



Town Council Meeting
April 4, 2024



A quorum being duly present, President Felicia Penn called the April 4, 2024, Town Council meeting to order at 6:00PM.

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, Jeffrey Mendes Paul Neary, Felicia Penn, Paula Schnepf, Gordon Starr, Craig Tamash, Kristin Terkelsen.

Vice President Craig Tamash invited Major Greg Quilty to the podium. Major Quilty explained Master Sergeant Carl Phillips was scheduled to lead the Pledge of Allegiance. Unfortunately, he could not be here tonight; Major Quilty would stand in his place. A moment of silence was led by President Penn who asked to remember all who are near and dear to us.

Governor's Youth Advisory Council Presentation-State Representative Kip Diggs, Youth Commission members, Piper Hunt, and Laik O'Reilly:

State Representative Kipp Diggs introduced Piper Hunt and Laik O'Reilly, who were elected by Governor Healy to partake in as representatives to the Governor's Youth Advisory Council. Both Piper and Laik are members of the Barnstable Youth and Community Center.

Karen Nober Town Attorney was invited to the podium to discuss the rules on Public Comment as stated in the Town Council Rules. She read aloud from the Town Council Rules.

PUBLIC COMMENT:

In-Person:

Bob Schulte supported the ad-hoc committee regulations as stated in the Town Charter. He appreciated the efforts of the current leadership to follow the administrative code of the Town Council Rules. He noted the rules stipulate ad-hoc committees should be appointed by Town Council President. He felt there was no plausible reason to suspend the item. He urged the Council to vote against this item.

Rob Brennan urged the Council to reconsider agenda item 2024-166 taking the power for the ad-hoc committee appointment decision from the President and giving it to the Appointment Committee. He felt the "We're full" agenda set a bad precedent for our town.

President Penn explained Lynne Roads would hold her phone up to the microphone. Mary Ann Barboza could not attend the Town Council meeting in-person and did not have the ability to zoom into the meeting. Mary Ann Barboza still wanted to make a statement. President Penn agreed to this request to have Mary Ann Barboza utilize her phone to give her statement at Public Commit.

Lynne Rhodes held her phone to the microphone so that Mary Ann Barboza could address the Council. She thanked Council for the opportunity to speak. She thanked Piper Hunt and Laik O'Reilly for their strength and applauded them for being strong people. She spoke about her feelings and how others have completed applications to be part of these ad-hoc committees. She spoke about being part of the community and demanding a good life here on Cape Cod. She asked for the same respect from the leaders as they expect from us.

Lynne Rhodes encouraged the Council to vote for agenda item 2024-166. She said we need housing and representation on the boards.

Tara Vargas Wallace felt one individual should not be the only one choosing who sits on a board or committee. She felt the choice should be with the Appointments Committee. She added we need housing and our diverse voices need to be heard.

Meaghan Mort urged the Council to reconsider the ad-hoc committee's agenda item 2024-166 and have them go to the Appointments Committee. There is a lack of faith with the leadership of this Town.

Chuck Carey said there is a housing shortage. With a housing shortage there is also a shortage of employees which makes it difficult to find candidates due to the housing shortage. Jobs, housing, and businesses all support and need to be strong together.

Rene King felt we need affordable housing for our first responders. She gave a housing example from New Jersey which they created a teacher's village. The Town should be looking for creative ways for housing that support the community. We need to work together collectively to solve this issue.

Toby Leary said he applauded the Councilors who voted for reconsideration of agenda item 2024-166. We need housing for people who work here. We are not near full capacity in Barnstable.

Alexandra Sampou supported Councilor's Neary's motion – ad-hoc committees should be determined by the Appointment's Committee.

Dominick Marciano spoke about how the shortage of housing is affecting his staff and others in Town. He stressed employment is harder without housing. We need more housing.

Elizabeth Wurfbain expressed that housing is important. We need it. She is thrilled with the 2-way Downtown Hyannis Streets. She feels this will help traffic calm down as 2-way street slows traffic.

Anastaci Pacella commented on the Community Art Center. She was proud of our Town and all the amazing people and artists that participate in the community. She supported the 2-way streets and thanked the Council for voting for the Appointments Committee to appoint the ad-hoc committees' members.

Tamora Israel felt housing is needed. Please involve the different communities when thinking of housing,

Andre King spoke about the housing situation. It is vital to have housing. He encouraged people

to keep showing up and advocating their opinions. Your voice and your vote do count.

Megan Morris, who is a teacher, spoke about not being able to afford live on her own. She is lucky she lives with her parents. We need housing to recruit new teachers. She noted that there will be mass retirements within the next ten years for teachers. We need housing. She supported choosing the ad-hoc committee members by the Appointments Committee and not one person.

Susanne Conley spoke about clean energy filings. She questioned the Avangrid bid and the Power purchase Agreement (PPA).

Craig Florence spoke about the working class and low-income people living in unhealthy situations due to the lack of adequate housing. He heard the talk about "Authentic Cape Cod" – what is that as 40 percent of the properties stand empty for more than half a year.

Zoom:

Antoine Vera Medina talked about the lack of housing. He came from Europe and there they work with a lot of affordable housing. People cannot find places to live here. There is no future if there is no access to housing.

Lisa Nagel felt the ad-hoc committees were an opportunity to hear the different voices of this community. The Appointments Committee must do the appointments – honest dialogue on these issues.

Tom Kirk discussed Craigville Beach Phase I which is complete, and we are into half of Phase II of the sewer expansion - Comprehensive Wastewater Management Plan, but now we are on hold which leaves everything in limbo. We need more clarification to understand what the Town is working on with the wind power projects

Heather Hunt felt President Penn was playing by the rules. She went by the book and now she has been met with anguish and people wanting to change the rules.

Henry Ramage felt the need for more housing in Barnstable. There is a 10-year waiting list for affordable housing in Barnstable. It is expensive to live on Cape Cod, and the working people need two jobs to live here.

Grove Harris spoke about green house emissions, ongoing wind farm issues, and the risks associated with the electricity from the wind farms produced on Cape, moving off Cape.

Karen McGuire thanked the Town Attorney for the information on protocol. Thanked President Penn as more people were attending the Town Council meeting and participating in them as well.

Close public comment

COUNCIL RESPONSE TO PUBLIC COMMENT:

(Mendes) reconsideration of Agenda Item 2024 – 166. He explained as an advocate for his constituents he was tired of the "We're Full" mentality in Barnstable. He added at the last meeting he was denied access to the Council meeting due to a technology issue. He could not vote for

the agenda item. He added 50 percent of our workers live off-cape; everybody deserves to live where they want. Stop being selfish. (Levesque) thanked everyone who spoke at tonight's meeting. There is a piece we are missing when it comes to housing – retiring people. There is no housing, or they cannot adequately afford housing. We need the public; we need your voices and please keep speaking at public comment. We have made past mistakes and Town Manager Mark Ells tried to correct those mistakes. As Council President I sunsetted those committees for transparency. (Clark) We hear you and thank you for bringing your concerns to our attention. It facilitates better decision-making with all the different life experiences. She mentioned the Town code directs President Penn to appoint the ad-hoc members not the Appointments Committee. (Schnepp) said we are not full in the Town of Barnstable. We are losing people, losing our community. She was thrilled and encouraged with the engagement of all in the room. (Neary) Motion to suspend the vote was a way in which to take the pressure off the leadership. President Penn has the right to pick all the members and I have all the confidence in her decision. (Penn) There is misinformation I am not anti-housing and I am not an elitist. She supports affordable housing and opposes the prioritization of personal wealth over public benefit. She is dedicated to the history and character of Hyannis. She stated she has no agenda to increase regulations.

TOWN MANAGER'S COMMUNICATIONS: (Pre-Recorded) 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 as in the past. The Town Manager and staff will be available to answer any questions regarding the report as presented. The Town Managers communication for the period of March 6, through March 19, 2024, included an update on: (Exhibit B)

President Penn invited Mark Ells, Town Manager to update and answer any questions from Council regarding his Town Manager Report:

1. Cape Cod Commission representative – submit a letter of interest the Town Manger by April 5, 2024
2. Budget Action Calendar Fiscal Year 2025 - update
3. Vineyard Wind cable landing at Covell's beach – update
4. Groundwater 101 presentation – update
5. Cape Cod Commission approved contingent commitments for subsidies from the Cape Cod and Islands Water Protection Fund to fund Qualified projects list on the 2024 Clean Water State Revolving Fund Intended Use Plan – update
6. Elizabeth Jenkins, Director of Planning and Development update on Barnstable Housing on Regional Context and the Local Comprehensive Plan.

