



Town Council Meeting
December 12, 2024

A quorum being duly present, Vice-President Craig Tamash called the December 12, 2024, Town Council meeting to order at 6:00 PM.

An announcement was made by Vice President Tamash 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, Paula Schnepf, Craig Tamash, Kristin Terkelsen

ZOOM: Felicia Penn, Gordon Starr, Kristin Terkelsen

Councilor Clark introduced veteran, Ned Dashner to lead the pledge of allegiance, followed by Vice-President Tamash with a moment of silence for the memory of Tom Mullen.

PUBLIC COMMENT:

In-Person:

Rick Brigham asked to please elect a Council President that will listen to the residents of this town. Better a slow smart decision. Why are we still working with Avangrid? He said, "John Crow stated You gave away our voice and our leverage," referring to Matt Levesque. Will these resident beaches become unusable. Is Goliath intimidating you? Vote for a Council President that will support the residents.

Carlos Barbosa be more clear in regards to the zoning. If you are going to change the zoning, I am going to go elsewhere. He supports Matt Levesque for President.

Susan Battista you all are wonderful leaders, one that stands out, creating housing for graduates of Riverview School. Matt Levesque has supported us, he delivers food to veterans, no one loves Barnstable more than Matt Levesque, he would be a wonderful leader for this group

Fritz Klaetke all of us in this room because we care for this community. One of the things that has made the young people from Riverview School feel welcome. Support Matt Levesque for President of the Council.

Meaghan Mort comments we should elect Matt Levesque as President he embodies exclusivity. Anybody who knows Councilor Levesque knows he makes himself available to all the residents. Barnstable has a lot of women involved in our town. Take note of Alice Brocks passing and would like to commemorate her passing.

Marleece Lyon supporting Matt Levesque for Town Council President, leadership that will bring people together to get something done. Do I agree with everything he has done, no, but he represents all marginalized people in our community.

Paul Phalen here to support Craig Tamash for President. Craig spends time working with the people of Barnstable. Eighty percent of police work is dedicated to helping people. Do you not want the best trained police department on the Cape.

Lisa Donoghue here to support Matt Levesque. Every Monday and Wednesday, Matt is in the

Faith Family Kitchen to cook for the homeless.

Michael Mecnas when it comes to leadership it takes a lot of time and sacrifice. My support is one hundred percent behind Matt Levesque. Every week he fills his truck with food to feed the vulnerable. Serves the community that he loves, thank you Matt, for all the people you have served.

Dawn works with nonprofit organizations, here in support of Matt Levesque, he embodies service to help others. During COVID, Matt was able to secure a location for the AA group to continue their road to recovery.

Dan Miville from Faith Family Kitchen came to support Matt Levesque for Town Council President. He has helped the community; he is there all the time for other people.

Karen Kim McGuire thanked the Councilors for there time and energy. What I have noticed over the last twelve months, we have seen some positive changes. Here to support Craig Tamash and Kris Clark for leadership. Craig does volunteer for many other organizations. Kris Clark has served her community; please listen to all and then make your decision.

Brian Hughes believes the town will be facing new problems, task oriented sub committees recently developed to help the town. The focused task oriented subcommittees handle both old and new concerns. He believes Craig Tamash and Kris Clark will express their own ideas and listen to others.

Conrad Watson grew up on the Cape in the 50's and 60's. Hyannis was the place to come when we were kids. He spent more time on Main Street and it is nice to see it coming back, there are so many positive things here in Barnstable. If ever I needed anything Matt was always there to help. Please consider Matt for President.

Zoom:

Jane Ward thanked the Councilors for their service. Wants to recognize that the council did establish a Sustainability Director. In August, it was announced that Sean Hogan, wrote a 42 million dollar grant that was awarded to the town of Barnstable. This will help to reduce greenhouse gases every year, shows the benefit of having a Sustainability Director. If we were to vote in leadership to reconsider green community status, we could hire a team to work with Sean. Many thanks to Sean and David Anthony.

Sandy Fitzgerald supports Craig Tamash for President and Kris Clark for Vice President. Our town needs to be brought back together. It is time to move forward, these two can bring the community together.

In Person:

Liane Levesque supports Matt for President. He gives everything to the kids, me and the town. He works so hard to do what is right. I am so proud to be married to him.
Close Public Comment.

