



Town of Barnstable Town Council

367 Main Street, 2nd floor, Hearing Room
Village of Hyannis, MA 02601
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MEETING AGENDA

JAMES H. CROCKER, JR. HEARING ROOM

**December 05, 2019
7:00 PM**

Councillors:

President

Vice President

Gordon Starr
Precinct 1

Eric R. Steinhilber
Precinct 2

Paul Hebert
Precinct 3

Britt Beedenbender
Precinct 4

David Bogan
Precinct 5

Paul C. Neary
Precinct 6

Jessica Rapp Grassetti
Precinct 7

Debra S. Dagwan
Precinct 8

Tracy Shaughnessy
Precinct 9

Matthew Levesque
Precinct 10

Kristine Clark
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

- **2019 Barnstable Silver Bullets Midgets Super Bowl Champions**

- **Recognition of Robert Schulte, Big Brother/Big Sister**

9. ORDERS OF THE DAY

A. Old Business

B. New Business

- **Town Council Election of 2020 Officers**

President:

Vice President:

10. ADJOURNMENT

NEXT REGULAR MEETING: December 19, 2019

ITEM NO.	INDEX TITLE	PAGE
A. OLD BUSINESS		
2020-060	Appropriation Order in the amount of \$730,000 for the Water Enterprise Fund Fiscal Year 2020 Operating Expense Budget (Public Hearing) (Roll call Majority)	3-5
2020-061	Allocation of Tax Levy Fiscal Year 2020– Residential Exemption (Public Hearing) (Roll call)	6-7
2020-062	Allocation of Tax Levy Fiscal Year 2020 – Tax Factor (Public Hearing) (Roll call)	8-9
2020-063	Order to Approve Term of Contract Change under the MGL 30B, Uniform Procurement Act, Section 12, paragraph(b), which would allow the Real Estate Research Consultants, Inc., contract to be extended from three (3) years to five (5) years (May be acted upon) (Majority vote)	10-11
2020-064	Order to Approve Term of Contract Change under the MGL 30B, Uniform Procurement Act, Section 12, paragraph(b), which would allow the Vision Government Solutions, Inc. contract to be extended from three (3) years to five (5) years (May be acted upon) (Majority vote)	12-13
B. NEW BUSINESS		
2020-066	Acceptance of a Fiscal Year 2020 Cultural District grant in the amount of \$5,000 from the Massachusetts Cultural Council’s Cultural District Grant Program for the Barnstable Village Cultural District (May be acted upon) (Majority vote)	14-15
2020-067	Acceptance of a Fiscal Year 2020 Cultural District grant in the amount of \$6,000 from the Massachusetts Cultural Council’s Cultural District Grant Program for the Hyannis HyArts Cultural District (May be acted upon) (Majority vote)	16-17

Approve Minutes; November 21, 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 Majority)

BARNSTABLE TOWN COUNCIL

ITEM # 2020-060
INTRO: 11/21/19, 12/05/19

2020-060 APPROPRIATION ORDER IN THE AMOUNT OF \$730,000 FOR THE WATER ENTERPRISE FUND FISCAL YEAR 2020 OPERATING BUDGET

ORDERED: That the sum of **\$730,000** be appropriated for the purpose of funding the Fiscal Year 2020 Water Enterprise Fund operating expense budget; and that this sum be added to the sum of **\$6,955,015** appropriated under council order 2019-177 resulting in a total revised Fiscal Year 2020 operating budget of **\$7,685,015**, and that to fund this appropriation that the sum of **\$730,000** be transferred from the Water Enterprise Fund reserves.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/21/19</u>	<u>Refer to Public Hearing 12/05/19</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-060
INTRO: 11/21/19, 12/05/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: November 21, 2019
SUBJECT: Appropriation Order in the amount of **\$730,000** for the Water Enterprise Fund Fiscal Year 2020 Operating Expense Budget

BACKGROUND: In 2015, United States Environmental Protection Agency (USEPA)-mandated testing of the Hyannis Water System for Contaminants of Emerging Concern (CEC's) identified the presence of perfluorinated (PFAS) compounds in the Straightway and Mary Dunn wellfields.

On May 19, 2016, the USEPA announced the *final* Federal Health Advisory for perfluorinated compounds in drinking water. The new advisory level was significantly lower than the provisional level.

On June 12, 2018, the Massachusetts Department of Environmental Protection (MassDEP or DEP) issued an Office of Research and Standards Guideline (ORSG) for drinking water of 70 parts per trillion (ppt) for a combination of 5 PFAS compounds.