Councilor questions and comments

(Starr) #4 - last sentence please repeat (Ells) The comments made by Dan Santos, Director of Public Works were taken differently than he intended. He said he supports Santos' comments. He said he would link all the state officials with the 2019 Department of Public Works (DPW) study as Massachusetts Environmental Policy Act (MEPA) referenced it. He spoke about the land use not being protected. (Terkelsen) what is happening with the water well on Bridge Street Conservation Area. (Ells) It is a complex issue and sensitive to all. It would be better to have Dan Santos, Director of Public Works and staff discuss with another workshop.

ACT ON PUBLIC SESSION MINUTES:

Upon a motion duly made and seconded, it was to accept the minutes of March 21, 2024, as presented.

VOTE: PASSES 12 Yes 1 No (Mendes)

ROLL CALL: Bloom, Burdick, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen.

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

(Mendes) Anyone interested in being appointed or reappointed to our boards please complete an application. They can be found on our Council webpage. (Schnepf) Sunday, April 7th is the Millbilly Breakfast at Liberty Hall from 8 am to 10 am, all proceeds go to the Marstons Mill Village Association. (Clark) Saturday, April 6th is the West Barnstable Fire Station Spaghetti Dinner starts at 5 pm. (Penn) There is a second workshop which is on Thursday, April 11th beginning at 6 pm. It will be a Special Town Council meeting which will be physically closed to the public with remote access only. Please send in your questions, statement will not be read. The workshop will focus on Per- and Polyfluorinated Substances (PFAS) Contamination in Barnstable.

Break 8:15 PM – 8:25 PM

Fiscal Year 2025 Capital Improvement Plan Presentation – Mark Milne, Director, Finance, Comprehensive Financial Advisory Committee members:

Director of Finance Mark Milne gave the rationale and spoke about the funding source, the policy, and contents of the Comprehensive Financial Advisory Committee book and report. He introduced the Comprehensive Financial Advisory Committee. Chair Woo spoke about the forecasts and the independent assessment of the budget. Neil Kleinfeld, Chair of the Capital Improvements Plan (CIP) spoke about the challenges and the forecast regarding the CIP.

Update on Downtown Hyannis Great Streets: Conversion to Two-Way Travel – Elizabeth Jenkins, Director Planning and Development:

Director of Planning and Development Elizabeth Jenkins gave an update on the two-way travel for downtown Hyannis with the focus on prioritizing walking, pedestrians and traffic calming benefits. She noted the traffic lights would be replaced with stop signs except for the light on Main Street and Lweis Bay Road. This project will have a completed date in 2025,

Town Attorney Karen Nober discussed the reconsideration motion. (Mendes) explained he was unable to connect to the March 21, 2024 meeting due to technological difficulties.

(Nober) explained the motion for consideration. At the March 21, 2024, Town Council meeting the Council considered and voted on agenda item an amended motion that would suspend the provisions of Town Council Rule 11A as it related to the appointment of registered voters by the Town Council President to the committees that were listed on the agenda item 2024-166. That motion failed because the vote was tied at 6-6. Councilor Mendes was approved by President Penn to participate remotely for that meeting. Councilor Mendes was unable to join the meeting because zoom access had been shut off by staff. He was able to join the meeting, later after a Council meeting break but by then the vote amending the motion for the suspension of Town Council Rule 11A had already taken place. Her recommendation is that Council take the necessary actions to correct what happened. The way to do this is to reconsider the March 21st vote and then vote again. Before you can do this the Council will need to suspend Town Council Rule 6F. Rule 6F states that a motion for reconsideration be made at the same meeting as the original vote was taken or notice be given at that meeting that a motion will be made at the next meeting This did not happen and now, we need a motion to suspend Town Council Rule 6F.

Upon a motion duly made and seconded it was to suspend Town Council Rule 6F.

VOTE: PASSES UNANIMOUS

Upon a motion duly made and seconded for reconsidering the Town Council vote taken on March 21, 2024 to suspend the provisions of Town Council Rule 11A, with respect to agenda item 2024-166.

VOTE: PASSES UNANIMOUS

To suspend of the provisions of the Town Council Rule 11A as it relates to the appointment of registered voters by the Town Council President to the ad-hoc committees set forth in item **2024-166** in order that such appointments be made by vote of the Town Council after recommendation from the Appointments Committee by May 1st.

Council Discussion:

(Neary) Can you please explain what a yes vote or a no vote means. (Nober) A yes vote would suspend the provisions of that rule such that the Town Council President would not make the appointments of the registered voters. The President would appoint the councilors she would not appoint the registered voters that would go through the Appointments Committee. The Appointments Committee would make a recommendation to the full Town Council by May 1st. A yes would suspend that rule to allow for the Appointments Committee process. A no vote would keep the rule as it is, meaning the president would make the appointments of the registered voters to the two committees that has registered voters on them. (Neary) A yes vote would move the appointments to the Appointments Committee. The current members of the Appointments Committee are Councilors Mendes, Clark, Burdick, Bloom, and Terkelsen. (Mendes) This would be good because the President still appoints the members of Council to those committees.

VOTE: AS AMENDED PASSES 7 YES 6 NO (Bloom, Clark, Crow, Ludtke, Penn, Terkelsen)

2024-171	ORDER AUTHORIZING AN INTERMUNICIPAL AGREEMENT AMONG THE TOWNS OF BARNSTABLE, YARMOUTH, AND SANDWICH FOR THE PURPOSES OF ESTABLISHING A REGIONAL EMERGENCY COMMUNICATIONS CENTER HOSTED BY AND LOCATED WITHIN THE TOWN OF BARNSTABLE INTRO: 03/21/2024, 04/04/2024
-----------------	--

Police Chief Jean Challies gave the rationale. She explained this was a two-year working together feasibility study for regional 911 Public Safety Answering Point – intermunicipal regional emergency communication center.

Council Discussion:

(Tamash) Congratulations on moving forward on this matter. (Mendes) If there are any changes does the amount of money each Town gives to this program then change. (Challies) Yes as the payments are based on number of calls and the population. Approximately, Barnstable's share is 54 percent, Sandwich's share is 18 percent and Yarmouth's share is 27 percent of the costs for this program. (Challies) This will need a new facility with new equipment. Barnstable will need to employ 36 people to staff this facility.

Councilor Burdick left the dais and the meeting.

Upon a motion duly made and seconded it was:

ORDERED: That the Town Council does hereby authorize the execution and delivery by the Town Manager of an Intermunicipal Agreement (IMA) with the Towns of Yarmouth and Sandwich for a term of twenty-five years, substantially in the form of the agreement on file in the Town Council office, for the purpose of establishing a Regional Emergency Communications Center hosted by the Town of Barnstable, which will combine the towns' resources to provide cost efficient, shared and effective emergency and 911 dispatch services from a single primary location within the Town of Barnstable.

VOTE: PASSES 12 YES.

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen.

2024-172 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 1 GENERAL PROVISIONS, ARTICLE I NONCRIMINAL ENFORCEMENT OF VIOLATIONS, AND INSERTING A NEW CHAPTER 185 KNOWN AS "STORMWATER MANAGEMENT AND ILLICIT DISCHARGE CONTROL"
INTRO: 03/21/2024, 04/04/2024.

Dan Santos, Director Public Works introduced Amber Unruh, Senior Project Manager at the Department of Public Works, gave the rationale with an overview of the PowerPoint presentation.

Council Discussion:

(Mendes) Will the department be hiring enforcement officers. (Unruh) Yes at some point.

(Ludtke) In Hyannis we have 6 to 8 cars packed in a residence, as well as businesses with large commercial vehicles that are being washed; the language is not strong enough regarding these residences. This is a big issue in Hyannis.

Open Public hearing, seeing no one and no one online, close public hearing.

Tom LaRosa, First Assistant Town Attorney explained the way the exempt activities are structured in Section C – thinking that washing car in your driveway or your work vehicle that would be considered exempt. If you had ten different vehicles and you were washing them every single day that might be a different answer. We modelled our language on other municipalities and not specific with x number of cars per day. (Ludtke) Who makes the judgement call (LaRosa) DPW would make the decision on whether such activities would be considered exempt or not. (Penn) fees not high enough is that a regulatory item (Unruh) You cannot go over \$300 a day per the Attorney General / State law.

