



Town of Barnstable
Town Council
James H. Crocker Jr. Hearing Room
367 Main Street, 2nd floor,
Hyannis, MA 02601
Office 508.862.4738 • Fax 508.862.4770
E-mail : council@town.barnstable.ma.us

TOWN COUNCIL MEETING AGENDA

March 07, 2024

6:00 pm

The March 07, 2024 Meeting of the Barnstable Town Council shall be conducted in person at 367 Main Street 2nd Floor James H. Crocker Jr. Hearing Room, Hyannis, MA. The public may attend in person or participate remotely in Public Comment or during a Public Hearing via the Zoom link listed below.

Councillors:

Felicia Penn
President
Precinct 13

Craig Tamash
Vice President
Precinct 4

Gordon Starr
Precinct 1

Dr. Kristin Terkelsen
Precinct 2

Betty Ludtke
Precinct 3

John Crow
Precinct 5

Paul C. Neary
Precinct 6

Seth Burdick
Precinct 7

Jeffrey Mendes
Precinct 8

Charles Bloom
Precinct 9

Matthew P. Levesque
Precinct 10

Kris Clark
Precinct 11

Paula Schnepf
Precinct 12

1. The meeting will be televised live via Xfinity Channel 8 or 1070 or High-Definition Channel 1072 or may be accessed via the Government Access Channel live stream on the Town of Barnstable's website:

<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

2. Written Comments may be submitted to: <https://tobweb.town.barnstable.ma.us/boardscommittees/towncouncil/TownCouncil/Agenda-Comment.asp>

3. Remote Participation: The public may participate in Public Comment or Public Hearings by utilizing the Zoom video link or telephone number and access meeting code:

Join Zoom Meeting <https://townofbarnstable-us.zoom.us/j/84801002694> Meeting ID: 848 0100 2694
US Toll-free • 1-888 475 4499

PUBLIC SESSION

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF SILENCE

4. PUBLIC COMMENT

5. COUNCIL RESPONSE TO PUBLIC COMMENT

6. TOWN MANAGER COMMUNICATIONS (Pre-Recorded)

7. ACT ON PUBLIC SESSION MINUTES

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

9. ORDERS OF THE DAY

A. Old Business

B. New Business

10. WORKSHOP DISCUSSION - Private Roads - Mark S. Ells, Town Manager

11. ADJOURNMENT

Administrator:
Cynthia A. Lovell
Cynthia.lovell@town.barnstable.ma.us

NEXT REGULAR MEETING: March 21, 2024

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A. OLD BUSINESS		
2024-093	Appropriation and Loan Order in the amount of \$30,900,000 for the purpose of funding sewer infrastructure improvements. (Public Hearing) (Roll Call 2/3 Full Council)	3-5
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2024-099	Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 1 General Provisions, Article I Noncriminal Enforcement of Violations (Public Hearing) (Roll Call Majority)	8-11
2024-161	Supplemental Appropriation Order for Fiscal Year 2024 Barnstable Police Department in the amount of \$35,000 to fund consulting services and overtime costs for the purpose of exploring the removal of the Barnstable Police Department from Civil Service (Public Hearing) (Roll Call Majority Full Council)	12-13
B. NEW BUSINESS		
2024-166	Resolve establishing certain Ad Hoc Advisory Committees (May be acted upon) (Majority Vote)	14-16

Please Note: The lists of matters are those reasonably anticipated by the Council President which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may be discussed to the extent permitted by law. It is possible that if it votes, the Council may go into executive session. The Council may also act on items in an order other than as they appear on this agenda. Persons interested are advised that in the event any matter taken up at the meeting remains unfinished at the close of the meeting, it may be continued to a future meeting, and with proper notice.

A. OLD BUSINESS (Public Hearing) (Roll Call 2/3 Full Council)

BARNSTABLE TOWN COUNCIL

ITEM# 2024-093

INTRO: 01/18/2024, 02/01/2024, 03/07/2024

2024-093 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$30,900,000 FOR THE PURPOSE OF FUNDING SEWER INFRASTRUCTURE IMPROVEMENTS

ORDERED: That the amount of **\$30,900,000** be appropriated for the purpose of funding Sewer Infrastructure Improvements, 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 **\$30,900,000** 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; and furthermore, that the appropriation and corresponding loan order authorized under Town Council Order 2023-087 is hereby rescinded.

