



Town Council Meeting
November 17, 2022



A quorum being duly present, President Matthew Levesque called the November 17, 2022, Town Council meeting to order at 7:00 PM.

An announcement was made by President Levesque regarding the meeting being televised live and questioning if anyone was actively taping the session to please make their presence known. This session is recorded and broadcast on Channel 18.

President Levesque announced the following:

The Town Clerk and the Assistant Town Clerk are both unavailable tonight, so unless there is any objection from any of the Councilors, Lynne Poyant, the Town's Director of Communications, will serve as the Clerk of the Council tonight, except that the Town Clerk shall prepare the meeting minutes, which shall include a record of the votes taken at this meeting. No objection was raised and Director Poyant proceeded with the roll call.

PRESENT: Nikolas Atsalis, Kristine Clark, Jennifer Cullum, Paul Cusack, Matthew Levesque, Jeffrey Mendes, Paul Neary, Paula Schnepf, Tracy Shaughnessy, Gordon Starr, Eric Steinhilber **Absent:** Jessica Rapp Grasseti, Betty Ludtke

The Pledge of Allegiance was led by President Levesque followed with a moment of silence, to offer our thoughts and prayers to the Country of Ukraine and to be mindful of all we have to be thankful for at this time of year.

PUBLIC COMMENT:

Steve Rizzo concerned with the loss of open space for building, wooded land contributes to the aquifer, and many other reason to keep the wooded areas. Would like to see the Town Council put a moratorium on clearing any wooded acres for an environmental review.

Rosemary Ducette needs cannabis to help her sleep, has to drive to Mashpee to purchase her cannabis, and would like to have a dispensary closer to home. She is in favor of opening a dispensary in Centerville.
Close public comment

COUNCILOR RESPONSE TO PUBLIC COMMENT:

(Atsalis) Do we have any projects that would be clearing land, which projects are you referring to at this time? Agrees having a dispensary in Centerville would be great, but we need to focus on what we have now. (Mendes) we do not have enough people here to provide services, would love to preserve wooded space, however, we are either going to expand our town or our town will die. (Shaughnessy) Leave your leaves on the ground, which helps the rainwater to seep into the ground. In regards to the benefits of cannabis, thank you for speaking up. (Levesque) the item that we have before us regarding cannabis and the zoning; we are not deciding on medical marijuana, we are trying to follow the recommended guidelines for

setbacks. We understand the need. On the clearing of land, a piece of land previously owned by Barnstable Housing Trust, looking to do 40B housing is coming before the Community Preservation Committee.

TOWN MANAGER'S COMMUNICATIONS: (Exhibit A)

- Elizabeth Jenkins, Director of Planning and Development, provided an overview of the Great Streets Downtown Hyannis: Hyannis Main Street Transportation Network and Streetscape project.

Councilor questions and comments:

(Cullum) what are the issues of the unloading and loading of trucks? (Jenkins) in many communities they have designated loading zones (Clark) Impressed with the fresh look at the traffic patterns, welcome this new approach for downtown; (Mendes) Very impressed, turning Main Street into a two way street again (Atsalis) lot of great ideas, going back to two way Main Street is well overdue, moving in the right direction (Schnepp) thank you for bringing forth information that is fresh and ready to go, overwhelming reason is for safety, so many positives. (Levesque) The benefits for going to the two way Main Street, make it more of a destination and safe to walk, looking forward to the future implementation to continue to revitalize the downtown area.

Town Manager's Communications Continues:

- Updating the Housing Production Plan (HPP) which helps municipalities identify the best ways to meet their housing needs and shape the location, type and design of development;
- Proceeding with the Budget Action Calendar for FY2024;
- On June 1, 2022 the Town of Barnstable was informed of regulatory revisions the Massachusetts Department of Environmental Protection (MassDEP) was developing to ensure that timely actions are taken to restore and protect coastal estuaries that have been impacted by excessive nitrogen pollution;
- We continue review of permits filed with regulatory agencies regarding the proposed Phase 3 (Commonwealth Wind) landing of cable in Barnstable;
- Sean Hogan joined our Asset Management Division of the Town Manager's office as the Environmental Sustainability Manager;
- Thanked the Barnstable Youth Commission for hosting the 9th Annual Community Substance Abuse Prevention Forum in the Barnstable High School Library;
- The Town of Barnstable's Channel 18 continues its award winning video production, receiving four awards at the Alliance for Community Media Northeast Region annual video festival.