Upon a motion duly made and seconded it was to amend agenda item 2024-172 by deleting in Section 2 and 3 the words: "Illicit Discharge Detection and Elimination (IDDE)" and inserting in their place the words "**Illicit Discharge Control**"

VOTE: PASSES UNANIMOUS

Upon a motion duly made and seconded it accept the language as amended

ORDERED: That the Code of the Town of Barnstable be amended as follows:

SECTION 1. By amending Chapter 1, Article I, Section 1-2 as follows:

- A. By renumbering Subsection A (10) as Subsection A (11).
- B. By striking out in Subsection A (9) the word "and" as appearing after the semi-colon.

C. By inserting after Subsection A (9) a new subsection “A (10) The Director of Public Works and his designees; and”

SECTION 2. The schedule of fines in Chapter 1, Article I, Section 1-3 is hereby amended by inserting after Chapter 184 the following:

“Ch. **185** Stormwater Management or Illicit Discharge Control

First offense	\$100
Second or subsequent offense	\$300”

SECTION 3. The schedule of fines in Chapter 1, Article I is hereby amended by inserting the following new Section 1-6.2:

“§ 1-6.2: Fines for the Violation of Department of Public Works Regulations

Offense	
Violation of Stormwater Management and Illicit Discharge Detection and Elimination (IDDE) Regulations	
First offense	
\$100	
	Second or subsequent offense
\$300	

SECTION 3. The Code of the Town of Barnstable is hereby amended by inserting after Chapter 184 a new Chapter 185 as follows:

“**Chapter 185 Stormwater Management and Illicit Discharge Control**

Article I General Provisions

- § 185-1 **Authority.**
- § 185-2 **Introduction.**
- § 185-3 **Purpose.**
- § 185-4 **Definitions.**
- § 185-5 **Administration.**
- § 185-6 **Regulations.**
- § 185-7 **Enforcement.**
- § 185-8 **Entry Upon Land to Perform Duties**
- § 185-9 **Severability.**

Article II Illicit Discharge Control

- § 185-10 **Purpose and Objectives.**

- § 185-11 **Prohibited Activities.**
- § 185-12 **Exempt Activities.**
- § 185-13 **Emergency Suspension of Storm Drainage System Access**
- § 185-14 **Notification of Hazardous Material Spills.**

Article III Construction and Post Construction Stormwater Management

- § 185-15 **Purpose and Objectives.**
- § 185-16 **Prohibited Activities.**
- § 185-17 **Exempt Activities.**
- § 185-18 **Waivers and Provisions for Relief.**
- § 185-19 **Surety.**

Article I General Provisions

§ 185-1 Authority.

Chapter 185 of the General Ordinances is adopted in accordance with the regulations of the federal Clean Water Act found at 40 C.F.R. 122.34, as amended, the Massachusetts 401 Water Quality Certification regulations found at 314 C.M.R. 9.00 *et seq.*, Section 6 of the Home Rule Amendment to the Constitution of the Commonwealth of Massachusetts, and the Charter of the Town of Barnstable.

§ 185-2 Introduction.

The United States Environmental Protection Agency has identified Disturbance of Land and polluted stormwater runoff as major sources of water pollution. Regulation of Illicit Connections and Discharge of Pollutants is necessary for the protection of the Town of Barnstable's water bodies and groundwater resources and to safeguard the public health, safety, and welfare and the natural resources of the Town. Increased volumes of stormwater and contaminated stormwater runoff are major causes of:

- (1) Impairment of water quality and reduced flow in estuaries, lakes, ponds, streams, rivers, wetlands, and groundwater.
- (2) Contamination of drinking water supplies.
- (3) Alteration or destruction of aquatic and wildlife habitat.
- (4) Flooding.
- (5) Erosion of stream channels; and
- (6) Overloading or clogging of municipal catch basins and storm drainage systems.

§ 185-3 Purpose.

The purpose of this Chapter is to comply with the conditions and requirements set forth in the Massachusetts General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer System by:

- (1) establishing the Town of Barnstable's legal authority, including that of its Department of Public Works, to prohibit, investigate, and eliminate illicit discharges into the Town's Municipal Drainage System and implement appropriate enforcement procedures and actions; and
- (2) establishing and enforcing a program to reduce Pollutants in any stormwater runoff discharged to the Municipal Storm Drain System from all construction activities that result in a Land Disturbance of greater than or equal to one acre so that it is not transported in stormwater and allowed to discharge to a water of the U.S. through the Town's MS4.
- (3) Prohibiting and eliminating Illicit Connections, the Discharge of Pollutants, safeguarding the public health, safety, environment, and general welfare, protecting aquatic resources and wildlife habitat, protecting the quality and health of water resources, conserving groundwater supplies, and fostering climate change resiliency.

This Chapter seeks to meet that purpose through the following objectives:

- (1) To prevent Pollutants from entering the Town of Barnstable's municipal storm drain system, Waters of the Commonwealth.
- (2) To prohibit Illicit Connections and unauthorized discharges to the municipal storm drain system.
- (3) To require the removal of all such Illicit Connections.
- (4) To comply with state and federal statutes and regulations relating to stormwater discharges; and
- (5) To establish the legal authority to ensure compliance with the provisions of this Article through inspection, monitoring, and enforcement.

§ 185-4 Definitions.

For the purposes of this Chapter, the following terms shall have the following meaning:

ABUTTER

The Owner(s) of land sharing a common boundary or corner with the site of the proposed activity in any direction, including, but not limited to, land located directly across a street, way, creek, river, stream, brook, or canal.

ANIMAL WASTE

Feces, urine, or other excrement, urea, or similar substances emitted by animals (including any form of livestock, poultry, or fish). The term Animal Waste includes animal waste that is mixed or commingled with bedding, compost, feed, soil, or any other material typically found with such waste.

APPLICANT

Any Person applying for or requesting a Stormwater Management Permit for proposed Disturbance of Land activity.

BEST MANAGEMENT PRACTICE or BMP

Schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of

pollutants to the Waters of the Commonwealth. BMPs also include treatment requirements, operating procedures, and practices to control animal waste, plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

CERTIFICATE OF COMPLETION

A document issued by the Department of Public Works upon receipt of a final inspection report and acknowledgement that all conditions of the Stormwater Management Permit have been satisfactorily completed.

CLEARING

Any activity that removes vegetative surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

CONSTRUCTION AND DEMOLITION WASTE:

Waste from the building materials and rubble resulting from the construction, remodeling, repair, or demolition of buildings, pavements, roads, or other structures. Construction and demolition waste includes but is not limited to:

- (1) Discarded building materials such as: concrete, bricks, asphalt pavement, masonry, plaster, gypsum wallboard, metal, lumber, and wood.
- (2) Concrete truck washout.
- (3) Chemicals.
- (4) Litter; and
- (5) Sanitary waste.

DEPARTMENT

The Department of Public Works of the Town of Barnstable.

DIRECTOR

The Director of the Department of Public Works or his or her designee.

DISCHARGE OF POLLUTANTS

The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the Waters of Commonwealth from any source.

DISTURBANCE OF LAND

Action to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of topsoil's.

DRAINAGE FACILITY

Any constructed or engineered feature that collects, conveys, stores, treats, or otherwise manages Stormwater or surface water, or any land and improvements thereon, if altered for the purpose of conveyance, storage, or infiltration.

EROSION

The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

GRADING

Changing the level or shape of the ground surface.

GROUNDWATER

Water beneath the surface of the ground including confined or unconfined aquifers.

ILLCIT CONNECTION

A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system or into the Waters of the Commonwealth, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this Ordinance.

ILLCIT DISCHARGE

Direct or indirect discharge to the municipal storm drain system or into the Waters of the Commonwealth that is not composed entirely of stormwater, except as exempted in Section 185-13. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit.

IMPERVIOUS SURFACE

Any material or structure on or above the ground surface that prevents or delays water from infiltrating into the underlying soil or causes water to runoff in greater quantities or at an increased rate of flow. Impervious surfaces include, but are not limited to, roads, driveways, parking lots, sidewalks, rooftops, patios, storage areas, concrete or asphalt paving, gravel/dense-graded crushed stone areas, and soil densely compacted by human activity.

INFEASIBLE

Not technologically possible, or not economically practicable and achievable in light of best industry practices.

LOW IMPACT DEVELOPMENT or LID

An approach to land development design and stormwater management that attempts to mimic the natural hydrology of the site by avoiding, reducing, and mitigating impacts with natural, non-structural and structural measures.