On April 17, 2019, the MassDEP announced the initiation of an administrative process to develop a drinking water standard of 20 ppt for a combination of 6 PFAS compounds.

As the result of this last MassDEP announcement the Hyannis Water System did initiate multiple rounds of water sampling and adjusted the well sequencing que.

To be able to deliver enough drinking water year round under the proposed new standard, the volume of water purchased from the Town of Yarmouth and the Centerville-Osterville-Marstons Mills (COMM) Water System had to be increased.

At the present time the sources of all the CEC contaminations have not been completely determined. The DEP has directed and is overseeing investigations at the Barnstable Municipal Airport and the Barnstable County Fire Training Academy to better identify the sources and potentially responsible parties.

ANALYSIS: When the Fiscal Year 2020 Operating Budget was prepared, it was not anticipated that the Hyannis Water System would have to significantly increase water purchases based on the above described situation. Consequently, additional operating funds are required to purchase water from the Town of Yarmouth and the COMM Water Department. The Hyannis Water Board at their regularly scheduled meeting on Tuesday, October 15, 2019 voted unanimously to support this funding request.

FISCAL IMPACT: Funding for this appropriation will be provided from the Water Enterprise Fund reserves which were recently certified at \$1,274,703. The Department of Public Works Water Supply Division is currently designing interim filtration units for the Airport, Straightway, Simmons Pond and Hyannis Port wells and is constructing the Maher Filtration Plant. The plant is anticipated to be

operational in the fall of 2020, and would eliminate the water purchases from the Town of Yarmouth and COMM Water Department. The Fiscal Year 2021 operating budget will be reduced accordingly.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of the appropriation order.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public Works; Hans Keijser, Supervisor, Water Supply Division.

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-061
INTRO: 11/21/19, 12/05/19

2020-061 ALLOCATION OF TAX LEVY FISCAL YEAR 2020 – RESIDENTIAL EXEMPTION

RESOLVED, that the Town Council hereby votes to adopt a Residential Exemption of 20 percent for Fiscal Year 2020.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/21/19</u> _____	<u>Refer to Public Hearing 12/05/19</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-061
INTRO: 11/21/19, 12/05/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Edward O'Neil, Director of Assessing
DATE: November 21, 2019
SUBJECT: Allocation of Tax Levy Fiscal Year 2020 – Residential Exemption

BACKGROUND: According to Massachusetts General Law, Chapter 40, Section 56, of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Town Council may adopt a Residential Exemption as part of determining the allocation of the tax levy between residential property owners. This tax levy-shifting tool will not change the overall amount of property taxes raised through the residential class of property. It allows the town to shift a portion of the residential property tax levy between residential property owners based on statutory criteria. The maximum exemption allowed is 35 percent of the average assessed value of all Class One (Residential) parcels. This exemption would be applied to all residential parcels which are qualified as the principal residence of the taxpayer. Principal residence is a taxpayer's domicile, that is, their fixed place of habitation, permanent home, and legal residence, as used for federal and state income tax purposes. This option shifts property taxes between residential taxpayers only and does not affect the Commercial, Industrial and Personal Property class of taxpayers. The Town Council has voted to adopt a 20% residential exemption for the past 14 fiscal years. If a 20% exemption amount is repeated for the FY20 tax levy, residential taxpayers whose principal residence is in the Town of Barnstable will receive a tax reduction as long as their property assessment is approximately less than \$1,134,450 and the residential tax rate for all taxpayers will rise to cover the exempted portion of value of the qualified properties. The tax savings these property owners realize will be shifted to all non-resident property owners and residential property owners whose assessments are greater than approximately \$1,134,450. Under this option, property tax savings are greater as the assessed value of the property declines and the percentage exemption adopted increases.

STAFF ASSISTANCE: Mark A.Milne, C.P.A., Director of Finance; Edward O'Neil, Director of Assessing

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-062
INTRO: 11/21/19, 12/05/19

2020-062 ALLOCATION OF TAX LEVY FISCAL YEAR 2020 – TAX FACTOR

RESOLVED, that the Town Council hereby votes to classify the Town of Barnstable under the Classification Act at a Factor of 1 (one) for the Fiscal Year 2020.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/21/19</u> _____	<u>Refer to Public Hearing 12/05/19</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-062
INTRO: 11/21/19, 12/05/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Edward O'Neil, Director of Assessing
DATE: November 21, 2019
SUBJECT: Allocation of Tax Levy Fiscal Year 2020 – Tax Factor

BACKGROUND: According to Massachusetts General Law, Chapter 40, Section 56, of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Town Council is annually charged with determining the Allocation of Local Property Taxes by the adoption of a Residential Factor. This tax levy-shifting tool will not change the overall amount of money that will be raised through property taxes; rather it allows the town to shift a portion of the tax levy between classes of property. The residential factor commonly referred to as the “Split Tax Rate” allows the Town Council to create separate tax rates; one for residential property owners and a separate one for commercial, industrial and personal property (CIP) owners. Under a residential “Factor of 1”, all property owners would pay taxes at the same rate per \$1,000 of valuation. The maximum permissible shift would increase the CIP tax rate by 175%. Since 2007, the Town Council’s policy has been to select a Residential Factor of “1”.