COUNCIL RESPONSE TO PUBLIC COMMENT:

(Schnepf) the grant funding that we are in the process of receiving and is part of the Town Manager Report. (Neary) regardless of who this Council elects, it is a lot of work, when you look at the breath and scope of the town. Being in the leadership position you become a target, what we do not want is to have a fractured Council. Let's listen to both sides of the story, more

conversation on both sides of an issue. (Levesque) thanked everyone for the comments. My daughter is also here. I was accused of being a flip flopper, If you look at the Capital Improvement Plan (CIP) the recreational area and parking was asked for by the public, longer term plan for the rest of the property. Toxic environment on the council. Service over self. (Tamash) Thanked everyone who came to speak, participation by the public is essential.

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. The Town Manager and staff will be available to answer any questions regarding the report as presented.

- Preparation of the Capital and Operating Budget
- Public Lands Preservation Act (PLPA)
- Cape & Islands Bridge Coalition (CIBC)
- Microgrid will include Barnstable High School, Intermediate School, and the Barnstable Adult Community Center (BACC)
- 2024 Boaters Choice Award
- Chris Gadd, Communications Assistant for the Department of Public Works (DPW) provided and update on the Water Resource Management Planning

Discussion:

(Tamash) there are a lot of major items in your report, could you speak to the Executive Office of Energy and Environmental Affairs’ especially regarding Article 97 (Ells) Legal department identified this, it wasn’t obvious, they were looking for a change, legal is taking it under review. We need to comment on this and have a united response as a Council. (Nober) these regulations passed in 2022 PLPA the change of use of land protected by Article 97. No net loss policy, to ensure that when land is protected by Article 97, any change of use, there would be no net loss. We are reviewing the regulations, can participate remotely. We have time to review the regulations until January 22nd. (Schnepp) could you speak to the grant on item number 4 what are the contingencies (Ells) that is money that may be awarded, there are conditions that must be satisfied to keep all or part of the money. Related to renewable energy, there is one other community eligible. Sean Hogan did an outstanding job in securing the funds. (Schnepp) do you anticipate that a change in our national level could have an effect on this (Ells) yes, lots of speculation. (Levesque) important to complement Sean Hogan on the work that he has done to secure this grant. Also, to Councilor Starr for pursuing this staff position. (Clark) Sean Hogan has brought to the town many more financial dollars to benefit the town. Brian Taylor, harbormaster, received the 2024 Boaters Choice Award.

ACT ON PUBLIC SESSION MINUTES:

Upon a motion duly made and seconded, it was voted to accept the minutes of December 5, 2024, as presented.

VOTE: PASSES 13 YES

ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, MENDES, NEARY, PENN, SCHNEPP, STARR, TAMASH, TERKELSEN

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

(Schnepp) holiday lunch at the Hyannis Youth and Community Center (HYCC). (Crow) Osterville Village Stroll this Friday.

2025-049 FISCAL YEAR 2025 SPENDING LIMITATION FOR ASSET MANAGEMENT REVOLVING FUND INTRO: 11/21/2024, 12/12/2024
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Mark Milne, Director of Finance, gave the rationale.

Discussion:

(Clark) If an opportunity arises in a certain amount of time a revolving fund would be prudent thing to do. Healthy to have a funding source so the town can be responsive to opportunities. (Schnepp) Having flexibility to spend funds on potential acquisitions is important, we do have other funding sources. My concern is it will be unlimited, up to the balance we currently have. I think the 2nd option would be prudent; (\$62,000) we are always able to provide additional money if necessary. (Ells) Whenever we enter into a contract there are multiple steps involved, the accountability is built in. Director Milne would be involved and ultimately, I would sign the contract. (Starr) who makes the final decision (Ells) I am responsible for everything the staff does; I sign the contracts. We track everything the same way. (Starr) support the 62,000, for this year (Crow) this money is for land acquisition only or is there anything else (Ells) the Town Council created this, but anything additional we will ask Director Milne (Milne) for the support and promotion of any asset of the town. Which includes title searches, appraisals, 21E investigation, those that you typically incur procedurally. (Crow) does that include buying and selling property or other things, products (Ells) no just real property (Neary) the Asset Management group since 2018, sold off small lots of that had to go through title searches, cannot imagine there would be outrageous bills, I think it should stay with Asset Management (Crow) is this money invested in any way, if so what are the returns on this money (Milne) we are getting investment return, per the state that goes to our General Fund.