MASSACHUSETTS STORMWATER MANAGEMENT STANDARDS or STANDARDS

The Stormwater Management Standards promulgated by the Massachusetts Department of Environmental Protection (“DEP”) under the authority of the Massachusetts Wetlands Protection Act, G.L. c. 131 § 40, and the Massachusetts Clean Waters Act, G.L. c. 21, §§ 23-56, and further defined in the Wetlands Protection Act Regulations (310 CMR 10.00) and the 401 Water Quality Certification Regulations (314 CMR 9.00). The Stormwater Management Standards address stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and to control the quantity of runoff from a site.

MUNICIPAL SEPARATE STORM SEWER SYSTEM or MS4 or MUNICIPAL STORM DRAIN SYSTEM

The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention, or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Barnstable.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER DISCHARGE PERMIT or NPDES Permit

A permit issued by the United States Environmental Protection Agency (“EPA”) or issued jointly with the Commonwealth of Massachusetts that authorizes the discharge of stormwater to Waters of the United States.

NEW DEVELOPMENT

Any construction activities or Disturbance of Land resulting in total earth disturbances greater than 1 acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) on an area that has not previously been developed to include impervious cover.

NONPOINT SOURCE

Any source of water pollution that does not meet the definition of Point Source.

NON-STORMWATER DISCHARGE

Discharge to the municipal storm drain system not composed entirely of stormwater.

OPERATION AND MAINTENANCE PLAN

A plan setting up the functional, financial, and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OUTFALL

The point where stormwater flows out from a Point Source which is a discernible, confined, and discrete conveyance into Waters of the Commonwealth.

OWNER

A person with a legal or equitable interest in property.

PERSON

An individual, group of individuals, partnership, association whether incorporated or unincorporated, firm, company, trust, estate, corporation, business organization, agency, authority, department, or political subdivision of the Commonwealth of Massachusetts, public or quasi-public corporation or body, or any other legal entity or its legal representative, or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POINT SOURCE

Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

POLLUTANT

Any element or property of sewage, agricultural, industrial, or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or Nonpoint Source, that is or may be introduced into any sewage treatment works, Municipal Storm Drain System, or Waters of the Commonwealth. Pollutants shall include, but are not limited to:

- (1) Paints, varnishes, and solvents.

- (2) Oil and other automotive fluids.
- (3) Non-hazardous liquid and solid wastes and yard wastes.
- (4) Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnance, accumulations and floatables.
- (5) Pesticides, herbicides, and fertilizers.
- (6) Hazardous materials and wastes; sewage, fecal coliform, and pathogens.
- (7) Dissolved and particulate metals.
- (8) Animal wastes.
- (9) Rock, sand, and soils.
- (10) Construction and Demolition Waste; and
- (11) Noxious or offensive matter of any kind.

PROCESS WASTEWATER

Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

PROFESSIONAL ENGINEER or P.E.

A Professional Engineer licensed as a civil engineer by the Commonwealth of Massachusetts in good standing.

RECHARGE

The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through soil.

REDEVELOPMENT

Any construction, Disturbance of Land, or improvement of impervious surfaces resulting in total earth disturbances greater than 1 acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) that does not meet the definition of new development.

REVIEWING AGENT

The Department or a person or position in the Department designated in writing by the Director responsible for enforcing this Chapter. The Reviewing Agent shall be considered a designee of the Director and Enforcing Agent under Chapter 1, Article I of the Code.

STABILIZATION

The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or minimize erosion.

STORMWATER

Rainwater, snow melt, surface water runoff, and drainage.

STORMWATER MANAGEMENT PERMIT

The written approval granted by the Department of Public Works to undertake a Disturbance of Land activity pursuant to a Stormwater Permit Application.

STORMWATER MANAGEMENT PLAN

A plan required as part of the application for a Stormwater Management Permit.

SURFACE WATER DISCHARGE PERMIT

Non-stormwater discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations.

HAZARDOUS MATERIAL

Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Hazardous Material shall include, but not be limited to, substances defined as "oil," "hazardous materials," "hazardous substances," "hazardous waste," "toxic substances," "pollutants," or "contaminants" in the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended, 42 U.S.C. Sec. 9601 *et seq.*; Hazardous Materials Transportation Act, as amended, 49 U.S.C. Sec. 1802 *et seq.*; and Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6903 *et seq.*; M.G.L. c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000 and/or applicable federal and Massachusetts law now or hereafter enacted, including any synthetic or organic chemical, biological, or infectious waste or material.

WASTEWATER

Any sanitary waste, sludge, or septic tank or cesspool contents, and water that during manufacturing, cleaning, or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

WATERCOURSE

A natural or man-made channel through which water flows or a stream of water, including a river, brook, or underground stream.

WATERS OF THE COMMONWEALTH

All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, Great Ponds, springs, impoundments, estuaries, wetland resource areas, coastal waters, groundwaters, and vernal pools, as well as waters of the United States.

WETLAND RESOURCE AREAS

Areas within the jurisdiction of the Massachusetts Wetlands Protection Act Regulations, 310 CMR 10.00, as amended, and in Chapter 237, Wetlands Protection Ordinance, of the Code of the Town of Barnstable, as amended.

§ 185-5 Administration.

The Department shall administer, implement, and enforce this Chapter. Any powers granted to or duties imposed upon the Department may be delegated in writing by Director to employees or agents of the Department or a Reviewing Agent.

§ 185-6 Regulations.

The Department may promulgate rules and regulations, including a fee schedule, to effectuate the purposes of this Chapter after conducting one public hearing to receive comments on any

proposed revisions. Failure by the Department to promulgate such rules and regulations shall not have the effect of suspending or invalidating this Chapter.

§ 185-7 Enforcement.

- A. The Director and any Reviewing Agent may enforce this Chapter and orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies available at law, including by non-criminal disposition under Chapter 1, Article I and as provided in Section 185-7.

- B. Notices of violations and enforcement orders.
 - (1) The Director and any Reviewing Agent may issue a written notice of violation or enforcement order to enforce the provisions of this Chapter or the regulations thereunder, which may include requirements to:
 - (a) Cease and desist from construction or land-disturbing activity until there is compliance with this Chapter and the stormwater management permit.
 - (b) Repair, maintain, or replace the stormwater management system or portions thereof in accordance with the operations and maintenance plan.
 - (c) Maintain, install, or perform additional erosion and sediment control measures.
 - (d) Perform monitoring, analyses, and reporting.
 - (e) Satisfactorily address and repair adverse impacts resulting directly or indirectly from a malfunction of the stormwater management system and/or erosion and sediment control system.
 - (f) Cease and desist from unlawful discharges, practices, or operations.
 - (g) Cease and remove illicit connections or discharges to the municipal storm drain system.
 - (h) Remediate any release of hazardous materials and contamination in connection therewith, and/or
 - (i) Undertake actions determined by the Director to be required for compliance with this Chapter and the regulations thereunder.

 - (2) If the Director or Reviewing Agent determines that abatement or remediation of adverse impacts is required, the enforcement order may set forth a deadline by which such abatement or remediation must be completed. Said order may further advise that, should the violator or property Owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, undertake such work, and all costs incurred by the Town shall be charged to the violator, to be recouped through all available means, including the placement of liens on the property.

- C. After completing all measures necessary to abate the violation, the person violating this Chapter or the regulations thereunder, if known, and the property Owner shall be notified of the costs incurred by the Town of Barnstable, including administrative costs. The violator or property Owner may file a written protest objecting to the amount or basis of costs with the Director within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Director affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property Owner and shall constitute a lien on the Owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. c. 59, § 57, after the thirty-first day at which the costs first become due.
- D. Upon the request of the Director, the Town Manager and Town Attorney may take legal action for enforcement under civil law. Upon request of the Director, the Chief of Police and Town Attorney may take legal action for enforcement under criminal law. Upon request of the Director, municipal boards, and officers, including any police officer, natural resource officer, or other officer having police powers, shall have the authority to assist the Director, authorized employees of the Department and any Reviewing Agent in enforcement.
- E. Civil Relief. If a person violates the provisions of this Chapter, permit, notices, or order issued thereunder, the Town may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation and may seek all other remedies available by law.
- F. Noncriminal Disposition. The Town may elect to utilize the noncriminal disposition procedure in G.L. c. 40, § 21D in which case the Director or Reviewing Agent shall be the enforcing person. Any person who violates any provision of this Chapter, the regulations thereunder, including any order or permit issued thereunder, may be punished by a penalty under the non-criminal disposition statute, G.L. c. 40, § 21D. The penalties for each offense for violating this Chapter and the regulations thereunder are the same as the fines specified for each offense in Chapter 1, Article 1, Section 1-3, Ch. 185, and Chapter 1, Article 1, Section 1-6.2 of the Code. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- G. Appeals. The decisions or orders of the Director or Reviewing Agent shall be final. Further relief shall be to a court of competent jurisdiction.
- H. Remedies are not exclusive. The remedies listed in this Chapter are not exclusive of any other remedies available under any applicable federal, state, or local law.