SPONSOR: Mark S. Ells, Town Manager

DATE ACTION TAKEN

01/18/2024 Refer to Public Hearing 02/01/2024

02/01/2024 Opened and continued Public Hearing until 03/07/2024

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

BARNSTABLE TOWN COUNCIL

ITEM# 2024-093

INTRO: 01/18/2024, 02/01/2024, 03/07/2024

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: January 11, 2024
SUBJECT: Appropriation and Loan Order in the amount of **\$30,900,000** for the purpose of funding sewer infrastructure improvements

RATIONALE: The Town continues to advance implementation of sewer expansion as identified in the Comprehensive Wastewater Management Plan. On December 16, 2021, the Town Council voted to approve design funds for sewer expansion along the Park City Wind Project Route, inclusive of the Mothers Park Area, with the intent of coordinating sewer construction with the wind project in order to minimize construction impacts and realize savings associated with the wind developer’s responsibility to pave the roadways upon project completion. At the same Town Council meeting, design funds were appropriated for the sewer expansion project identified as the Route 28 West Project, which would install the “backbone” of the westerly sewer expansion within Route 28 from Phinney’s Lane to Route 149. These project designs have been advanced in parallel.

Sewer expansion along the Park City Wind Route (referred to as the Centerville Village Sewer Expansion Project) is listed on the 2023 State Revolving Fund (SRF) Intended Use Plan (IUP) and has been scheduled to commence construction in the Fall of 2024. The Route 28 West Project has been listed on the 2024 Draft SRF IUP and has been scheduled to commence construction in the Fall of 2025. Principal subsidies through the Cape and Island Water Protection Fund are provided to projects listed on the SRF IUP. These subsidies are anticipated to be 25% for 2023 IUP projects and potentially less for 2024 IUP projects. Given the uncertainty of the Park City Wind Project schedule and in order to leverage 2023 SRF funding and the associated principal subsidies (Cape and Island Water Protection Fund subsidy anticipated to be 25% for 2023 projects potentially less for 2024 project), DPW has developed a hybrid project, referred to as the “Centerville Village Sewer Expansion – North Phase”, which would commence construction in the Fall of 2024. The scope of this hybrid project include:

- New sewers on Route 28 from Phinney’s Lane to Old Stage Road
- New sewers on Old Stage Road from Route 28 to Shootflying Hill Road
- New sewers on Shootflying Hill Road from Old Stage Road to Service Road
- New sewers on Phinney’s Lane from Route 28 to Main Street, Centerville
- 3 new sewer pump stations located at:
 - 567 Shootflying Hill Road (Town owned parcel)
 - 944 Shootflying Hill Road (sewer easement, Town Council Order 2024-085)
 - Mother’s Park Road

The project will include surface restoration of all roadways which receive new sewers. However, this request does not include the cost of final paving of Old Stage Road and Shootflying Hill Road as it has been assumed that this would be completed by the wind developer upon completion of the Park City Wind project, as required by the Host Community Agreement. Paving of these roads has been estimated

at \$1,000,000. If Park City Wind does not proceed, or does not proceed on an acceptable schedule, resurfacing of these roads would require a supplemental appropriation or funding from other sources.

DPW will continue to advance the design of the southern portion of the Centerville Village Sewer Expansion Project, which will be referred to as “Centerville Village Sewer Expansion – South Phase” as a separate independent project. It is anticipated that this project will be brought forward as a supplemental appropriation when there is more certainty surrounding the Park City Wind Project’s schedule. By doing so, utility construction along the southern portion of the project route, specifically within the historic Main Street, Centerville Village section of the projects, can be more closely coordinated in order to minimize impact and the duration of construction.

FINANCIAL IMPACT: The financing of this project will be provided by a borrowing from the State Revolving Loan Fund. The subsequent payback of the loan will be included in future annual operating budgets with the revenue source for the loan payback being the dedicated resources within the Sewer Construction and Private Way Improvement Fund. Accounting for the anticipated 25% principal subsidy from the Cape Cod and Islands Water Protection Fund and the anticipated low financing rate through the revolving loan fund, the estimated annual loan payment is approximately \$1,020,000 for 30 years.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends approval of this Appropriation and Loan Order.

