



Town Council Meeting  
June 27, 2024



A quorum being duly present, President Felicia Penn called the June 27, 2024, Town Council meeting to order at 6:00 PM.

An announcement was made by President Penn 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 8 or Channel 1072.

**PRESENT:** Charles Bloom, Seth Burdick, Kristine Clark, John Crow, Matthew Levesque, Betty Ludtke, Paul Neary, Felicia Penn, Paula Schnepf, Gordon Starr, Craig Tamash, Kristin Terkelsen. **Absent:** Jeffrey Mendes

Vice President Craig Tamash invited veteran Richard Russell Gage to the podium to lead the Pledge of Allegiance. Barry Sheingold of the Infra Structure and Energy Committee dedicated a moment of silence to family of Peter Doyle.

**Update on Park City Wind (PCW) Host Community Agreement (HCA)**

Karen Nober, Town Attorney spoke about the vote taken by the Town Council in Executive Session. She gave the background on the project and introduced Colin VanDyke and Ben Goldberger, the two attorneys on zoom from Anderson Kreiger who have been working on this project. Colin VanDyke described the benefits of the side agreement.

**PUBLIC COMMENT:**

**In-Person:**

Pete Sampou spoke to the fight against climate change, and the people who are behind the approval of the wind projects. Big win for our town by bringing the cable landfall to our town.

Sandy Jones, we have eleven businesses on Main Street in Centerville that will lose money, this is not a win, the historic buildings along the route will suffer.

Dr. Joseph Conway is opposed to the electromagnetic fields of these high voltage transmission cables and is concerned about the sole source aquifer. He hopes there is a way to stop this from happening. He referred to a document passed out to the Town Council (Exhibit A)

Cliff Carroll stated this decision was made under distress, to those Town Councilors that said no, thank you very much. Avangrid admitted they are trying to build at the fire tower in West Barnstable, upgradient of all the residents that have wells. This outcome is disgusting, the Board of Health needs to be involved.

Emily LeClure said she studied the oils, mineral oils have been used in transformers many times, those who can work with the engineers, we require that you put the least toxic version of oil in these transmission lines. The least toxic are 6 carbons or less. Look at the long view.

Barbara Farrenholtz lives on historic Main Street in Centerville, we have an important Centerville Historic Museum, this will suffer. Main Street Centerville is the last remaining untouched Main Street in Barnstable. The Museum would not survive financially over the two years.

Susanne Conley "this is a gut punch," those of you who voted for this have sold out. So tonight, Avangrid has won, the people who use Craigville Beach have lost. We are going to continue to pursue this and fight this company.

Barry Sheingold has spoken before about the large benefits of the wind project. Asks the Council to honor the HCA, get together with Avangrid to resolve issues to make this better for the town. He supports the town.

Roberta Mauch think about the collateral damage, the right whales, the sea life, the food we eat, and the air we breathe. Money is being doled out, there are going to be more wind farms. What happened to respecting nature. We need to fight this; we are being told this is what we must do to protect nature. It's a lie that everyone wants these wind farms. Say no.

Hector Guenther this is a gut punch, some of us thought there was some kind of negotiation, we thought we would be getting an update. What we hoped for was transparency. Not that the negotiation have been completed. What was the rush. Why now and why yet again out of public view without input by the members of the community. The guarantee is useless from an LLC. Kudos to those of you who voted against it. You have a lot of explaining to do.

Bob Schulte complex and emotion filled process, suspect this matter is not over. It doesn't change the town's official position and the opposition to Dowses Beach project in the future.

Larry Morin what really matters 2024-228 appointments committee, working on reappointments. There were 94 positions and they all should have had interviews, but they were not. Also, there are six committees per the Charter, must utilize members from another committee. He will be putting together a memo for Felicia and the Appointments Committee.