§ 185-8 Entry Upon Land to Perform Duties.

To the extent permitted by law, the Director, the Department, its Reviewing Agents, and authorized contractors may enter upon privately owned property for the purpose of performing their duties under this Chapter and regulations with reasonable notice to the Owner and/or other person in control of the property to set a mutually-agreeable time for such entry and inspection and may make or cause to be made such examinations, surveys, or sampling as the Director or Department deems reasonably necessary.

§ 185-9 Severability.

If any provision, paragraph, sentence, or clause of this Chapter shall be held invalid for any reason, all other provisions shall continue in full force and effect.

ARTICLE II
ILLICIT DISCHARGE CONTROL

§ 185-10 Purpose and Objectives.

- A. The purpose of this Article is to prohibit and eliminate Illicit Connections; Discharge of Pollutants; safeguard the public health, safety, environment, and general welfare; protect aquatic resources and wildlife habitat; protect the quality and health of water resources; conserve groundwater supplies; and foster climate change resiliency.
- B. This Article seeks to meet that purpose through the following objectives:
 - (1) To prevent pollutants from entering the Town of Barnstable's municipal storm drain system, Waters of the Commonwealth.
 - (2) To prohibit Illicit Connections and unauthorized discharges to the municipal storm drain system.
 - (3) To require the removal of all such Illicit Connections.
 - (4) To comply with state and federal statutes and regulations relating to stormwater discharges; and
 - (5) To establish the legal authority to ensure compliance with the provisions of this Article through inspection, monitoring, and enforcement.

§ 185-11 Prohibited Activities.

The following are prohibited unless exempted by this Article:

- A. Illicit Discharges. No person shall dump, discharge, cause, or allow to be discharged any pollutant or non-stormwater discharge into the municipal storm drain system, into a watercourse, or into the Waters of the Commonwealth.
- B. Illicit Connections. No person shall construct, use, allow, maintain, or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation, or custom at the time of connection.
- C. Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the Department of Public Works.

§ 185-12 Exempt Activities.

The following activities are exempt from the requirements of this Article:

- A. Discharge or flow pursuant to a valid Stormwater Management Permit issued by the Department.
- B. Discharge or flow resulting from firefighting activities.

C. The following non-stormwater discharges or flows are exempt from this Article, provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:

- (1) Waterline flushing.
- (2) Flow from potable water sources.
- (3) Natural springs.
- (4) Natural flow from riparian habitats and wetland resource areas.
- (5) Lawfully diverted stream flow.
- (6) Rising groundwater.
- (7) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20) or uncontaminated pumped groundwater, unless otherwise regulated or prohibited by the Department pursuant to regulations hereunder.
- (8) Landscape irrigation or lawn watering.
- (9) Water from individual residential car washing.
- (10) Discharge from street sweeping.
- (11) Dye testing provided notification is given to the Department prior to the time of the test.
- (12) Non-stormwater discharge permitted under a NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations.
- (13) Discharge for which advance written approval is received from the Board of Health or Conservation Commission as necessary to protect public health, safety, welfare or the environment; and
- (14) Discharge or flow that results from exigent conditions and occurs during a State of Emergency declared by any agency of the federal or state government, or by the Barnstable Town Manager, Town Council or Board of Health.

§ 185-13 Emergency Action by Department.

The Department may issue an enforcement order, or a verbal directive in an emergency to be followed by a written order, to suspend municipal storm drain system access to any person or property when such suspension is necessary to address or stop an actual or threatened discharge of pollutants that presents risk of harm to the public health, safety, welfare, or the environment. If any person fails to comply with the verbal directive or enforcement order, the Department may take all reasonable steps, at the expense of the owner, permittee or other person responsible for the discharge of pollutants, to prevent or minimize harm to the public health, safety, welfare or the environment, including without limitation entering private property to disconnect the property from the municipal storm drain system or abate a discharge of pollutants to waters of the Commonwealth.

§ 185-14 Notification of Hazardous Material Spills.

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or Waters of the Commonwealth, the person shall take all necessary steps to ensure containment and cleanup of

the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Department, local Fire District, and Barnstable Police Department.

ARTICLE III
CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT

§ 185-15 Purpose and Objectives.

- A. The purpose of this Article is to establish minimum stormwater management requirements and procedures in order to minimize damage to public and private property and infrastructure; safeguard the public health, safety, environment and general welfare; protect aquatic resources and wildlife habitat; protect the quality and health of water resources; conserve groundwater supplies; and foster climate change resiliency.
- B. This Article seeks to meet that purpose through the following objectives:
 - (1) Establish the Department as the Town department with the authority to ensure compliance with the provisions of this Article and any regulations issued hereunder through a review process, inspections, monitoring, and enforcement.
 - (2) Establish administrative procedures for: the submission, review, and approval or disapproval of Stormwater Management Permits; the inspection of approved active projects; and post construction monitoring.
 - (3) Establish decision-making processes surrounding new development and redevelopment that protect watershed integrity and preserves and/or restores the health of local water resources such as lakes, ponds, streams, rivers, wetlands, embayment's, and groundwater; and
 - (4) Ensure compliance with requirements of the NPDES General Permit for Stormwater Discharges from MS4 and other applicable federal and state mandates.

§ 185-16 Prohibited Activities.

- A. No construction activity, including clearing, grading, or excavation that results in a Disturbance of Land equal to or greater than one (1) acre of land or will disturb less than one acre of land but is part of a larger common plan of development or sale that will ultimately disturb an area equal to or greater than one (1) acre of land within the Town may commence without first obtaining a Stormwater Management Permit issued by the Department, and in accordance with any regulations promulgated hereunder by the Department.
- B. The Applicant and/or Owner is responsible for ensuring all required local, state, federal, and/or other permit or license approvals are obtained prior to commencing any Disturbance of Land activities.

§ 185-17 Exempt Activities.

The following are exempt from the requirements of this Article:

- (1) Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04, as amended.
- (2) Maintenance of existing landscaping, gardens, or lawn areas associated with a single-family dwelling.

- (3) The construction of fencing that will not substantially alter existing terrain or drainage patterns.
- (4) Normal maintenance and improvements of the Town of Barnstable publicly owned roadways and associated drainage infrastructure, as defined in Section 903-7 B. (6); and/or
- (5) Emergency repairs to any stormwater management system or feature that poses a threat to public health or safety, or as deemed necessary by a Town department or board.

§ 185-18 Waivers and Provisions for Relief.

- A. The Director may waive strict compliance with any requirement of this Article, or regulations promulgated under this Chapter, where:
 - (1) Such action is allowed by federal, state and local statutes and/or regulations.
 - (2) Is in the public interest.
 - (3) A public safety issue exists; and/or
 - (4) It is consistent with the purpose and intent of this Article.
- B. Any applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of this Article does not further the purposes or objectives of this Article. The Department may require documentation to be submitted and stamped by a Professional Engineer.

§ 185-19 Surety.

The Department may require the permittee to post before the start of Disturbance of Land or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security or financial assurance mechanism. The form of the bond or financial assurance shall be approved by the Department and be in an amount deemed sufficient by the Department to ensure that the work will be completed in accordance with the permit. If the project is phased, the Department may release part of the bond as each phase is completed in compliance with the Stormwater Management Permit, but the bond may not be fully released until the Department has received a final inspection and issued a Certificate of Completion in accordance with the regulations promulgated hereunder.”

VOTE: PASSES 12 YES AS AMENDED

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen.

Upon a motion duly made and seconded it was to refer items 2024-100 through 2024-159, as written, to individual hearings to be held on each item at the Town Council meeting on April 25, 2024.

VOTE: PASSES UNANIMOUS

Upon a motion duly made and seconded it was to refer items 2024-177 through 2024-181, as written, to individual hearings to be held on each item at the Town Council meeting on April 25, 2024.