Councilor questions and comments:

(Levesque) Congratulations to the staff of Channel 18 for the award winning content

Town Manager's Communications Continues:

- Rob Steen, Assistant Director of Public Works shall provide us with Water Resource Planning including an update on the Comprehensive Wastewater Management Plan.

Councilor questions and comments:

(Clark) Who sits on the committee that selected the four stage approach? (Steen) Water Pollution Control, Andy Boulee, Town Engineer, Griffin Beaudoin, and me; (Starr) If we get the effluent down to 3 milligrams per liter can the present facility handle that? (Steen) Yes, the treatment facility can handle the flow; the other piece is disposal of the effluent, we are working on that now. (Schnepp) Sandwich is looking on relying on Joint Base Cape Cod are we in

discussion with them? (Steen) The Assistant Town Manager could probably answer that question better than I can.

ACT ON MINUTES:

Upon a motion duly made and seconded it was to accept the minutes of October 20, 2022 as presented.

VOTE: PASSES 10 YES

Roll Call: Atsalis, Clark, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber (Cullum has stepped away)

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

(Atsalis) Announced several meetings at the Centerville Library, and the upcoming Centerville Christmas Stroll (Schnepf) announced the Cape and Islands Municipal Leaders Association monthly meeting; (Shaughnessy) Support your local football team on Thanksgiving day and the Rolling Rally; (Levesque) Two day special event called Gingerbread Lane at the harbor overlook. There will be lots of events and fun for everyone.

Break 5 minutes

<p>2022-159 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I, GENERAL ORDINANCES, CHAPTER 240 ZONING, ARTICLE III, §240-30(E)(4) BY AMENDING THE SEPARATION REQUIREMENTS OF THE MEDICAL MARIJUANA OVERLAY DISTRICT INTRO: 05/05/2022, 09/15/2022, 10/06/2022, 11/17/2022</p>

Elizabeth Jenkins, Director of Planning and Development gave the rationale.

This is a reconsideration of the Item Number 2022-159. The Town Council voted to waive the provisions of the Town Council Rule 6F to allow for reconsideration of this item from October 6th. The Town Council voted to reconsider item number 2022-159 and re-advertise the Public Hearing

Open public hearing

Attorney McNamara spoke about the petition and the outreach that was done to local businesses, and the Zion Church. The reason for the petition is to make the zoning follow the state guidelines.

Andrea Harris thanked the Council for this opportunity to speak, my husband is not aware of any communications as we were remote due to Covid until a few months ago; the Church was empty, no secretary. We do want to know more. We do not need another attractive nuisance next door to us. In June, we heard that the Mashpee dispensary was medical and now is into retail sales. We do not support anything that alters the mind. There is not sufficient buffering in these new zoning changes, we do not want to expose our parishioners or our children. If you are going to change the zoning why just here, why not everywhere in Barnstable; we deserve the same amount of protection as everyone in Barnstable.

Reverend Bernard Harris we were not given an opportunity to speak, it felt like just a slap in the face, my wife has said everything they wanted to say.

(Levesque) it was an error on our part an honest mistake, we had another Item on the agenda regarding the Zion Church (Museum) which was being withdrawn. This is not an excuse that is why we are here tonight.