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2024-096
INTRO: 02/15/2024, 03/07/2024

2024-096 APPROPRIATION ORDER IN THE AMOUNT OF \$500,000 TO FUND DISPOSAL COSTS OF THE SOLID WASTE DIVISION OF THE DEPARTMENT OF PUBLIC WORKS

ORDERED: That the amount of **\$500,000** be appropriated from the Solid Waste Enterprise Fund reserves for the purpose of funding disposal costs of the Solid Waste Division.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>02/15/2024</u>	<u>Refer to Public Hearing 03/07/2024</u>

- _____ Read Item
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2024-096

INTRO: 02/15/2024, 03/07/2024

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: February 15, 2024
SUBJECT: Appropriation Order in the amount of **\$500,000** to fund disposal costs of the Solid Waste Division of the Department of Public Works

BACKGROUND: The Solid Waste Division operates the Transfer Station & Recycling Center. The services provided at the Transfer Station are funded by fees charged to users and sticker holders. These fees are used to cover the costs associated with operating and disposing of items accepted from users and sticker holders. The appropriated budget is calculated using estimated material totals and expected disposal costs. Changes to activity levels can impact the budget in various ways. In Fiscal Year 2024, the Transfer Station experienced increases to the amount of hard to recycle items, and construction & demolition material disposed of at the facility. This unexpected increase has significantly increased the cost of disposal incurred by the Solid Waste Division.

ANALYSIS: Preparation of the Solid Waste Division budget for Fiscal Year 2024 did anticipate increases to material being disposed. The Solid Waste Division charges fees for disposal of a multitude of items and offers stickers for a fee to residents. The fees charged are calculated to cover the costs of disposal for materials dropped off at the facility. Due to the increase in materials disposed of at the facility, we are experiencing an increase in the associated revenue, which is expected to cover the increase in disposal costs.

FISCAL IMPACT: There are adequate cash reserves to cover the cost of this appropriation. Current certified cash reserves are \$1,904,664. The reserves used to fund this appropriation will be replenished at the close of fiscal year 2024 as revenue is higher than budget estimates due to the increase in activity levels.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends favorable action by the Town Council.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Tracy Regazio, Solid Waste Division Supervisor

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

BARNSTABLE TOWN COUNCIL

ITEM# 2024-099
INTRO: 02/15/2024, 03/07/2024

**2024-099 AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I
GENERAL ORDINANCES, CHAPTER 1 GENERAL PROVISIONS, ARTICLE I
NONCRIMINAL ENFORCEMENT OF VIOLATIONS**

ORDERED: That the Code of the Town of Barnstable, Part I General Ordinances, Chapter 1 General Provisions, Article I Noncriminal Enforcement of Violations, be amended by striking Section 1-5 in its entirety and inserting the following new Section 1-5 in its place:

“§1-5. Fines for violations of Town Manager’s regulations.

Offense	Fine
Herring Regulations	
Taking herring or alewives on a closed day	\$100
Failure to remove fish caught	\$100
Obstructing passage of herring or alewives	\$100
Shellfishing Rules and Regulations	
Shellfishing without a valid permit	\$200
Taking of shellfish during a closed season	\$100
Taking of shellfish on a closed day	\$100
Removing shell from shellfish before coming ashore	\$75
Taking shellfish in excess of family weekly limit	\$100
Taking sea worms on a Saturday	\$15
Taking sea worms in excess of 100 per family per week	\$15
Selling shellfish, sea worms or eels with a family permit	\$75
Failure to visibly display permit while shellfishing	\$15
Transfer of family permit	\$75
Shellfishing under 12 years old without licensed adult	\$15
Shellfishing in closed area	\$100
Damaging public and/or private culturing gear in a closed area	\$100
Taking shellfish in excess of commercial daily limit	\$300
More than five commercial permits per boat	\$75
Commercial possession of more than 5% seed per batch of shellfish	\$300
Recreational possession of more than 5% seed per batch of shellfish	\$100
Taking scallops without a well-defined annual growth ring	\$75
Using other than tools permitted for shellfishing	\$75
Use of scallop dredge in excess of 32 inches width	\$75
Dredging scallops in air temperature below 28°F.	\$15

Diving for shellfish without displaying proper flag	\$75
Taking of shellfish from any shellfish grant	\$300
Shellfishing during nighttime hours as defined	\$300