VOTE: PASSES UNANIMOUS

2024-100 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,500,000 FOR THE FUNDING THE PIPE REPLACEMENT AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

Upon a motion duly made and seconded it was to refer item 2024-100 as written, to an individual hearing to be held at the Town Council meeting on April 25, 2024.

ORDERED: That the amount of **\$1,500,000** be appropriated for the purpose of funding the Pipe Replacement and Upgrade Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,500,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-101 APPROPRIATION ORDER IN THE AMOUNT OF \$200,000 FOR FUNDING THE WELLS, PUMP STATIONS, TREATMENT PLANT REPAIR AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO 04/04/2024

ORDERED: That the amount of **\$200,000** be appropriated for the purpose of funding the Wells, Pump Stations, Treatment Plant Repair and Upgrade Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$200,000** be provided from the Water Supply Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-102 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$35,500,000 FOR FUNDING THE STRAIGHTWAY FILTRATION PLANT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$35,500,000** be appropriated for the purpose of funding the Straightway Filtration Plant Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$35,500,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 103 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,600,000 FOR FUNDING THE MARY DUNN FILTRATION PLANT DESIGN PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$2,600,000** be appropriated for the purpose of funding the Mary Dunn Filtration Plant Design Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$2,600,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-104 APPROPRIATION ORDER IN THE AMOUNT OF \$90,000 FOR FUNDING THE SOLID WASTE TRACTOR BRUSH-MOWER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$90,000** be appropriated for the purpose of funding the Solid Waste Tractor Brush-Mower Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$90,000** be provided from the Solid Waste Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-105 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 FOR FUNDING THE SOLID WASTE SWEEPER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$50,000** be appropriated for the purpose of funding the Solid Waste Sweeper Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$50,000** be provided from the Solid Waste Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-106 APPROPRIATION ORDER IN THE AMOUNT OF \$125,000 FOR FUNDING THE SOLID WASTE COMPACTOR UNIT REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$125,000** be appropriated for the purpose of funding the Solid Waste Compactor Unit Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$125,000** be provided from the Solid Waste Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 107 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 FOR FUNDING THE SOLID WASTE CONTAINER REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$50,000** be appropriated for the purpose of funding the Solid Waste Container Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$50,000** be provided from the Solid Waste Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-108 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR FUNDING THE WATER POLLUTION CONTROL PUMP STATION REHABILITATION PROGRAM AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$1,000,000** be appropriated for the purpose of funding Water Pollution Control Pump Station Rehabilitation Program as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,000,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-109 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$600,000 FOR FUNDING THE WATER POLLUTION CONTROL EFFLUENT SAND BED VALVE REHABILITATION PROGRAM AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$600,000** be appropriated for the purpose of funding Water Pollution Control Effluent Sand Bed Valve Rehabilitation Program as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$600,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the “Trust”) and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-110 APPROPRIATION ORDER IN THE AMOUNT OF \$150,000 FOR FUNDING THE WATER POLLUTION CONTROL SYSTEM REHABILITATION EVALUATION AND DESIGN PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$150,000** be appropriated for the purpose of funding the Water Pollution Control System Rehabilitation Evaluation and Design Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$150,000** be provided from the Water Pollution Control Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 111 APPROPRIATION ORDER IN THE AMOUNT OF \$115,000 FOR FUNDING THE WATER POLLUTION CONTROL BYPASS PUMP PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$115,000** be appropriated for the purpose of funding the Water Pollution Control Bypass Pump Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$115,000** be provided from the Water Pollution Control Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-112 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$109,330,000 FOR FUNDING THE WATER POLLUTION CONTROL FACILITY UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025- FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO 04/04/2024

ORDERED: That the amount of **\$109,330,000** be appropriated for the purpose of funding the Water Pollution Control Facility Upgrades Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related

thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$109,330,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the "Trust") and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-113 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$59,650,000 FOR FUNDING THE RT. 28 WEST SEWER EXPANSION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$59,650,000** be appropriated for the purpose of funding the Rt. 28 West Sewer Expansion Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$59,650,000** under and pursuant to M.G.L. c. 44, §§7 or 8, M.G.L. c. 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town is authorized to borrow all or any portion of this appropriation from the Massachusetts Clean Water Trust (the "Trust") and that the Town Manager or the Treasurer is authorized to sign any financing agreements or project regulatory agreements relating to such borrowing from the Trust; and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-114 APPROPRIATION ORDER IN THE AMOUNT OF \$750,000 FOR FUNDING THE DESIGN OF THE LONG BEACH SEWER EXPANSION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$750,000** be appropriated for the purpose of funding the Design of the Long Beach Sewer Expansion Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$750,000** be provided from the Sewer Construction and Private Way Improvement Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 115 APPROPRIATION ORDER IN THE AMOUNT OF \$1,520,000 FOR FUNDING THE PRIVATE ROAD REPAIRS TO SCHOOL STREET AND OLD MILL ROAD PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$1,520,000** be appropriated for the purpose of funding the Private Road Repairs to School Street and Old Mill Road Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$1,520,000** be provided from the Sewer Construction and Private Way Improvement Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-116 APPROPRIATION ORDER IN THE AMOUNT OF \$2,850,000 FOR FUNDING THE PUBLIC ROADS MAINTENANCE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$2,850,000** be appropriated for the purpose of funding the Public Roads Maintenance Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$2,850,000** be provided from the Capital Trust Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-117 APPROPRIATION ORDER IN THE AMOUNT OF \$350,000 FOR FUNDING THE CURB RAMPS AND SIDEWALK ADA TRANSITION PLAN PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$350,000** be appropriated for the purpose of funding the Curb Ramps and Sidewalk ADA Transition Plan Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$350,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-118 APPROPRIATION ORDER IN THE AMOUNT OF \$135,000 FOR FUNDING THE MONITORING AND MANAGEMENT PLAN FOR FRESH WATER PONDS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$135,000** be appropriated for the purpose of funding the Monitoring and Management Plan for Fresh Water Ponds Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$135,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 119 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$685,000 FOR FUNDING THE RAISED CROSSWALKS ON MAIN ST. OSTERVILLE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$685,000** be appropriated for the purpose of funding the Raised Crosswalks on Main St. Osterville Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$685,000** 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 the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-120 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,750,000 FOR FUNDING THE CHANNEL DREDGING PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$1,750,000** be appropriated for the purpose of funding the Channel Dredging Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,750,000** 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 the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-121 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$580,000 FOR FUNDING THE BULKHEAD IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$580,000** be appropriated for the purpose of funding the Bulkhead Improvements Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$580,000** 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 the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-122 APPROPRIATION ORDER IN THE AMOUNT OF \$256,000 FOR FUNDING THE BAY SHORE BOAT RAMP PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$256,000** be appropriated for the purpose of funding the Bay Shore Boat Ramp Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$256,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 123 APPROPRIATION ORDER IN THE AMOUNT OF \$50,000 FOR FUNDING THE WEST BAY BREAKWATER PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$50,000** be appropriated for the purpose of funding the West Bay Breakwater Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$50,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-124 APPROPRIATION ORDER IN THE AMOUNT OF \$150,000 FOR FUNDING THE BLISH POINT LONG TERM SOLUTION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$150,000** be appropriated for the purpose of funding the Blish Point Long Term Solution Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$150,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-125 APPROPRIATION ORDER IN THE AMOUNT OF \$240,000 FOR FUNDING THE AUTOMATIC BEACH GATE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$240,000** be appropriated for the purpose of funding the Automatic Beach Gate Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$240,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-126 APPROPRIATION ORDER IN THE AMOUNT OF \$250,000 FOR FUNDING THE