Joanne O'Conner from Centerville feels betrayed by this town and the people who made this decision. Those of you who voted no, thank you. Avangrid is an LLC, they are going to pick up their toys and go home. I hope the rest of you have a good long look at yourselves tonight

Indri Ehasari stated her office is on Hyannis Main Street, every day I see what is going on. Yesterday someone almost got run over trying to cross the street coming from the Transportation Center. Cars don't slow down, trying to make the lights. This is downtown and people should be able to cross safely. Can you investigate it.

Ahvi Spindell incoming president of Wequaquet Lake Protection Association, on behalf of those that live along the shores of Lake Wequaquet. Our mission is to keep the lake healthy. We have been engaging the residents to prevent the substation right above Wequaquet Lake. There are alternatives, no cure for an industrial accident. Why would you let them build a substation above the aquifer.

Cliff Carroll how much are we paying this law firm they are not giving enough for the insurance. We reaffirmed a bad agreement and have given up historic Centerville. All they did was negotiate what they should have originally.

## **Zoom**

Michelle Sgarlet in support of the HCA agreement, the climate emergency each year, all over the earth we have sea level rise and loss of species. We must respond, offshore wind can benefit, reduce our carbon emissions, and provide long term well-paying jobs, we can be part of the solution. Thank you to the Town Councilors who voted yes.

Grove Harris want us to move forward with a challenging adventure, having wind farms in the ocean is important. We should allow sewerage the black water and not our grey water. Ask the town so we can zig zag our way forward.

## **COUNCIL RESPONSE TO PUBLIC COMMENT:**

(Burdick) Rule 6 B we as Town Councilors have 3 minutes to speak. (Clark) hear all of you, very much value the input, as a member of the Appointments Committee there are assignments that come forward, it depends on who steps up and volunteers, there are concerns with quorums. Invested time and research, centuries ago we put whales at risk, then there was a migration for a different fuel source. This is the best way forward, a different fuel source and salutes those that worked on the benefits for the Town of Barnstable. (Levesque) difficult decisions, some decisions were made in 2021 and 2022. Currently we have a containment at the substations that will go forward with the other substations, there are transmission lines running from Covells Beach. The flow of dielectric fluid does not flow into Lake Wequaquet. Digging up of Main Street Centerville, the sewer project is going to be much more disruptive. Appreciate everyone here and the courage that took to vote the way they did. (Crow) This is not a win; this is a travesty. In his opinion this is a complete failure of public policy. There are other ways to provide clean energy. Wind power is expensive, will do nothing for climate change, we should not waste our treasure. Never going to solve our problems. We are taking the cheapest way out. (Ludtke) Failure of process, from day one has been flawed, there is always a deadline. We have given away our treasure, for renewable energy. We always seem to be rushing towards this (Schnepp) is concerned about the traffic, could the Assistant Town Manager speak to those concerns. (Terkelsen) my vote says it, my concerns, feel for the business on Main Street. I have been going to the Penny Candy store since I was three. {To Pat from Avangrid} Why haven't you gone to the Craigville Sub and Pizza you have a lot of work to do. Avangrid needs to come forward and fix what you said you were going to fix. Pat, where is the check? (Ludtke) perhaps we could take some action to better control that intersection from the transportation center. The grey water notion, we should hear from the Department of Public Works (DPW) to do an analysis. (Tamash) want people in Centerville to know you were heard. Recognize Molly Sproul nominated as 2024 as a Commonwealth Heroine, women who work behind the scenes to make their community better.

**TOWN MANAGER'S COMMUNICATIONS: (Pre-Recorded) (Exhibit B)** The Town Manager's report has been pre-recorded and is available to the Town Council and the public. The report will be prepared in written form and posted on the Town Manager's website. The Assistant Town Manager and staff will be available to answer any questions regarding the report as presented. The Town Managers communication for the period of June 5, through June 25, 2024, included an update on:

1. Update on Operating Budget and Capital Improvement Plan for Fiscal Year 2025.
2. The Town Treasurer and his staff have been testing the preliminary tax bill file for Fiscal Year 2025.
3. Town Staff working on connecting a QR code or link to the signs installed at Covell's Beach.
4. Park City Wind, LLC petition regarding 6 Shootflying Hill Road – update