(Schnepp) Upon a motion duly made and seconded it was to amend the item to \$62,000 for the remainder of FY2025 and to release \$100, 000 in FY2026 and in FY2027

(Milne) suggest we do this just for the 2025 fiscal year for \$62,000 and bring this back to the council in the next year's budget.

(Schnepp) Withdrew the motion and (Neary) withdrew the second.

(Schnepp) Upon a motion duly made and seconded it was to amend the item to authorize \$62,000 for the remainder of FY2025 for the Asset Management Revolving Fund.

Discussion:

(Ludtke) I will not support this (Clark) given the information from Director Milne, this money can remain until the AD Hoc committee has made some traction (Penn) Will not support the amendment. (Schnepp) these Asset Management funds will probably be used for due diligence, I would like to be fully briefed on how money is going to be spent (Levesque) any expenditure should be discussed and decide how we spend it (Crow) are we given any forward knowledge on how this money is spent? (Crow) will Asset Management have to come back to the Council before the money is spent. (Ells) you are assigning that to me, as long as it is within the amount of money you have voted on, no. I will keep you advised, but no you don't have a vote on it, unless you put a restriction on it. We can't buy land. (Levesque) could it be expended for outside legal counsel, does that fall within the funds (Milne) Yes it would. (Terkelsen) could you give us a couple of expenditures we have used (Milne) funds on appraisals, property management on the funds. (Anthony) Appraisals a low as \$800, some have approached \$4,000, disposing of the Cotuit School, all documents worked with a consultant, remove an underground oil tank. Studies of larger properties, to verify if it would be good for housing or something else. Flexibility is important. (Mendes) our responsibility is the financial stability of the town. Good amendment, they can always come to us if they need more money (Clark) Did we take a similar

vote to establish the revolving fund (Milne) Yes (Crow) there seems to be some confusion here maybe it is best if we wait for the Ad Hod Committee to get a handle on this.

On the amendment: Upon a motion duly made and seconded it was to amend the item to authorize \$62,000 for the remainder of FY2025 for the Asset Management Revolving Fund.

VOTE: FAILS 6 YES, (Burdick, Levesque, Mendes, Neary, Schnepf, Starr) 7 NO, (Bloom, Clark, Crow, Ludtke, Penn, Tamash, Terkelsen)

ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, MENDES, NEARY, PENN, SCHNEPP, STARR, TAMASH, TERKELSEN

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council hereby authorizes a spending limitation for Fiscal Year 2025 of **\$500,000** for the Asset Management Revolving Fund.

VOTE: PASSES 7 YES, 6 NO (Burdick, Levesque, Mendes, Neary, Schnepf, Starr)

ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, MENDES, NEARY, PENN, SCHNEPP, STARR, TAMASH, TERKELSEN

2025-061 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 12/12/2024

Upon a motion duly made and seconded it was

RESOLVED: That the Town Council appoints the following individuals to a multiple-member Board/Committee/Commission: **Conservation Commission:** Jeffrey Kaschuluk, as a regular member to a term expiring 06/30/2027; **Disability Commission:** Mackenzie Bonaiuto, as a regular member to a term expiring 06/30/2027; **Historical Commission:** John Richmond, from an alternate position to a full member position to a term expiring 06/30/2027; **Infrastructure and Energy Committee:** Ron Ruggiero, as a regular member to a term expiring 06/30/2027

VOTE: TO A SECOND READING ON 1-9-2025-UNANIMOUS

ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, MENDES, NEARY, PENN, SCHNEPP, STARR, TAMASH, TERKELSEN

2025-062 ORDER PURSUANT TO M.G.L. CHAPTER 40A, SECTION 5 SUBMITTING TO THE PLANNING BOARD A PROPOSED ZONING AMENDMENT ESTABLISHING A NEW "CANNABIS OVERLAY DISTRICT" AND EXPANDING THE EXISTING MEDICAL MARIJUANA OVERLAY DISTRICT INTRO: 12/12/2024

Upon a motion duly made and seconded it was

ORDERED: That the attached six-page proposal to amend the Town's Zoning Ordinance to establish a "Cannabis Overlay District" and to expand the existing Medical Marijuana Overlay District submitted to the Town Council on December 2, 2024 by 10 registered voters is hereby submitted to the Planning Board for review pursuant to the provisions of M.G.L. Chapter 40A, Section 5.