TOWN HALL ELEVATOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$250,000** be appropriated for the purpose of funding the Town Hall Elevator Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$250,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 127 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$619,000 FOR FUNDING THE SCHOOL ADMINISTRATION BUILDING MECHANICAL UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$619,000** be appropriated for the purpose of funding the School Administration Building Mechanical Upgrades Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$619,000** 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 the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-128 APPROPRIATION ORDER IN THE AMOUNT OF \$51,000 FOR FUNDING THE MARINE AND ENVIRONMENTAL AFFAIRS BUILDING MECHANICAL UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$51,000** be appropriated for the purpose of funding the Marine and Environmental Affairs Building Mechanical Upgrades Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$51,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-129 APPROPRIATION ORDER IN THE AMOUNT OF \$72,000 FOR FUNDING THE BARNSTABLE ADULT COMMUNITY CENTER MECHANICAL UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$72,000** be appropriated for the purpose of funding the Barnstable Adult Community Center Mechanical Upgrades Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or

related thereto; and that to meet this appropriation, that **\$27,000** be provided from the General Fund Reserves and **\$45,000** be provided from Sale of Real Estate Special Revenue Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-130 APPROPRIATION ORDER IN THE AMOUNT OF \$89,000 FOR FUNDING THE OLD SELECTMAN'S BUILDING HANDICAP RAMP PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$89,000** be appropriated for the purpose of funding the Old Selectman's Building Handicap Ramp Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$89,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 131 APPROPRIATION ORDER THE AMOUNT OF \$90,300 FOR THE MOSSWOOD CEMETERY BUILDING IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$90,300** be appropriated for the purpose of funding the Mosswood Cemetery Building Improvements Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$90,300** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-132 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$618,759 FOR THE TOWN OFFICE RELOCATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$618,759** be appropriated for the purpose of funding the Town Office Relocation Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$618,759** 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 the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-133 APPROPRIATION ORDER IN THE AMOUNT OF \$370,000 FOR THE BARNSTABLE POLICE FACILITY IMPROVEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$370,000** be appropriated for the purpose of funding the Barnstable Police Facility Improvement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$370,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-134 APPROPRIATION ORDER IN THE AMOUNT OF \$359,623 FOR THE MARINE AND ENVIRONMENTAL AFFAIRS EXTERIOR RESTORATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$359,623** be appropriated for the purpose of funding the Marine and Environmental Affairs Exterior Restoration Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$359,623** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 135 APPROPRIATION ORDER IN THE AMOUNT OF \$48,000 FOR THE BARNSTABLE ADULT COMMUNITY CENTER EXTERIOR RESTORATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$48,000** be appropriated for the purpose of funding the Barnstable Adult Community Center Exterior Restoration Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$48,000** be provided from the Sale of Real Estate Special Revenue Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-136 APPROPRIATION ORDER IN THE AMOUNT OF \$300,000 FOR THE HYANNIS YOUTH AND COMMUNITY CENTER MECHANICAL IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$300,000** be appropriated for the purpose of funding the Hyannis Youth and Community Center Mechanical improvements Project as outlined in the

Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$300,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

**2024-137 APPROPRIATION ORDER IN THE AMOUNT OF \$285,059 FOR THE HYANNIS YOUTH AND COMMUNITY CENTER SECURITY SYSTEM PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO:
04/04/2024**

ORDERED: That the amount of **\$285,059** be appropriated for the purpose of funding the Hyannis Youth and Community Center Security System Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$285,059** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

**2024-138 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,950,000 FOR THE HYANNIS GOLF COURSE CLUB HOUSE RESTORATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025- FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO:
04/04/2024**

ORDERED: That the amount of **\$2,950,000** be appropriated for the purpose of funding the Hyannis Golf Course Club House Restoration Project as outlined in the Fiscal Year 2025- Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$2,950,000** 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 the Town Manager is authorized to contract for and expend the appropriation made available for these purposes, and further that the amount received from any insurance settlement reduce the appropriation and amount authorized to borrow under this order.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

**2024- 139 APPROPRIATION ORDER IN THE AMOUNT OF \$305,000 FOR THE JOSHUA POND HANDICAP ACCESSIBILITY AND BEACH IMPROVEMENT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO:
04/04/2024**

ORDERED: That the amount of **\$305,000** be appropriated for the purpose of funding the Joshua Pond Handicap Accessibility and Beach Improvement as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$305,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-140 APPROPRIATION ORDER IN THE AMOUNT OF \$243,000 FOR THE CENTERVILLE RECREATION MECHANICAL IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$243,000** be appropriated for the purpose of funding the Centerville Recreation Mechanical Improvements Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$243,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-141 APPROPRIATION ORDER IN THE AMOUNT OF \$175,000 FOR THE NETWORK INFRASTRUCTURE UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$175,000** be appropriated for the purpose of funding the Network Infrastructure Upgrade Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$175,000** be provided from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-142 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$900,000 FOR THE BARNSTABLE COMMUNITY INNOVATION SCHOOL ELEVATOR INSTALLATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2024 – FISCAL YEAR 2028 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$900,000** be appropriated for the purpose of funding the Barnstable Community Innovation School Elevator Installation Project as outlined in the Fiscal Year 2024 – Fiscal Year 2028 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$900,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-143 APPROPRIATION ORDER IN THE AMOUNT OF \$550,000 FOR THE PLAYGROUND SAFETY PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$550,000** be appropriated for the purpose of funding the Playground Safety Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$550,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-144 APPROPRIATION ORDER IN THE AMOUNT OF \$85,000 FOR THE PAGING SYSTEM UPGRADE AT HYANNIS WEST ELEMENTARY SCHOOL AND ENOCH COBB EARLY LEARNING CENTER PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$85,000** be appropriated for the purpose of funding the Paging System Upgrade at Hyannis West Elementary School and Enoch Cobb Early Learning Center Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$85,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-145 APPROPRIATION ORDER IN THE AMOUNT OF \$344,000 FOR THE BARNSTABLE INTERMEDIATE SCHOOL EXTERIOR DOOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$344,000** be appropriated for the purpose of funding the Barnstable Intermediate School Exterior Door Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$344,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-146 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$3,353,700 FOR THE UNIT VENTILATOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$3,353,700** be appropriated for the purpose of funding the Unit Ventilator Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$3,353,700** 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 the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-147 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$650,000 FOR THE AUDITORIUM RTU REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$650,000** be appropriated for the purpose of funding the Auditorium RTU Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$650,000** 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 the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-148 APPROPRIATION ORDER IN THE AMOUNT OF \$78,000 FOR THE HYANNIS WEST PARKING PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$78,000** be appropriated for the purpose of funding the Hyannis West Parking Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to fund this appropriation that **\$78,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-149 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$757,700 FOR THE BARNSTABLE INTERMEDIATE SCHOOL NETWORK BASED PUBLIC ADDRESS SYSTEM PROJECT AS OUTLINED IN THE FY 2025 - FY 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$757,700** be appropriated for the purpose of funding the Barnstable Intermediate School Network Based Public Address System Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$757,700** 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 the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-150 APPROPRIATION ORDER IN THE AMOUNT OF \$160,000 FOR THE HYANNIS WEST LOCKER ROOM RENOVATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$160,000** be appropriated for the purpose of funding the Hyannis West Locker Room Renovation Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$160,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-151 APPROPRIATION ORDER IN THE AMOUNT OF \$200,000 FOR THE PLUMBING FIXTURE REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$200,000** be appropriated for the purpose of funding the Plumbing Fixture Replacement Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$200,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-152 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,110,000 FOR THE BARNSTABLE HIGH SCHOOL BATHROOM RENOVATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN Intro: 04/04/2024 Intro: 04/04/2024

ORDERED: That the amount of **\$1,110,000** be appropriated for the purpose of funding the Barnstable high School Bathroom Renovation Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,110,000** 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 the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-153 APPROPRIATION ORDER IN THE AMOUNT OF \$350,000 FOR THE BARNSTABLE HIGH SCHOOL ROOF REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$350,000** be appropriated for the purpose of funding the Barnstable High School Roof Replacement Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related

thereto; and that to meet this appropriation, that **\$350,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-154 APPROPRIATION ORDER IN THE AMOUNT OF \$63,800 FOR THE BARNSTABLE UNITED ELEMENTARY SCHOOL LIBRARY CARPET REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 – FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$63,800** be appropriated for the purpose of funding the Barnstable United Elementary School Library Carpet Replacement Project as outlined in the Fiscal Year 2025 – Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$63,800** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 155 APPROPRIATION ORDER IN THE AMOUNT OF \$318,000 FOR THE HYANNIS WEST BATHROOM RENOVATIONS PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$318,000** be appropriated for the purpose of funding the Hyannis West Bathroom Renovations Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$318,000** be provided from the General Fund Reserves; and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-156 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR THE HVAC DIRECT DIGITAL CONTROL REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$1,000,000** be appropriated for the purpose of funding the HVAC Direct digital Control Replacement Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,000,000** under and pursuant to M.G.L. c. 44, §§7 or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-157 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$2,082,400 FOR THE HVAC UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$2,082,400** be appropriated for the purpose of funding the HVAC Upgrades Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$104,120** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,978,280** 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 the Cape Cod Gateway Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-2024-158 APPROPRIATION ORDER IN THE AMOUNT OF \$1,500,000 FOR THE TERMINAL OPTIMIZATION PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$1,500,000** be appropriated for the purpose of funding the Terminal Optimization Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$1,500,000** be provided from the Airport Enterprise Fund reserves; and that the Cape Cod Gateway Airport Commission is authorized to contract for and expend the appropriation made available for these purposes.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 159 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$550,000 FOR THE ELECTRIC AIRCRAFT CHARGING FACILITY PROJECT AS OUTLINED IN THE FISCAL YEAR 2025 - FISCAL YEAR 2029 CAPITAL IMPROVEMENT PLAN INTRO: 04/04/2024