5. Town Beaches will be open daily from 9:00 AM through 9:00 PM
6. Barnstable Public Schools will be providing remote meal service through the State's Summer Eats program.
7. Download the MyBarnstable app from the Apple or Google Play store to receive updates on Town information.
8. Homeowner's Sewer Connection Guide is now available.
9. Kelly Collopy, Communications Manager for the Public Works Department, will provide and update on Water Resource Management planning including the Comprehensive Wastewater Management Plan (CWMP)

Assistant Town Manager, Andy Clyburn spoke about the testing of the tax bills. He hears the concerns about the intersection coming from the Transportation Center (Schnepp) maybe we could use the extra summer force (Clyburn) will work on this with the Chief of Police. (Penn) no lifeguards at Hathaway's Beach, could you look at that (Clyburn) Yes

**ACT ON PUBLIC SESSION MINUTES:**

Upon a motion duly made and seconded, it was voted to accept the minutes of June 6, 2024, as presented.

**VOTE: PASSES UNANIMOUS**

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

(Levesque) read a letter from Rob Brennan about a group of students (Exhibit C) (Schnepp) regarding an ad-hoc meeting, five Councilor having our first meeting if any of the chairs of other committees that have meet can give us a update on what they have done.

Break for 10 minutes

<p><b>2024-228 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 06/06/2024</b></p>
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(Penn) made a motion duly seconded to amend Item 2024-228 by removing the reappointment of Peter Doyle to the Infrastructure and Energy Committee and the reappointments of Isabelle Rudy and Cameron Levesque to the Youth Commission.

**VOTE: PASSES UNANIMOUS**

- Gavel passed to Vice President Tamash to continue item number 2024-228

**(Penn)** made a further motion which was seconded to remove the Hyannis Main Street Waterfront Historic District Appeals Committee from this vote as the rules calls for one Hyannis resident, one Hyannis business owner, and one Hyannis architect.

**Discussion:**

(Penn) regarding the composition of the Hyannis Main Street Waterfront Historic District Appeals Committee, is supposed to be one Hyannis architect, one Hyannis business owner, and one Hyannis resident. (Levesque) Why isn't Aaron Webb on as the Hyannis business owner? (Penn) he is listed here as a Hyannis resident, so we need to send this back to the Appointment's Committee. (Levesque) if the Appointments Committee changed him to a Hyannis resident that is wrong, was that politically motivated? (Neary) clearly this is some kind of snafu, because he was on the Hyannis Main Street Waterfront Historic District Appeals Committee as a Hyannis business owner.

(Starr) A motion was duly made and seconded to further amend Item 2024-228 to move Alison Alessi forward as the architect of the Hyannis Main Street Waterfront Historic District Appeals Committee and refer just Aaron Webb back to the Appointment's Committee for clarification.

**Discussion:**

(Terkelsen) Alison can continue in that role without voting on it. I don't remember all the details except we have two business owners, Amanda and Aaron, we need to take it back to the committee. We have seen a lot of people (Burdick) is there not a Hyannis resident on that committee now (Schnepp) Clarification on this Appointments Committee, without the Chairman here, hesitate to vote on this (Clark) Vice Chair of the Appointments Committee, we have seen a lot of people, I would not like to make any judgements until we see the tape. (Terkelsen) Any committee that did not have someone else express interest, we just kept them on the committee. There was no vote per say, that is how we got to this point. (Neary) so is Amanda Converse new to that committee (Terkelsen) we received a list of open positions, and she was put in. Literally we should send it back to review the tape. (Starr) We are supposed to be discussing my motion (Bloom) restate it (Starr) motion was to amend Presidents Penns motion to only refer Aaron Webb  
**VOTE: PASSES 10 YES, 2 NO (Schnepp, Levesque)**

Now to vote on the motion as amended (Schnepp) are you going to open the committee for everyone to apply (Clark) we would be welcoming to anyone who wanted to apply. (Schnepp) based on Councilor Terkelsen's reply there were no candidates for this committee when you took the vote on the reappointments? (Clark) don't remember (Terkelsen) to try to reconstruct, it would be best to go back and review the tape and clean this up. I don't know where the error is, we need to clean it up. (Schnepp) why was the motion made by the President and not a member of the Appointments Committee? (Penn) because I live in Hyannis, and they don't.