Close public hearing

Councilor comments and questions:

(Cullum) can we go over how the Zion Church was notified, was it sent via registered mail, what was the outreach to the Church? (Levesque) Legally, we are not required to notify the abutters in regards to this zoning change, however, we asked the staff to notify the houses of worship and gathering places for children. It was done through email, there was no response, we then continued that item, and we took a more robust outreach door to door. (Cullum) so the first time they heard about it was when the Planning Department went around door to door. In order to change from a medicinal marijuana facility to a retail facility it would have to go before the town. (Levesque) it would have to be rezoned to do that (Cullum) Marijuana is legal; the town has really weighed in so it would not end up in a marginalized neighborhood. Very sorry that the confusion happened, we have done our due diligence. (Levesque) at this point in time a medical marijuana facility could not go to retail sales. (Neary) This is a zoning vote, it doesn't seem like there has been a give and take with the Zion Church. (Steinhilber) this is a zoning issue, we took this up about 8 years ago, we were required by the state to develop a medical zone in town, so we came up with that area, now our zoning does not match with the state, we had to pick a zone or allow it to happen anywhere in town. This is all closed door, adult use only. (Levesque) Correct me if I am wrong Director Jenkins, this is still a special permit process (Jenkins) Yes, this is a special use permit which requires a review. (Levesque) Could there be some things in there for different requirements for separation (Jenkins) Opportunity for site by site review (Levesque) so if anyone is concerned about changes they could go to the Zoning Board of Appeals meeting to be heard.

Attorney Nober, reintroduced the two amendments brought up at the October 6, 2022, the first amendment is just to clean up the ordinance

Upon a motion duly made and seconded to accept this amendment as follows:

AMENDMENT #1

To amend Section 240-30, Medical Marijuana Overlay District, of Chapter 240 Zoning, Article III District Regulations, of the Code of the Town of Barnstable to update certain references therein for consistency with applicable state law and regulations by:

- (a) deleting "registered marijuana dispensary/ies" wherever that term appears and inserting "medical marijuana treatment center/s" in its place;
- (b) deleting "RMD" wherever that term appears and inserting "MTC" in its place;
- (c) deleting "Department of Public Health" and "DPH" wherever those terms appear and inserting "Cannabis Control Commission" in their place;
- (d) deleting "105 CMR 725.000, Implementation of an Act for the Humanitarian Medical Use of Marijuana" in Section B(1) and inserting "935 CMR 501.000, Medical Use of Marijuana" in its place;
- (e) deleting "Registration" in Section E(1) and inserting "Licensing" in its place;
- (f) deleting "registered" in each instance where that word appears after the word "properly" in Section E(1) and inserting "licensed" in its place;
- (g) deleting "105 CMR 725.100" in Section E(1) and inserting "935 CMR 501.050(1) and 935 501.101" in its place;

- (h) deleting “registration” in each instance where that word appears in Section E(9) and inserting “licensure” in its place;
- (i) deleting “[r]egistration” in each instance where that word appears in Section F(1)(h) and inserting “licensure” in its place;
- (j) deleting “105 CMR 725.100(E), Expiration and Renewal of Registration” in Section F(5)(a) and inserting “935 CMR 501.103(4), Expiration and Renewal of Licensure” in its place; and

deleting “105 CMR 105(O), Requirements Upon Expiration, Revocation or Voiding of Certificate of Registration of RMD” in Section F(5)(b) and inserting “935 CMR 501.105(18), Requirements on the Expiration, Revocation, or Voiding of Certificate of Licensure of MTC” in its place.

VOTE: AS AMENDED PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber

Attorney Nober gave the rationale for the 2nd amendment to amend the petition language to apply the 500 foot buffer to include religious institutions so that all of the locations are treated in the same manner, as the Cannibals Control Commission measures the buffer distance from the school.

AMENDMENT #2

Upon a motion duly made and seconded it was to move to amend Item number 2022-159 by deleting the following sentences: “The site does not abut a religious institution/place of religious assembly, and is at least 500 feet from any school, day-care center, preschool or afterschool facility or any facility in which children commonly congregate. In no case shall a RMD directly abut another RMD or any medical Marijuana use.” and inserting the following in their place as presented:

“The MTC Entrance, as defined by 935 CMR 501.002, is at least 500 feet from the nearest School Entrance, as defined by 935 CMR 501.002, and from the nearest entrance of any religious institution/place of religious assembly, day-care center, preschool or afterschool facility or any facility in which children commonly congregate. Distance shall be measured in a straight line from the geometric center of the MTC Entrance to the geometric center of the nearest School Entrance or nearest entrance to such other institution or facility, unless there is an Impassable Barrier, as defined by 935 CMR 501.002, within those 500 feet, in which case the distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the MTC Entrance to the geometric center of the nearest School Entrance or nearest entrance to any religious institution/place of religious assembly, day-care center, preschool or afterschool facility or any facility in which children commonly congregate. In no case shall an MTC directly abut another MTC or any medical marijuana use.”