Offense **Fine**

Dog Regulations

Failure to license a dog	\$50
Failure to license a dog after 30-day notification	\$75
Restriction on number of dogs	\$25
Failure to obtain or keep Kennel license	\$100
Operating a Kennel on a revoked license	\$50
Dog at large (leash law violation)	
First offense	\$25
Second offense	\$50
Nuisances committed by dogs	\$20
Dogs on beaches and recreational areas	
First offense	\$25
Second offense	\$50
Dog Park violations	\$25
Barking dogs	
First offense	\$25
Second offense	\$50
Failure to vaccinate for rabies	\$50
Failure to vaccinate for rabies after 30-day notification	\$75
Failure to comply with quarantine	\$200
Failure to comply with Town Manager’s order	\$200”

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>02/15/2024</u>	<u>Refer to Public Hearing 03/07/2024</u>

-
- _____ Read Item
 - _____ Rationale
 - _____ Public Hearing
 - _____ Close Public Hearing
 - _____ Council Discussion
 - _____ Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2024-099
INTRO: 02/15/2024, 03/07/2024

SUMMARY

TO: Town Council
THROUGH: Mark S. Ells, Town Manager
FROM: Derek Lawson, Director of Marine and Environmental Affairs
DATE: February 15, 2024
SUBJECT: Amending the Code of the Town of Barnstable, Part I General Ordinances, Chapter 1 General Provisions, Article I Noncriminal Enforcement of Violations

BACKGROUND: The Town Ordinances, as they pertain to fines for violations of the Herring, Shellfish and Dog Control regulations, are outdated. Staff has reviewed other Cape Cod towns and are proposing to adjust our fines to be more in line with our neighbors.

RATIONALE: Proposed fine changes reflect the need for increased monetary fines for more frequent offenses. Shellfish violations that are becoming more frequent include harvesting shellfish without a permit, harvesting during a closed season and harvesting during a closed day of the week. Further, the taking of shellfish from a private grant is a serious offense and, as such, deserves a significant fine. With regards to Dog Control, we are proposing a two-level approach for first and second offenses of dogs off leash, barking dogs and dogs on beaches and recreation areas violations. The proposed changes are set forth below.

Shellfish Changes

Offense	Fine
Herring Regulations	
Taking herring or alewives on a closed day	\$50 \$100
Failure to remove fish caught	\$50 \$100
Obstructing passage of herring or alewives	\$100

Shellfishing Rules and Regulations

Shellfishing without a valid permit	\$50 \$200
Taking of shellfish during a closed season	\$50 \$100
Taking of shellfish on a closed day	\$75 \$100
Removing shell from shellfish before coming ashore	\$75
Taking shellfish in excess of family weekly limit or the amount allowed on a special family permit	\$75 \$100
Taking scallops in excess of family weekly limit	\$75
Taking scallops in other than designated area	\$75
Taking sea worms on a Saturday	\$15
Taking sea worms in excess of 100 per family per week	\$15
Selling shellfish, sea worms or eels with a family permit	\$75
Failure to visibly display permit while shellfishing	\$15
Transfer of family permit	\$75
Shellfishing under 12 years old without licensed adult	\$15
Shellfishing in closed area and/or damaging public and/or private culturing gear in a closed area	\$100
Taking shellfish in excess of commercial daily limit	\$300

More than five commercial permits per boat	\$75
Possession of more than 5% seed per batch of shellfish	\$300
Commercial possession of more than 5% seed per batch of shellfish	\$300
Recreational possession of more than 5% seed per batch of shellfish	\$100
Taking scallops without a well-defined annual growth ring	\$25 \$75
Using other than tools permitted for shellfishing	\$75
Use of scallop dredge in excess of 32 inches width	\$75
Dredging scallops in air temperature below 28°F.	\$15
Diving for shellfish without displaying proper flag	\$75
Taking of shellfish from any shellfish grant	\$100 \$300
Shellfishing during nighttime hours as defined	\$300

Rationale- Proposed fine changes reflect need for increased monetary fines for more frequent offenses within the ever-growing recreational fishery, a lessened fine for the most frequently violated regulation within the recreational fishery that is more likely to lead to someone being found “responsible” in a magistrate’s hearing and addresses need to remove some outdated regulations. Fine increase for theft of an aquaculture licensed site. Addition of destruction of shellfish habitat so the fine for the violation, recreational or commercial, can be removed from §407-8-I and §407-15-H.