VOTE: REFER TO THE PLANNING BOARD - UNANIMOUS

ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, MENDES, NEARY, PENN, SCHNEPP, STARR, TAMASH, TERKELSEN

Election of officers

Councilors: I wish to open the Election of Officers for the Barnstable Town Council for the year 2025.

We will first hold the election for the office of President.

- I will announce the names of the candidates,
- then nomination speeches by and for the candidate for President will be allowed
- Upon completion of the speeches, we will vote for the President.

Voting will be by roll call—a majority is all that is necessary.

The same procedure will then be repeated for the office of Vice President.

Election for the office of President

- The nominees are:
- Levesque and Tamash

Do the candidates wish to make a statement at this time?

Both candidates chose to speak on their behalf of why they would be a good choice as President of the Council.

Discussion:

Councilor Neary spoke in favor of Matt Levesque. Councilor Starr asked the candidates how we get items on the agenda? (Tamash) just bring it up at the Agenda meetings (Levesque) just ask, we need a discussion on the dais. (Starr) opportunities missed this year, we never got to the strategic plan; the training of new Councilors; Flow neutral; Green communities; specific housing coordinator. Councilor Schnepf commended candidates for taking up this role. What are your priorities for 2025? (Tamash) two things, Councilor training, important that new councilors have standardized training, including meeting with staff like a mini town academy. The strategic plan has been put off and that must be a January project. The rates for TIE and TIF need to be addressed and reevaluated. Wind is not going away, form based zoning will need to be addressed by the full council. (Levesque) open to review of all zoning, form based was to allow a fourth story more affordable housing; short term rentals are there corporations coming in to buy up homes and change them to shore term. Housing production plan, where are we? Home ownership for younger people; environmental issues; housing bond bill; restore a good relationship with the Cape Cod Commission. Homeless crisis, opioid is moving forward, working with school issues, the Brazilian Community.

Voting will begin for the President of the Barnstable Town Council. When I call your name please state the name of the candidate for whom you wish to cast your vote.

ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, MENDES, NEARY, PENN, SCHNEPP, STARR, TAMASH, TERKELSEN

Voting results:

Tamash: (9)

Bloom, Burdick, Clark, Crow, Ludtke, Penn, Starr, Tamash, Terkelsen

Levesque: (4)

Levesque, Mendes, Neary, Schnepf

We will now hold the election for the office of Vice President:

- The nominees are:
- Burdick, Clark and Levesque

Councilor Levesque withdrew his name from the office of Vice President and gave his support to Councilor Burdick

Do the candidates wish to make a statement at this time?

Both candidates chose to speak on their behalf reading a prepared remarks of why they would be a good choice as Vice President of the Council.

Discussion:

Councilor Mendes we often forget the long term decisions we make are going to affect the next generation which is why I support Councilor Burdick.

Voting will begin, when I call your name please give me the name of the candidate for whom you wish to cast your vote.

ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, MENDES, NEARY, PENN, SCHNEPP, STARR, TAMASH, TERKELSEN

Voting results:

Clark: (7)

Bloom, Clark, Crow, Ludtke, Penn, Tamash, Terkelsen

Burdick: (6)

Burdick, Levesque, Mendes, Neary, Schnepf, Starr

Congratulations to the Leadership team of 2025:

President Craig Tamash

Vice President Kris Clark

Vote on the Town Council Calendar for 2025 as presented:

VOTE: PASSES 13 YES

ROLL CALL: BLOOM, BURDICK, CLARK, CROW, LEVESQUE, LUDTKE, MENDES, NEARY, PENN, SCHNEPP, STARR, TAMASH, TERKELSEN

VOTED TO ADJOURN:

VOTE: PASSES UNANIMOUS

Adjourned at 9:00 PM

Respectfully submitted,

Ann M. Quirk
Town Clerk

NEXT MEETING: January 9, 2024

Exhibits:

A. Town Managers update