**VOTE:** on the motion as amended to send the appointment of Aaron Webb of Hyannis Main Street Waterfront Historic District Appeals Committee back to the Appointments Committee.  
**VOTE 11 YES, 1 NO (Levesque)**

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council reappoints the following individuals to a multiple-member Board/Committee/Commission: **Board of Assessors:** William Garreffo as a regular member to a term expiring 06/30/2027; **Community Preservation Committee:** Deborah Converse, as a Barnstable Housing Authority representative member to a term expiring 06/30/2027; F.P. Tom Lee, as a Conservation Commission representative member to a term expiring 06/30/2027; Katherine Garofoli, as a regular member to a term expiring 06/30/2027; **Conservation Commission:** William Hearn, as a regular member to a term expiring 06/30/2027; **Elderly & Disabled Taxation Aid Committee:** William Garreffo, as a Board of Assessors member, to a term expiring 06/30/2027; **Golf Committee:** Jason Aubee, as a regular member to a term expiring 06/30/2027; Keith Hochstein, as a regular member to a term expiring 06/30/2027; **Historical Commission:** Cheryl Powell, as a regular member to a term expiring 06/30/2027; Marilyn Fifield, as a regular member to a term expiring 06/30/2027; **Human Services Committee:** Sheree Kay, as a representative member, to a term expiring 06/30/2027; **Hyannis Main Street Waterfront Historic District Appeals Committee:** Alison Alessi as an Architectural Representative member, to a term expiring 06/30/2025; **Infrastructure and Energy Committee:** John Solomon, as a regular member, to a term expiring 06/30/2027; **Licensing Authority:** Larry Decker, as a regular member to a term expiring 06/30/2027; **Open Space Committee:** Lev Malakhoff, as a regular member to a term expiring 06/30/2027; Tracy Pratt, as a regular member to a term expiring 06/30/2027; Ann Canedy, as a regular member to a term expiring 06/30/2027; Anne Rowland, as a regular member to a term expiring 06/30/2027;

**Shellfish Committee:** Robert Lancaster, as a member holding a family permit to a term expiring 06/30/2027; Doug Crook, as a regular member to a term expiring 06/30/2027; Jacob Angelo, a member-at-large to a term expiring 06/30/2027; Paul Hendricks Jr., as a professional fisheries trained member to a term expiring 06/30/2027; **Youth Commission:** Michaela Stampfl, a student member to a term expiring 06/30/2025; Shalanda Grant, a student member to a term expiring 06/30/2025; Madeleine Boyle, a student member to a term expiring 06/30/2025; Mary Steinhilber, a student member to a term expiring 06/30/2025; Sophia Machnik, as a student member to a term expiring 06/30/2025; Jaden Jeffries, as a student member to a term expiring 06/30/2025; Daniel Gomes; as a student member to a term expiring 06/30/2025; Megan Garthee, as a student member to a term expiring 06/30/2025;  
**VOTE:** on the Main item as amended by the first two amendments  
**VOTE: PASSES 11 YES, 1 NO Levesque**

**2024-229 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 06/06/2024**

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: **Hyannis Main Street Waterfront Historic District Commission:** Peri Wentworth, as an alternate member to a term expiring 06/30/2026; Conrad Watson, as an alternate member to a term expiring 06/30/2026; **Disability Commission:** Eileen Elias, as a regular member to a term expiring 06/30/2027; Inna Podgornaya, as a regular member to a term expiring 06/30/2027; **Housing Committee:** Eileen Elias as an alternate member to a term expiring 06/30/2025  
**VOTE: PASSES UNANIMOUS**