Dog Regulations

Offense	Fine
Violations of dog regulations	\$50
Failure to license a dog	\$50
Failure to license a dog after 30 day notification	\$75
Restriction on number of dogs	\$25
Failure to obtain or keep Kennel license	\$100
Operating a Kennel on a revoked license	\$50
Dog at large (leash law violation)	
First offense	\$25
Second offense	\$50
Nuisances committed by dogs	\$20
Dogs on beaches and recreational areas	
First offense	\$25
Second offense	\$50
Dog Park violations	\$25
Dog Park parking violation	\$40
Barking dogs	
First offense	\$25
Second offense	\$50
Failure to vaccinate for rabies	\$50
Failure to vaccinate for rabies after 30 day notification	\$75
Failure to comply with quarantine	\$200
Failure to comply with Town Manager’s order	\$200

Rationale- Proposed fine changes reflect the need for increased monetary fines for more frequent offenses by dog owners/keepers.

FISCAL IMPACT: There will be a minimal increase in revenue as fines for violations will increase. This is not proposed as a revenue raising effort but as a measure to encourage compliance.

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

STAFF ASSISTANCE: Charlie Lewis, Senior Animal Control Officer; Amy Croteau, Shellfish Constable/Senior Natural Resource Officer; Nina Coleman, Director of Natural Resources

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

BARNSTABLE TOWN COUNCIL

**ITEM# 2024-161
INTRO: 02/15/2024, 03/07/2024**

**2024-161 SUPPLEMENTAL APPROPRIATION ORDER FOR FISCAL YEAR 2024
BARNSTABLE POLICE DEPARTMENT IN THE AMOUNT OF \$35,000 TO
FUND CONSULTING SERVICES AND OVERTIME COSTS FOR THE
PURPOSE OF EXPLORING THE REMOVAL OF THE BARNSTABLE POLICE
DEPARTMENT FROM CIVIL SERVICE**

ORDERED: That the amount of **\$35,000** be appropriated from the General Fund reserves to pay for consulting services and overtime costs for the purpose of exploring the removal of the Barnstable Police Department from the Civil Service.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>02/15/2024</u>	<u>Refer to Public Hearing 03/07/2024</u>

-
- Read Item
 - Rationale
 - Public Hearing
 - Close Public Hearing
 - Council Discussion
 - Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2024-161
INTRO: 02/15/2024, 03/07/2024

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
DATE: February 15, 2024
SUBJECT: Supplemental Appropriation Order for Fiscal Year 2024 Barnstable Police Department in the amount of **\$35,000** to fund consulting services and overtime costs for the purpose of exploring the removal of the Barnstable Police Department from Civil Service

BACKGROUND: In 1937, the Barnstable Town Meeting voted to place certain departments, including the Police Department, under the Commonwealth of Massachusetts Civil Service Program. Pursuant to the Town Charter adopted in 1989 changing the Town's form of government, special legislation was filed with and enacted by the Legislature which provided that civil service coverage was not extended beyond the coverage already in place.

ANALYSIS: After lengthy discussions with the Police Department and the two Police Unions, the decision has been made to explore the possibility of removing the Barnstable Police Department from Civil Service. This appropriation order in the amount of \$35,000 will cover the costs associated with the internal Police Department working groups that will be formed to work with their union representatives and the outside consulting/legal services that will be needed to assist with the process. It is anticipated that upon completion of this process, an item will be brought before the Town Council to request removal of the sworn members of the Barnstable Police Department from the Civil Service.

FISCAL IMPACT: This appropriation is a one-time budget request and will not be added to the Barnstable Police Department's Fiscal Year 2025 base Operating Budget. Funding for this appropriation is recommended to be provided from the General Fund Reserves which have a current balance of \$29,148,778.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager, recommends favorable action by the Town Council.

STAFF ASSISTANCE: Willian Cole, Director of Human Resources; Karen L. Nober, Town Attorney

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

BARNSTABLE TOWN COUNCIL

ITEM# 2024-166
INTRO: 03/07/2024

2024-166 RESOLVE ESTABLISHING CERTAIN AD HOC ADVISORY COMMITTEES

RESOLVED: That, in accordance with Section 241-8 of Chapter 241 of the Town Administrative Code, the Town Council does hereby establish the ad hoc advisory committees listed below to assist the Town Council in carrying out the Council’s responsibilities. The committees shall be limited to the purposes noted below and shall serve only for the specified time periods; provided that the time periods may be extended by the Town Council President at the request of a committee chair if additional time is needed to complete the work of the committee. In accordance with Town Council Rule 11A, the President of the Council shall designate the members of these committees, as further described below. Committees shall have an odd number of members. The committees shall be subject to and shall comply with the Open Meeting Law. All committee meetings shall include a period for public comment. The committee chairs shall provide regular reports to the Town Council at Town Council meetings.