VOTE: AS AMENDED PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber

Upon a motion duly made and seconded it was

ORDERED: To amend the Code of the Town of Barnstable, Part I, General Ordinances, Chapter 240 Zoning by deleting §240-30(E)(4) in its entirety and inserting the following new §240-30(E)(4) in its place:

“Separation requirements. The site does not abut a religious institution/place of religious assembly, and is at least 500 feet from any school, day-care center, preschool or afterschool facility or any facility in which children commonly congregate. In no case shall a RMD directly abut another RMD or any medical marijuana use.”

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber

**2023-047 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO:
11/03/2022, 11/17/2022**

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Disability Commission:** Christopher Bartley, as a regular member to a term expiring 06/30/2024; **Housing Committee:** Evan Gaudette, as a regular member to a term expiring 06/30/2024; **Youth Commission:** Madeleine Boyle, as a student member, to a term expiring 06/30/2023; Eric Arabadzhiev as a student member to a term expiring 06/30/2023

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber

**2023-048 SUPPLEMENTAL APPROPRIATION ORDER FOR THE BARNSTABLE POLICE DEPARTMENT FISCAL YEAR 2023 OPERATING EXPENSE BUDGET IN THE AMOUNT OF \$142,896 FOR THE PURPOSE OF FUNDING THE COSTS ASSOCIATED WITH THE HIRING OF EIGHT (8) PATROL OFFICERS TO FILL CURRENT VACANCIES INTRO:
11/03/2022, 11/17/2022**

Matthew Sonnabend, Chief of Police gave the rationale
Open public comment seeing no one close public comment

Councilor comments and questions:

(Clark) were there savings from the vacancies to apply to this (Sonnabend) we would have to reallocate from salary (Levesque) these positions were not budgeted (Ells) in the absence of police officers we are having our own work force working overtime. (Shaughnessy) We have been running short on the force what is the new number (Sonnabend) we are down twelve so this leaves us 4 short, however we are anticipating 4 more retirements. (Shaughnessy) Thanked the department for the great outreach to the children.

ORDERED: That the amount of **\$142,896** be appropriated and added to the Fiscal Year 2023 Police Department General Fund Operating Expense Budget for the purpose of funding expenses related to the hiring of eight (8) new police officers, including costs related to hiring, training, uniforms, ammunition and equipment purchases

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Starr, Steinhilber

**2023-049 APPROPRIATION ORDER IN THE AMOUNT OF \$150,000 IN COMMUNITY PRESERVATION FUNDS FOR THE PURPOSE OF ACQUIRING A CONSERVATION RESTRICTION ON 2.3 ACRES OF OPEN SPACE LOCATED AT 242 COMMERCE ROAD, BARNSTABLE, MA, SHOWN AS A PORTION ON ASSESORS MAP 318, PARCEL 025/001
INTRO: 11/03/2022, 11/17/2022**

Lindsey Counsell, Chair of the Community Preservation Commission (CPC) and Janet Milkman of Barnstable Land Trust gave the rationale
Open public hearing seeing no one close public hearing

Councilor comments and questions:

(Starr) Keeping it as open space I think it is a wonderful project (Schnepp) A very small amount of money, I will be in support of it

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the amount of One Hundred and Fifty Thousand Dollars **\$150,000** be appropriated and transferred from the amount set aside for Open Space and Recreation within the Community Preservation Fund for the purpose of acquiring a Conservation Restriction on 2.3 acres of open space located at 242 Commerce Road, Barnstable, shown as a portion of Assessors Map 318, Parcel 025/001. Said Restriction is subject to approval by the Massachusetts Secretary of Energy and Environmental Affairs. Further it is ordered that the Town Manager is authorized to expend the amount appropriated on behalf of the Town for the acquisition subject to oversight by the Community Preservation Committee, and that the Town Manager is authorized to execute, receive, deliver and record any written instruments for the stated purposes.