STAFF ASSISTANCE: Mark A. Milne, C.P.A., Director of Finance; Edward O'Neil, Director of Assessing

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-063
INTRO: 11/21/19, 12/05/19

2020-063 ORDER TO APPROVE TERM OF CONTRACT CHANGE FOR PERSONAL PROPERTY VALUATION UPDATE SERVICES IN THE TOWN OF BARNSTABLE MASSACHUSETTS FOR FISCAL YEAR 2021 THROUGH 2024.

ORDERED, that the Town Council hereby supports the acceptance of a term of contract change under the MGL 30B, Uniform Procurement Act, Section 12, paragraph(b), which would allow Real Estate Research Consultants, Inc., 1538 Turnpike Street, North Andover, MA contract to be extended from three (3) years to five (5) years.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/21/19</u>	<u>Refer to Second Reading 12/05/19</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-063
INTRO: 11/ 21/19, 12/05/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Johanna Boucher, Chief Procurement Officer
DATE: November 21, 2109
SUBJECT: Order to Approve Term of Contract Change under the MGL 30B, Uniform Procurement Act, Section 12, paragraph(b), which would allow the Real Estate Research Consultants, Inc., contract to be extended from three (3) years to five (5) years

RATIONALE: The Town of Barnstable Assessing Division has gone out for a Request for Proposal for personal property valuation services every three (3) years since early 2000. The only firm that has been responsive and performs these valuation services in our area is Real Estate Research Consultants, Inc., 1538 Turnpike Street, North Andover, MA. In an effort to streamline the procurement process and only need to issue the Request for Proposal every five (5) years, we are requesting approval by the Town Council to enter into a contract for a five year term and to enable the Assessing Division to obtain a five year fixed price for these services.

FISCAL IMPACT: Entering into a five year contract will be a cost savings of staff time and advertising costs by extending the renewal period out from three years to five years, as well as enabling us to lock into a five year fixed price for these services. The contract total is for \$46,700 per year for a total not to exceed value of \$233,500. The operating budget for Fiscal Year 2020 includes the funding for the first year of this contract.

STAFF ASSISTANCE: Johanna Boucher, Chief Procurement Officer

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-064
INTRO: 11/21/19, 12/05/19

2020-064 ORDER TO APPROVE TERM OF CONTRACT CHANGE FOR REAL PROPERTY VALUATION UPDATE SERVICES IN THE TOWN OF BARNSTABLE MASSACHUSETTS FOR FISCAL YEARS 2021 THROUGH 2024

ORDERED, that the Town Council hereby supports the acceptance of a term of contract change under the MGL 30B, Uniform Procurement Act, Section 12, paragraph(b), which would allow the Vision Government Solutions, Inc., 1 Cabot Rd., Suite 100 Hudson, MA 01749 contract to be extended from three (3) years to five (5) years.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>11/21/19</u>	<u>Refer to Second Reading 12/05/19</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2020-064
INTRO: 11/21/19, 12/05/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Edward O'Neil, Director of Assessing
DATE: November 21, 2019
SUBJECT: Order to Approve Term of Contract Change under the MGL 30B, Uniform Procurement Act, Section 12, paragraph(b), which would allow the Vision Government Solutions, Inc. contract to be extended from three (3) years to five (5) years

RATIONALE: The Town of Barnstable Assessing Division has gone out for a Request for Proposal for these services this year. The firm that responded and performs these valuation services in our area is Vision Government Solutions, Inc., 1 Cabot Rd., Suite 100, Hudson, MA 01749. In an effort to streamline the procurement process and only need to issue the Request for Proposal every five (5) years, we are requesting approval by the Town Council to enter into a contract for a five year term and to enable the Assessing Division to obtain a five year fixed price for these services.

