$100,000 be transferred from the Airport Enterprise Fund reserves. As of October 29, 2019, the Airport Enterprise Fund had \$2,761,211.00 certified in cash reserves.

STAFF ASSISTANCE: Mark A. Milne, C.P.A., Director of Finance

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM 2020-054
INTRO: 11/07/2019**

**2020-054 NAMING OF TOWN COUNCIL HEARING ROOM
“JAMES H. CROCKER, JR. HEARING ROOM”**

RESOLVED: That in recognition and appreciation of James H. Crocker, Jr.’s longstanding service to the Town of Barnstable, the Town Council does hereby request the Town Manager to designate the Town Council Hearing Room in Town Hall as the “James H. Crocker, Jr. Hearing Room” and determine a date on which to hold a ceremony and affix a plaque to celebrate this naming

SPONSOR: James M. Tinsley, Councilor, Precinct 9

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2020-055

INTRO: 11/07/19

2020-055 ACCEPTANCE OF A FEDERAL FISCAL YEAR 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF \$51,069 FROM THE U. S. DEPARTMENT OF JUSTICE

RESOLVED: That the Barnstable Town Council does hereby accept the Federal Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation award from the U. S. Department of Justice in the amount of **\$51,069** for the purpose of funding specific policing services and programs under a disparate certification grant that includes the towns of Barnstable, Yarmouth and Falmouth and that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-055

INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: November 07, 2019
SUBJECT: Acceptance of a Federal Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of **\$51,069** from the U. S. Department of Justice

BACKGROUND: The Police Department applied for and was awarded Federal Fiscal Year 2019 Byrne Memorial Justice Assistance Grant: Local Solicitation from the United States Department of Justice in the amount of **\$51,069**. The grant has been deemed to be a disparate certification allocation to be distributed among three towns as outlined below based on a prescribed grant formula amount for each town and the Town of Barnstable Police Department will act as the grant administrator and fiscal agent for all towns:

Town of Barnstable: **\$23,153** to be expended on a comprehensive and cohesive wellness program geared specifically to our law enforcement officers and dispatchers. The program will utilize a three-pronged approach which includes peer support, use of an employee assistance program (EAP); and a formal program that teaches healthy lifestyle choices.

Town of Falmouth: **\$11,390** to be expended on the purchase of three (3) complete dashboard cameras. The department will utilize the cameras in collecting evidence for court and citizen complaints. Their objective is to increase conviction rates and to increase community confidence.

Town of Yarmouth: **\$16,526** to be expended on a formalized leadership development plan. This program will allow the department to develop and implement a formal leadership development program. The proposed program will focus on the development of the core competencies of the ten Sergeants and five members of the command staff.

ANALYSIS: The acceptance of this grant will allow the aforementioned police departments to take action on the programs as described previously.

FISCAL IMPACT: There is no matching funding required for this grant. This is a reimbursement grant as expenses are incurred up to the total dollar amount of the grant. The Town of Barnstable Police Department will serve as the fiscal agent and grant administrator for all the towns and will be responsible for all grant oversight, grant reporting, reimbursement of funds and draw downs.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends acceptance of this grant.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police; Anne Spillane, Finance and Support Services Barnstable Police Department

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM # 2020-056

INTRO: 11/07/19

2020-056 ACCEPTANCE OF A GIFT IN THE AMOUNT OF \$3,000 FROM THE CORSON FAMILY FOR BARNSTABLE RECREATION DIVISION'S FRIDAY NIGHT SOCIAL PROGRAM

RESOLVED: That the Town Council hereby accepts a gift of **\$3,000** from the Corson Family with such funds to be used for Barnstable Recreation Division's Friday Night Social Program and does hereby authorize the Town Manager to contract for and expend said funds for that purpose.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-056

INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: November 07, 2019
SUBJECT: Acceptance of a gift in the amount of **\$3,000** from the Corson Family for Barnstable Recreation Division's Friday Night Social Program

RATIONALE: The Barnstable Recreation Division's Friday Night Social Program has received a gift from the Corson Family. The Friday Night Social Program is a special needs adult activity. There are approximately 50-75 Barnstable Residents who meet every Friday Night for the entire year. The activities vary depending on the requests of the participants. This program is focused on socializing appropriately in public settings and provides respite care for many families on Friday Night. Transportation is provided to and from home at an additional fee.