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepp, Shaughnessy, Starr, Steinhilber

2023-050 ALLOCATION OF TAX LEVY FISCAL YEAR 2023 – RESIDENTIAL EXEMPTION INTRO: 11/03/2022, 11/17/2022

Mark Milne, Director of Finance gave the rationale
Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby votes to adopt a Residential Exemption of twenty percent (20%) for Fiscal Year 2023.

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepp, Shaughnessy, Starr, Steinhilber

2023-051 ALLOCATION OF TAX LEVY FISCAL YEAR 2023 – TAX FACTOR INTRO: 11/03/2022, 11/17/2022

Mark Milne, Director of Finance gave the rationale
Open public hearing seeing no one close public hearing

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby votes to classify the Town of Barnstable under M.G.L. c. 40, § 56, the Classification Act, at a Residential Factor of 1 (one) for Fiscal Year 2023.

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepp, Shaughnessy, Starr, Steinhilber

2023-052 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,850,000 FOR THE PURPOSE OF FUNDING DESIGN AND PERMITTING OF THE WATER POLLUTION CONTROL FACILITY HEADWORKS IMPROVEMENT PROJECT INTRO: 11/03/2022, 11/17/2022

Rob Steen, Assistant Director of Public Works gave the rationale
Open public hearing seeing no one close public hearing

Councilor comments and questions:

(Schnepp) where is the funding coming from (Milne) special revenue fund; our room and meal taxes goes into this account as a refunding source (Schnepp) When does it go to an Enterprise account fund instead? (Milne) Projects that are part of our existing sewer infrastructure that is part of the Sewer Enterprise Fund. (Levesque) the information states a bond issue (Milne) Yes, then we have to pay the bond back.

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$2,850,000** be appropriated for the purpose of funding the design and permitting of the Water Pollution Control Facility Headworks Improvement Project, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$2,850,000 under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that in accordance with M.G.L. c. 44, §20, any premium received by the Town upon the sale of any bonds or notes authorized by this order, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, thereby reducing the amount authorized to be borrowed by this order by a like amount; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepp, Shaughnessy, Steinhilber.

2023-057 A RESOLUTION THAT THE TOWN COUNCIL PETITION THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY TO FORMALLY DISCONTINUE A SECTION OF COUNTY HIGHWAY, NAMELY, BEARSE'S WAY FROM MASSACHUSETTS ROUTE 132, a/k/a IYANNOUGH ROAD, TO STEVENS STREET INTRO: 11/17/2022

Senior Town Attorney Charlie McLaughlin gave the rationale

Upon a motion duly made and seconded it was

RESOLVED: That, pursuant to M.G.L. Chapter 82, Section 5, the Town Council petition the County Commissioners of Barnstable County to formally discontinue a section of County Highway, namely, Bearse's Way from Massachusetts Route 132, a/k/a Iyannough Road, to Stevens Street as described in 1930 Barnstable County Taking, being recorded in the Barnstable County Registry of Deeds in Book 473, Page 260, dated May 17, 1930, also shown on a Plan of Land recorded in said Registry in Plan Book 41, Pages 43, 45 and 47.

It is the intent thereby to render said sections of the County highway a Town way by operation of G.L. c. 82, § 5; and further, that said petition request that the discontinued sections of said County highway remain a public way, and that the Town Manager be authorized to execute and deliver any documents on behalf of the Town necessary to effectuate this resolve.

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Steinhilber.

2023-058 APPROPRIATION ORDER IN THE AMOUNT OF \$45,000 FOR THE GOLF ENTERPRISE FUND FOR THE PURPOSE OF FUNDING THE ACQUISITION OF A UTILITY TRACTOR FOR THE GOLF MAINTENANCE OPERATIONS INTRO: 11/17/2022

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$45,000** be appropriated and transferred from the Golf Enterprise Fund surplus for the purpose of funding expenses related to the acquisition of a utility tractor for the Golf Maintenance Operations.