**2024-230 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 06/27/2024**

Upon a motion duly made and seconded it was to suspend the rules and vote on this tonight  
**VOTE: PASSES UNANIMOUS**

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: **Comprehensive Financial Advisory Committee:** Jeremy Shea, as a regular member to a term expiring 06/30/2027; **JFK Memorial Trust Fund u**  
**VOTE: PASSES UNANIMOUS**

**2024-231 AUTHORIZATION TO CONTRACT FOR AND EXPEND A FISCAL YEAR 2024 GRANT IN THE AMOUNT OF \$74,085.24 FROM THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF FUNDING THE PURCHASE OF EQUIPMENT THAT WILL BE USED TO PREVENT, LOCATE AND RESPOND TO OIL SPILLS INTRO 06/27/2024**

Brian Taylor, Harbormaster of the Town of Barnstable gave the rationale

**Discussion:**

(Tamash) Portable units mounted on the boat (Taylor) these are headsets, mounted on our heads (Penn) this is a reimbursable grant? (Neary) who applied for the grant (Taylor) one of the Assistant Harbormasters found the grant and helped me fill it out.

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 2024 grant from the Massachusetts Department of Environmental Protection in the amount of **\$74,085.24** for the purpose of funding the purchase of Forward

Looking Infrared and Night Vision equipment that will be used to prevent, locate and respond to oil spills.

**VOTE: PASSES UNANIMOUS**

**2024-232 RESOLVE APPROVING MARK S. ELLS' OUTSIDE EMPLOYMENT WITH CAPE COD COMMUNITY COLLEGE INTRO: 06/27/2024**

Upon a motion duly made and seconded it was

**RESOLVED:** That, in accordance with Section 7 of the Employment Agreement between the Town of Barnstable and Mark S. Ells effective July 1, 2021, the Barnstable Town Council does hereby approve Mark S. Ells' outside employment with Cape Cod Community College (the "College") to allow him to continue teaching at the College for the period of July 1, 2024, through June 30, 2025.

**VOTE: PASSES UNANIMOUS**

**2024-233 RESOLVE ADOPTING A POLICY ON USE OF TOWN CELL PHONES AND EMAIL BY TOWN COUNCILORS INTRO: 06/27/2024**

Karen Nober, Town Attorney gave the rationale.

Upon a motion duly made and seconded it was

**RESOLVED:** That the Council does hereby approve and adopt the following policy for Town Councilors, effective **August 1, 2024:**

**POLICY ON USE OF TOWN CELL PHONES AND TOWN EMAIL ACCOUNTS BY TOWN COUNCILORS**

(Schnepp) what is the financial impact (Benoit) we in IT would cover the cost (Tamash) this is way overdue; it should all be on town equipment (Nober it should be done. (Neary) as a service to our constituents, I have four different emails to check every day. I think we should put the money towards a police officer in that intersection. (Penn) I have a separate number on a personal phone to use for my second phone (Benoit) we use Verizon may not be compatible (Terkelsen) would we be able to port the number over to Verizon (Benoit) pretty sure the numbers can be ported over (Ludtke) think this is well overdue, we owe it to our constituents, how quickly will this be enacted. (Nober) we want it to take place on July 1<sup>st</sup> (Burdick) can we be mandated to do this (Nober) you are all required to follow public records law (Starr) do I have to use the town phone with text messages, (Nober) we could show a call happened, but no information on the call. (Schnepp) will we have an app on our phone that will connect us to our email (Benoit) yes (Clark) for business done as an official, if a Councilor is running for office (Nober) you could not use your town phone for political purposes. (Penn) How long will this take, (Benoit) a month perhaps (Penn) so perhaps by Labor Day. (Tamash) should we change the motion to make it effective August 1, 2024.