These funds will be used to support the Friday Night Social Program, including purchasing movie tickets for the program. Over the years, the Corson Family has witnessed the Friday Night Social program in action and they want to help support the participants.

The Barnstable Recreation Division and Friday Night Social Program is extremely grateful for the generous gift from the Corson Family.

FISCAL IMPACT: There is no immediate financial impact to the Town's operating budget as a result of accepting this grant.

STAFF ASSISTANCE: Patti Machado, Recreation Director; Michelle Davies, Therapeutic Program Coordinator; Trisha Otto, Recreation Financial Supervisor

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2020-057
INTRO: 11/07/19**

**2020-057 RESOLVE AUTHORIZING THE ACCEPTANCE OF EXCESS PERSONAL
PROPERTY FROM THE U.S. DEPARTMENT OF DEFENSE**

RESOLVED: That, in accordance with G.L. c. 44, § 53A1/2, the Town Council approve the acceptance of gifts of excess personal property from the U.S. Department of Defense pursuant to the Law Enforcement Support Program (the “1033 Program”) authorized by 10 USC § 2576a for the purpose of acquiring needed equipment for specific law enforcement purposes at no cost to the Barnstable Police Department and that the Town Manager be authorized to accept these gifts of excess personal property for the purpose stated herein.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM #2020-057
INTRO: 11/07/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Matthew K. Sonnabend, Chief of Police
DATE: November 07, 2019
SUBJECT: Acceptance of a Law Enforcement Support Officer (LESO)/1033 Program Contract for the Acquisition of Surplus Equipment

BACKGROUND: The U.S. Department of Defense is authorized by 10 USC § 2576a to transfer to Federal and State/Municipal Law Enforcement Agencies, personal property that is excess to the needs of the Department of Defense that the Secretary of Defense determines is suitable to be used by such agencies in law enforcement activities performed by governmental agencies whose primary function is the enforcement of applicable Federal, State/Territory, and local laws and whose compensated law enforcement officers have powers of arrest and apprehension. This program is referred to as the Law Enforcement Support Program (LESO or 1033 Programs and is administered by Defense Logistics Agency Disposition Services (DLA).

ANALYSIS: The acceptance of this item will enable the Town of Barnstable Police Department to enter into a contract with Defense Logistics Agency Disposition Services, which will enable the Barnstable Police Department to be eligible to receive surplus items of personal property that is excess to the needs of the Department of Defense.

FISCAL IMPACT: The Town does not need to expend any funds to acquire this surplus equipment; however the police department must adhere to the strict guidelines, rules and regulations that are part of the contract, such as a dedicated officer authorized to receive property; maintenance of an annual inventory of equipment received; and a record of disposition of equipment.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends acceptance of this contract.

STAFF ASSISTANCE: Matthew K. Sonnabend, Chief of Police; Anne Spillane, Finance and Support Services Barnstable Police Department

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2020-058
INTRO: 11/07/19**

**2020-058 RESOLVE TO ALLOW THE TOWN COUNCIL AT THE NEXT
REGULAR SCHEDULED MEETING THE NOMINATION OF THE
COUNCIL PRESIDENT AND VICE-PRESIDENT**

RESOLVED: That the Town Council shall place on the agenda of the next regular meeting of the Council the nomination of the Council President and Vice-President to allow the Council to consider whether to suspend its rules to allow the Council to nominate and/or elect a President and Vice President.

SPONSOR: John G. Flores, Vice President, Town Council

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (May be acted upon) (Majority vote)

BARNSTABLE TOWN COUNCIL

ITEM #2020-059
INTRO: 11/07/19

**2020-059 AUTHORIZING THE USE OF IMAGECAST VOTING MACHINES
STARTING WITH THE PRESIDENTIAL PRELIMINARY ELECTION**

ORDERED: That the Town Council hereby confirms that portion of Town Council Order 2019-180 adopted by majority vote on May 16, 2019 which authorized the purchase for the sum of \$84,000 of new voting machines as described more fully on Page 155 of the Fiscal Year 2020 Budget Book and further hereby authorizes the discontinuance of the use of the AccuVote voting machine and associated equipment and authorizes the use of the Imagecast voting machine and associated equipment starting with the Presidential preliminary election on March 3, 2020 and all elections thereafter.

SPONSOR: Ann Quirk, Town Clerk

DATE	ACTION TAKEN
_____	_____
_____	_____

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