VOTE: TO A PUBLIC HEARING-PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Steinhilber.

2023-059 AUTHORIZATION TO EXPEND A FISCAL YEAR 2023 HOUSING CHOICE GRANT IN THE AMOUNT OF \$75,000 FROM THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE GREAT STREETS DOWNTOWN HYANNIS PROJECT INTRO: 11/17/2022

Elizabeth Jenkins, Director of Planning and Development gave the rationale.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2023 Housing Choice Grant in the amount of **\$75,000** from the Commonwealth of Massachusetts, Department of Housing and Community Development for the purpose of retaining consultant services to expand project scope for the Great Streets Downtown Hyannis Main Street Transportation Network and Streetscape Plan.

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Steinhilber.

2023-060 AUTHORIZATION TO EXPEND A FISCAL YEAR 2023 COMMUNITY PLANNING GRANT IN THE AMOUNT OF \$75,000 FROM THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE DEVELOPMENT OF A BARNSTABLE ADULT COMMUNITY CENTER MASTER PLAN INTRO: 11/17/2022

Elizabeth Jenkins, Director of Planning and Development gave the rationale.

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Fiscal Year 2023 Community Planning Grant in the amount of **\$75,000** from the Commonwealth of Massachusetts, Department of Housing and Community Development for the purpose of hiring a consultant for the creation of a Master Plan for Town-owned parcels surrounding the Barnstable Adult Community Center to evaluate the potential for infill development of affordable housing and enhanced recreational amenities.

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Steinhilber.

2023-061 APPROPRIATION ORDER IN THE AMOUNT OF \$3,811,500 FOR THE FISCAL YEAR 2023 AIRPORT ENTERPRISE FUND OPERATING EXPENSE BUDGET FOR THE PURPOSE OF PURCHASING AVIATION JET FUEL FOR RESALE INTRO: 11/17/2022

Upon a motion duly made and seconded it was

ORDERED: That the amount of **\$3,811,500** be appropriated and provided from the Airport Enterprise Fund surplus for the purpose of funding the purchase of aviation jet fuel for resale.

VOTE: TO A PUBLIC HEARING PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Steinhilber.

2023-062 APPROVAL OF THE CHANGE IN PURPOSE OF THE PROPERTY LOCATED AT 164 ROUTE 149, MARSTONS MILLS, AS SHOWN ON ASSESSORS' MAP 078, PARCEL 074 INTRO: 11/17/2022

David Anthony, Director of Asset Management

Councilor comments and questions:

(Starr) Could this piece of land be developed for affordable housing (Jenkins) the initial recommendation the site will be suitable, for potential for between one and three units (Starr) If it gets sold can it be redeveloped, will it have to wait until the sewerage happens? (Jenkins) It can be developed with a title five. (Levesque) is it possible to go RFP and then to disposition (Anthony) there are a couple of smaller steps that can be done at the same time (Levesque) What is the time line for getting an RFP out? (Anthony) Perhaps March or April

Upon a motion duly made and seconded it was

ORDERED: That, having received notice that the Town Manager has determined that the property located at 164 Route 149, Marstons Mills, as shown on Assessors' Map 078, Parcel 074 (the "Property"), which is in the care, custody, management and control of the Town Manager, is no longer needed for a parking lot, the purpose for which it was acquired by purchase, as recorded at the Barnstable County Registry of Deeds in Book 29787, Page 40, the Property shall remain in the care, custody, management and control of the Town Manager for the purpose of disposition by sale, provided it is appropriately restricted for affordable housing; and, provided further, that the Town Manager shall obtain Town Council approval prior to any such disposition.

VOTE: PASSES 11 YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Steinhilber.

VOTE: ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED TO ADJOURN:

VOTE: PASSES 11YES

Roll Call: Atsalis, Clark, Cullum, Cusack, Levesque, Mendes, Neary, Schnepf, Shaughnessy, Steinhilber.

Adjourned at 10:10 PM

Respectfully submitted,

Ann M Quirk
Barnstable Town Clerk

NEXT MEETING: December 1, 2022