ORDERED: That the amount of **\$550,000** be appropriated for the purpose of funding the Electric Aircraft Charging Facility Project as outlined in the Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$27,500** be provided from the Airport Enterprise Fund surplus, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$522,500** 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 the Cape Cod Gateway Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and to accept any gifts or grants in relation thereto.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-177 FISCAL YEAR 2024 SUPPLEMENTAL APPROPRIATION ORDER FOR THE OPERATING BUDGET OF THE TOWN CLERK IN THE AMOUNT OF \$35,000 FOR THE PURPOSE OF COVERING ELECTION COSTS INTRO: 04/04/2024

ORDERED: That the amount of **\$35,000** be appropriated from the General Fund Reserves and added to the Fiscal Year 2024 Town Clerk Operating Budget to pay for costs associated with conducting elections.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-178 ORDER AMENDING CHAPTER 183 OF THE GENERAL ORDINANCES TO PROVIDE THE MAXIMUM PROPERTY TAX WORK-OFF AMOUNT FOR SENIORS AND VETERANS AUTHORIZED BY STATE LAW INTRO: 04/04/2024

ORDERED: That Chapter 183 of the General Ordinances, Part I, of the Code of the Town of Barnstable is hereby amended as follows:

- A. By inserting the words “and Veteran” in the heading so that it reads “Senior Citizen and Veteran Property Tax Work-Off Abatement Program”; and
- B. By striking out in Section 183-1 the words “the maximum amount of \$1,500 yearly” and inserting the following in their place: “the maximum yearly amount authorized by MGL c. 59, § 5K and MGL c. 59 § 5N, respectively”.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-179 APPROPRIATION ORDER IN THE AMOUNT OF \$15,000 TO FUND A FINFISH AND SHELLFISH SURVEY PROJECT IN BARNSTABLE HARBOR INTRO: 04/04/2024

ORDERED: That the amount of **\$15,000** be appropriated from the General Fund reserves for the purpose of funding a Finfish and Shellfish Survey in Barnstable Harbor.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024- 180 FISCAL YEAR 2024 SUPPLEMENTAL APPROPRIATION ORDER FOR THE OPERATING BUDGET OF THE INFORMATION TECHNOLOGY DEPARTMENT IN THE AMOUNT OF \$203,000 FOR THE PURPOSE OF MIGRATING AND HOSTING THE TOWN’S MUNIS ENTERPRISE RESOURCE PLANNING SYSTEM ON THE INTERNET INTRO: 04/04/2024

ORDERED: That the amount of **\$203,000** be appropriated from the General Fund Reserves and added to the Fiscal Year 2024 Information Technology Department Operating Budget to pay for costs associated with migrating and hosting the Town’s MUNIS Enterprise Resource Planning System to a cloud-based system.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

2024-181 FISCAL YEAR 2024 SUPPLEMENTAL APPROPRIATION ORDER FOR THE OPERATING BUDGET OF THE INFORMATION TECHNOLOGY DEPARTMENT IN THE AMOUNT OF \$135,500 FOR THE PURPOSE OF INSTALLING AND MAINTAINING A RUBRIK SECURE BACKUP APPLIANCE INTRO: 04/04/2024

ORDERED: That the amount of **\$135,500** be appropriated from the General Fund Reserves and added to the Fiscal Year 2024 Information Technology Department Operating Budget to pay for costs associated with installing and maintaining a Rubrik Secure Backup Appliance.

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES 12 YES

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

Jump to agenda item 2024-074

2024-174 APPOINTMENT TO A BOARD/COMMITTEE/COMMISSION INTRO: 04/04/2024

Councilor Ludtke recused herself and left the dais.

RESOLVED: That the Town Council appoints the following individual to a multiple-member Board/Committee/Commission: **Council on Aging:** Charles Coyle, as a regular member, to a term expiring 06/30/2025; Maureen Hughes, as an alternate member, to a term expiring 06/30/2026; **Historical Commission:** Robert Frazee from an alternate member to a full member to a term expiring 06/30/2026; **Licensing Authority:** Larry Decker from an alternate member to a full member position to a term expiring 06/30/2026; **Sandy Neck Board:** Richards French, as a regular member to a term expiring 06/30/2024; **Youth Commission:** Nate Ludtke, as a student member to a term expiring 06/30/2025

VOTE: TO A PUBLIC HEARING ON 4-25-2024 PASSES UNANIMOUS

2024-175 AUTHORIZATION TO EXPEND A FEDERAL FISCAL YEAR 2023 EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE AMOUNT OF \$20,150 FROM THE MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY INTRO: 04/04/2024

Police Chief Jean Challies gave the rationale.

RESOLVED: That the Town Council does hereby authorize the Town Manager to contract for and expend a Federal Fiscal Year 2023 Emergency Management Performance Grant in the amount of **\$20,150** from the Massachusetts Emergency Management Agency for the purpose of funding the purchase of two APX 8000 All Band Model 2.5 Portable Tri-Band Radios.

VOTE: PASSES UNANIMOUS

2024-176 TRANSFER ORDER IN THE AMOUNT OF \$57,845 FOR TECHNICAL SERVICES, MONITORING, AND CLEANUP ACTIVITIES THAT RESULTED FROM THE IMPROPER DISPOSAL OF OIL ON LAFRANCE AVENUE IN HYANNIS INTRO: 04/04/2024

Dan Santos, Director of Public Works gave the rationale.

ORDERED: That the amount of **\$57,845** be transferred from the Fiscal Year 2024 Public Works Department Personnel Budget to the Fiscal Year 2024 Public Works Department Operating Expense Budget for the purpose of paying for technical services, monitoring, and cleanup activities that resulted from the improper disposal of oil on LaFrance Avenue in Hyannis.

VOTE: PASSES UNANIMOUS

2024-182 RESOLVE APPOINTING MICHAEL WHITE TO THE REGIONAL DISTRICT SCHOOL COMMITTEE FOR THE CAPE COD REGIONAL TECHNICAL HIGH SCHOOL DISTRICT INTRO: 04/04/2024

RESOLVED: Upon the recommendation of the Town Manager, the Town Council does hereby appoint Michael White, a resident of Hyannis, to serve as a member of the Regional District School Committee for the Cape Cod Regional Technical High School District for a term of three years.

VOTE: PASSES UNANIMOUS

President Penn invited Michael White to the podium. (White) mentioned he was a graduate of Cape Cod Tech 2008 after which he opened his own business. He felt he owed his success to his school. He gives quite a bit of his time to the school in thanks for where he is in life.

VOTE: TO GO PAST 110'CLOCK PM - PASSES UNANIMOUS

A MOTION WAS MADE AND DULY SECONDED TO CONVENE IN EXECUTIVE SESSION AND NOT TO RECONVENE AS FOLLOWS: THE TOWN COUNCIL MAY VOTE TO GO INTO EXECUTIVE SESSION PURSUANT TO G.L. C. 30A, SEC. 21(A)(3) TO DISCUSS STRATEGY WITH RESPECT TO LITIGATION SINCE A DISCUSSION IN OPEN SESSION MAY HAVE A DETRIMENTAL EFFECT ON THE LITIGATING POSITION OF THE TOWN AND TOWN COUNCIL. SPECIFICALLY, THE COUNCIL WILL DISCUSS LITIGATION STRATEGY WITH RESPECT TO PARK CITY WIND LLC'S PROPOSED OFFSHORE RENEWABLE WIND PROJECT IN THE TOWN. THE COUNCIL WILL NOT RETURN TO PUBLIC SESSION AFTER THE EXECUTIVE SESSION.

VOTE: PASSES 12 YES.

ROLL CALL: Bloom, Clark, Crow, Levesque, Ludtke, Mendes, Neary, Penn, Schnepf, Starr, Tamash, Terkelsen

Adjourned at 10:44 PM

Respectfully submitted,

Janet E. Murphy
Assistant Town Clerk

NEXT MEETING: April 25, 2024

Exhibits

A. Town Manager update