FISCAL IMPACT: Entering into a five year contract will be a cost savings of staff time and advertising costs by extending the renewal period out from three years to five years, as well as enabling us to lock into a five year fixed price for these services. The contract total for these services is not to exceed \$390,400. The operating budget for fiscal year 2020 includes \$330,400 and the subsequent fiscal year costs will be \$15,000 per year. The budget for fiscal year 2020 includes services for a comprehensive revaluation of the entire town which must be performed once every five years.

STAFF ASSISTANCE: Edward O'Neil, Director of Assessing; Johanna Boucher, Chief Procurement Officer

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-066

INTRO: 12/05/19

2020-066 ACCEPTANCE OF FISCAL YEAR 2020 CULTURAL DISTRICT GRANT IN THE AMOUNT OF \$5,000 FROM THE MASSACHUSETTS CULTURAL COUNCIL'S CULTURAL DISTRICT GRANT PROGRAM FOR THE BARNSTABLE VILLAGE CULTURAL DISTRICT

RESOLVED: That the Town Council does hereby accept a Fiscal Year 2020 grant in the amount of **\$5,000** from the Massachusetts Cultural Council's Cultural District Grant Program for the purpose of funding the design, permitting, printing and installation of informational signs which showcase the historical and cultural resources within the Barnstable Village Cultural District 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
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-066

INTRO: 12/05/19

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Elizabeth Hartsgrove, Assistant Director, Planning & Development
DATE: December 05, 2019
SUBJECT: Acceptance of a Fiscal Year 2020 Cultural District grant in the amount of **\$5,000** from the Massachusetts Cultural Council's Cultural District Grant Program for the Barnstable Village Cultural District

SUMMARY: The Town of Barnstable, through its Planning & Development Department, has been awarded a \$5,000 grant in support of the Barnstable Village Cultural District from the Massachusetts Cultural Council (MCC) Cultural District grant program.

These funds will support the design, OKH permitting, printing and installation of informational signs which showcase the historical and cultural resources at the following locations: Tales of Cape, Sturgis Library, Historic Society, Barnstable County Courthouse and the U.S. Coast Guard Heritage Museum.

These funds are in line with the goals of the state's Cultural District Initiative, and with the District-specific objectives identified in their year-end annual reports to the MCC.

FISCAL IMPACT: No funding match was required for this grant award. No general funds will be expended on this program.

STAFF ASSISTANCE: Melissa Chartrand, Arts & Culture Coordinator, Planning & Development Department

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

BARNSTABLE TOWN COUNCIL

**ITEM# 2020-067
INTRO: 12/05/19**

2020-067 ACCEPTANCE OF FISCAL YEAR 2020 CULTURAL DISTRICT GRANT IN THE AMOUNT OF \$6,000 FROM THE MASSACHUSETTS CULTURAL COUNCIL’S CULTURAL DISTRICT GRANT PROGRAM FOR THE HYANNIS HYARTS CULTURAL DISTRICT

RESOLVED: That the Town Council does hereby accept a grant in the amount of \$6,000 from the Massachusetts Cultural Council’s Cultural District Grant Program for the purpose of supporting improvements to the visual identity of the Hyannis HyArts Cultural District with consistent, repetitive branding in print, radio and sign material, and supporting the “Fair Saturday” event at the Harbor Overlook artist shanties and that the Town Manager is authorized to contract for and expend the grant funds for the purpose stated herein.

SPONSOR: Mark Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2020-067
INTRO: 12/05/19

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Elizabeth Hartsgrove, Assistant Director of Planning & Development
DATE: December 19, 2019
SUBJECT: Acceptance of a Fiscal Year 2020 Cultural District grant in the amount of **\$6,000** from the Massachusetts Cultural Council's Cultural District Grant Program for the Hyannis HyArts Cultural District

SUMMARY: The Town of Barnstable, through its Planning & Development Department, has been awarded a \$6,000 grant in support of the Hyannis HyArts Cultural District from the Massachusetts Cultural Council (MCC) Cultural District grant program.

These funds help support improving the visual identity of the Hyannis HyArts Cultural District with consistent, repetitive branding in print, radio and sign material, including downtown maps printed and placed in brochure holders attached to existing kiosks and posts. A portion of the funds will support 'Fair Saturday' event at the Harbor Overlook artist shanties, featuring artist market and activities designed to support a creative and positive economy.

These funds are in line with the goals of the state's Cultural District Initiative, and with the District-specific objectives identified in their year-end annual reports to the MCC.

FISCAL IMPACT: No funding match was required for this grant award. No general funds will be expended on this program.

STAFF ASSISTANCE: Melissa Chartrand, Arts & Culture Coordinator, Planning & Development Department