Upon a motion duly made and seconded it was to change the effective date from July 1, 2024, to August 1, 2024

**VOTE: PASSES UNANIMOUS**

1. Purpose:

This Policy requires that all Town Councilors use Town-issued cell phones and Town email accounts for conducting all Town business in order to facilitate their compliance with the state's public records and records retention laws and regulations.

2. Public Records/Records Retention:

Councilors understand and acknowledge that their use of Town Information Technology equipment and resources, including email and text messages, may result in the creation of public records, which are subject to disclosure upon request. Councilors are responsible for properly maintaining such records. Personal cell phones and personal email accounts should not be used for Town business. Councilors acknowledge and agree that if they use personal cell phones and personal email accounts for Town business, the Town shall have the right to access and inspect those devices and accounts to respond to public records requests or to discovery requests arising out of administrative, civil or criminal proceedings related to Town business or Town operations.

3. Responsibility of Councilors in Using Town Information Technology Equipment and Resources:

Councilors acknowledge and agree that their use of Town Information Technology equipment and resources, including, but not limited to, Town-issued cell phones and Town email accounts, is subject to the Town of Barnstable IT Policy (the "Town Policy"), a copy of which is attached hereto. Councilors are responsible for reading and complying with the Town Policy. Town Information Technology equipment and resources may not be used for political purposes. Other prohibited uses are set forth in the Town Policy.

4. No Expectation of Privacy:

As set forth in the Town Policy, Town Information Technology equipment and resources are the property of the Town, and Councilors shall have no expectation of privacy in their use of such equipment and resources.

5. Annual Training:

Councilors agree that they shall complete on an annual basis the same cybersecurity awareness training required of Town employees.

**VOTE: AS AMENDED PASSES UNANIMOUS**

<b>2024-234 RESOLVE APPROVING THE FISH WEIR APPLICATIONS FROM JACOB ANGELO, A RESIDENT OF WEST BARNSTABLE INTRO: 06/27/2024</b>
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Brian Taylor, Town of Barnstable, Harbormaster gave the rationale

**DISCUSSION:**

(Starr) what is the past practice, is it usually one year (Taylor) has been five years (Starr) why did this become only for one year (Taylor) to see if there were any issues of boat navigation by the Waterways Committee (Penn) so this is a trial basis (Ludtke) spoke with Mr. Angelo, he is going to do this in the right spirit, completely in support of this (Terkelsen) do you anticipate changing the dates will affect your catch, (Angelo) fish migrate in the spring and the fall is the best time to do this, would like the five years due to the amount of money that it takes to do this for a one year period. (Penn) are you asking for the day after Labor Day (Neary) You have a good committee, make this profitable for yourself, best of luck. (Penn) when would waterways



take this up again? (Taylor) he would need to remove the fish weir every year (Tamash) can appreciate his concerns; the committee's recommendation is for a trial one year (Ludtke) made a motion duly seconded to change the date to the day after Labor Day versus the 8<sup>th</sup> of September.

**VOTE: PASSES 11 YES, 1 NO (Neary)**

Upon a motion duly made and seconded it was

**RESOLVED:** Pursuant to M.G.L. c. 130, section 29, the Barnstable Town Council does hereby approve the applications of Jacob Angelo, a resident of West Barnstable, for two (2) fish weir sites in the coastal waters of the Town of Barnstable in Nantucket Sound, each for a one-year period.

**VOTE: AS AMENDED PASSES UNANIMOUS**

**2024-235      APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$250,000 IN COMMUNITY PRESERVATION FUNDS FOR THE PURPOSE OF ACQUIRING A CONSERVATION RESTRICTION ON A 5.84-ACRE OPEN SPACE PARCEL LOCATED AT 4609 FALMOUTH ROAD, COTUIT, AND SHOWN ON ASSESSORS MAP 024, PARCEL 042  
INTRO: 06/27/2024**