- **Committee to Review Town Council Rules and the Town Code**
Members: 5 Councilors
Purpose: Work closely with the Town’s Legal staff to review the documents to ensure consistency with existing process and practices and recommend revisions to the Council.
Time Period: Complete work and make recommendations to the Council by October 31, 2024.
- **Committee to Review the Purpose, Composition, Functionality and Effectiveness of the Standing Committees of the Town**
Members: 5 Councilors
Purpose: Work with Town staff to review the standing committees of the Town, particularly advisory committees, to determine their effectiveness and whether there is a current need for such committees.
Time Period: Complete work and make recommendations to the Council by March 31, 2025.
- **Committee to Review and Assess Zoning and Review the Town’s Use of Regulatory Agreements**
Members: 5 Councilors and may include up to 4 registered voters in the Town (provided that the total membership shall be an odd number)
Purpose: Work with the Town’s Planning & Development staff to review and reassess recently adopted zoning changes, review the Town’s use of regulatory agreements, and make recommendations to the Council.
Time Period: Complete work and make recommendations to the Council by October 31, 2024.
- **Committee to Assess and Recommend Strategies for Housing Creation Within the Town**
Members: 5 Councilors; may include member from the Planning Board, 1 member from the Housing Committee and 1 member from the Comprehensive Financial Advisory Committee; may include up to 3 registered voters in the Town (provided that the total membership shall be an odd number)

Purpose: Recommend strategies for the creation of housing to serve year-round residents and seasonal workers. The committee shall review the Cape Cod Commission’s Regional Housing Strategy, the proposed state housing bond bill, and the Town’s Housing Production Plan, with a goal of recommending 2-4 strategies for the Town to adopt, along with recommendations for implementation and resources needed.

Time Period: Complete work and make recommendations to the Council by September 30, 2024.

- **Committee to Recommend Policy with Respect to the Town’s Acquisition and Disposition of Property and Development of Town-Owned Property**

Members: 5 Councilors and up to 4 registered voters in the Town (provided that the total membership shall be an odd number)

Purpose: Develop recommendations for Town policy on the acquisition and disposition of property and the development of Town-owned property.

Time Period: Complete work and make recommendations to the Council by March 31, 2025

SPONSOR: Felicia R. Penn, Town Council President, Precinct 13

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2024-166
INTRO: 03/07/2024

TO: Town Council
FROM: Karen L. Nober, Town Attorney
SUBJECT: Resolve Establishing Certain Ad Hoc Advisory Committees
DATE: March 07, 2024

SUMMARY: Section 241-8 of Chapter 241 of the Administrative Code provides that the Town Council may from time to time, by majority vote, “establish ad hoc committees to assist the Town Council in carrying out the Council’s responsibilities. Ad hoc committees shall be limited to a particular subject area and serve only in that capacity for a specific period of time.” Rule 11A of the Town Council Rules provides that the “President of the Town Council may designate such ad-hoc committees comprised of councilors or registered voters in the Town of Barnstable, as is deemed necessary.” Reading those provisions together, ad hoc committees should be established by vote of the Council and committee members should be appointed by the President of the Council.

The Town Council President is recommending that the Council establish the ad hoc advisory committees listed below. **Councilors who are interested in serving on any of these committees are requested to notify Cynthia Lovell, Town Council Administrator, by the close of business on March 29, 2024.**

Committee to Review Town Council Rules and the Town Code

Committee to Review the Purpose, Composition, Functionality and Effectiveness of the Standing Committees of the Town

Committee to Review and Assess Zoning and Review the Town’s Use of Regulatory Agreements

Committee to Assess and Recommend Strategies for Housing Creation Within the Town

Committee to Recommend Policy with Respect to the Town’s Acquisition and Disposition of Property and Development of Town-Owned Property

The ad hoc committee will be subject to and shall comply with the Open Meeting Law. Committee meetings will include a public comment period. Committee chairs shall provide regular reports to the Council at Town Council meetings.

FINANCIAL IMPACT: None

STAFF ASSISTANCE: Karen L. Nober, Town Attorney