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of the Community Preservation Act, G. L. c 44B, the sum of **Two Hundred and Fifty Thousand Dollars (\$250,000)** shall be appropriated and transferred from the amount set-aside for Open Space and Recreation within the Community Preservation Fund to the Barnstable Land Trust for the purpose of acquiring a Conservation Restriction ("CR") on property located at 4609 Falmouth Road, Cotuit, and shown on Assessors Map 024, Parcel 042, and on a plan of land entitled "Plan of Land in Santuit, Barnstable, Mass For Theodore Nigro," dated May 1973, prepared by Robert H. Waite, Registered Land Surveyor, and recorded at the Barnstable County Registry of Deeds in Plan Book 278, at Page 18, pursuant to G.L. c. 184, sections 31-32 for open space and conservation and passive recreation purposes to be granted to the Town of Barnstable, acting through the Town Manager, as the primary grantee and the Cotuit Water District acting through its Board of Water Commissioners as the secondary grantee, said CR in substantially the form attached hereto, subject to minor changes to be made by the Secretary of the Executive Office of Energy and Environmental Affairs. This Order authorizes the Town Council President to sign the CR on the Town Council's behalf. It further authorizes the Town Manager to expend the amount appropriated on behalf of the Town for the acquisition of the CR, subject to oversight by the Community Preservation Committee, and to accept, negotiate, execute, receive, deliver and record any written instruments to effectuate this Order and complete this transaction.

**VOTE: TO A PUBLIC HEARING ON JULY 18, PASSES UNANIMOUS**

**2024-236      ORDER AUTHORIZING THE TOWN MANAGER TO ENTER INTO AND EXECUTE ON BEHALF OF THE TOWN AN AMENDMENT TO THE EMPLOYMENT CONTRACT BETWEEN THE TOWN AND MARK A. MILNE INTRO: 06/27/2024**

Upon a motion duly made and seconded it was

**ORDERED:** That the Town Council hereby authorizes the Town Manager to enter into and execute on behalf of the Town an amendment to the employment contract between the Town and Mark A. Milne ("Milne") entered into on July 1, 2021, under which Milne serves as the Town's Director of Finance, to: (a) extend the term of the contract for an additional year, ending on June 30, 2027; (b) authorize Milne to work in a remote capacity on a full-time basis for a period commencing as of July 1, 2024 and ending on June 30, 2027; and (c) provide that if Milne's employment is terminated due to the Town Manager's determination that allowing him to

work remotely is no longer feasible for the Town, that Milne shall continue to be paid his regular salary on a bi-weekly basis through the end of the fiscal year in which notice of such termination was provided or shall be paid a lump sum payment of 6 months' salary, whichever is greater, with all other terms and conditions the same as those in the employment contract currently in effect between the parties.

**VOTE: TO A 2<sup>ND</sup> READING ON 7-18-24 PASSES UNANIMOUS**

**2024-237 APPROPRIATION ORDER IN THE AMOUNT OF \$37,000 FOR THE PURPOSE OF FUNDING THE TOWN'S SHARE OF THE COSTS RELATED TO THE INSTALLATION OF UP TO 37 ELECTRIC VEHICLE CHARGING STATIONS IN PUBLIC PARKING LOTS IN AND AROUND THE VILLAGE OF HYANNIS INTRO: 06/27/2024**

Upon a motion duly made and seconded it was

**ORDERED:** That the amount of **\$37,000** be appropriated from the General Fund Reserves for the purpose of funding the Town's share of the costs related to the installation of up to thirty-seven (37) Electric Vehicle Charging stations in public parking lots in and around the Village of Hyannis.

**VOTE: TO A PUBLIC HEARING ON JULY 18, PASSES UNANIMOUS**

**2024-238 CONFIRMING REAPPOINTMENTS TO THE AFFORDABLE HOUSING/GROWTH & DEVELOPMENT TRUST FUND BOARD INTRO: 06/27/2024**

**Discussion:**

(Ludtke) hope this board will take the approach to look towards the smaller developers, we see more equity (Penn) this does not pertain to the vote in front of us

Upon a motion duly made and seconded it was

**RESOLVED:** That the Town Council hereby confirms the Town Manager's reappointment of the following individuals to serve as Trustees of the Affordable Housing/Growth and Development Trust Fund Board (the "Board"), pursuant to the provisions of M.G.L. c. 44 § 55C, and in accordance with the Amended Declaration of Trust, as approved by the Board at its September 25, 2020, meeting:

Michael Andrew Clyburn, Assistant Town Manager, and a resident of Sandwich, MA, to a term expiring June 30, 2025;

Mark Milne, Town Director of Finance, and a resident of Marstons Mills, MA, to a term expiring June 30, 2026;

Wendy Northcross, a resident of West Barnstable, MA, to a term expiring June 30, 2025;

Laura Shufelt, a resident of West Barnstable, MA, to a term expiring June 30, 2026.

**VOTE: PASSES UNANIMOUS**

**2024-239 APPROVING THE APPOINTMENT OF DAVID ANTHONY, THE TOWN'S DIRECTOR OF ASSET MANAGEMENT, TO SERVE AS THE TOWN'S REPRESENTATIVE ON THE CAPE & ISLAND VINEYARD ELECTRIC COOPERATIVE, INC. INTRO: 06/27/2024**

**DISCUSSION:**

(Clark) who is serving in that capacity at this time (Nober) Charlie McLaughlin served for many years, David has been doing it, but it needs to be official

Upon a motion duly made and seconded it was

**RESOLVED:** Upon the recommendation of the Town Manager, the Town Council does hereby approve the appointment of David Anthony, the Town's Director of Asset Management, to serve as the Town's representative to the Cape & Island Vineyard Electric Cooperative, Inc. ("CVEC"), of which the Town is a member. The purpose of CVEC is to develop and/or own renewable and non-renewable electric generation facilities, and to procure and/or sell long-term electric supply or other energy-related goods or services, including renewable energy certificate contracts, at competitive prices to its members.

**VOTE: PASSES UNANIMOUS**

**2024-240 APPROPRIATION ORDER IN THE AMOUNT OF \$1,150,000 IN COMMUNITY PRESERVATION ACT FUNDS AUTHORIZING THE ACQUISITION OF PROPERTY LOCATED AT 211 CEDAR TREE NECK ROAD, MARSTONS MILLS, FOR OPEN SPACE AND RECREATION PURPOSES INTRO: 06/27/2024**

Upon a motion duly made and seconded it was

**ORDERED:** That, pursuant to the provisions of the Community Preservation Act, G. L. c 44B, the amount of Four Hundred and Fifty Thousand Dollars (**\$450,000**) be appropriated from the amount set-aside for Open Space and Recreation and the amount of Seven Hundred Thousand Dollars (**\$700,000**) be appropriated from the Undesignated Fund within the Community Preservation Fund for the purpose of acquiring property located at 211 Cedar Tree Neck Road, Marstons Mills, Assessors' Map 076, Parcel 025 (the "Property"), for open space and recreation purposes. Funds not used for the purchase of the Property will be returned to the Community Preservation Act Fund. Further, it is ordered that the Town Manager, on behalf of the Town, is hereby authorized to expend the amounts appropriated and to take or acquire the Property, through a negotiated transaction, subject to oversight by the Community Preservation Committee, and to negotiate, accept, approve, execute, receive, deliver and record any written instruments to effectuate this Order and complete the transaction.

**VOTE: TO A PUBLIC HEARING ON JULY 18, PASSES UNANIMOUS**

**VOTED TO ADJOURN:**

**VOTE: PASSES UNANIMOUS**

**Adjourned at 8:52 PM**

Respectfully submitted,

Ann M. Quirk  
Town Clerk

**NEXT MEETING: July 18, 2024**

Exhibits:

- A. Handout from Dr. Joseph Conway
- B. Town Manager update
- C. Document read by Councilor Levesque