



The Town of Barnstable

Town Council

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Councilors:

Janet S. Joakim
President

Gary R. Brown
Vice President

Richard G. Barry
Janice L. Barton
Ann A. Canedy
Frederick Chirigotis
James H. Crocker, Jr.
Leah C. Curtis
Henry C. Farnham
J. Gregory Milne
James F. Munafo, Jr.
Tom Rugo
Harold E. Tobey

Administrator:
Donald M. Grissom

Town Council
Secretary:
Cheryl A. Phillips

TOWN COUNCIL MEETING

AGENDA

September 20, 2007

7:00 PM

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **MOMENT OF SILENCE**
 - **Lou Cataldo and Joe Dugas—JFK Memorial Presentation**
 - **Cape Cod Bay No Discharge Area Working Group Presentation**
4. **PUBLIC COMMENT (May be limited to 2 minutes)**
5. **COUNCIL RESPONSE TO PUBLIC COMMENT**
6. **ACT ON MINUTES**
7. **COMMUNICATIONS FROM ELECTED OFFICIALS, BOARDS, COMMISSIONS, STAFF, CORRESPONDENCE, ANNOUNCEMENTS AND COMMITTEE REPORTS**
 - **AIRPORT TERMINAL PRESENTATION/WORKSHOP**
8. **ORDERS OF THE DAY**
 - A. **OLD BUSINESS**
 - B. **NEW BUSINESS**
9. **TOWN MANAGER COMMUNICATIONS**
10. **ADJOURNMENT**

NEXT MEETING SEPTEMBER 27th.

ITEM NO.	INDEX TITLE	PAGE
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A. OLD BUSINESS

2008-016 - Appropriation and loan order in the amount of \$1,785,000 for the purpose of a town wide coastal access plan (Request to Continue)	3-4
2008-019 – Appropriation and Loan Order for Temporary Repairs to Private Roads Program Pursuant to Thornton Drive (Barnstable), Elliott Road (Centerville), Evans/Robbins Streets (Osterville) and Acadia Drive (Marstons Mills) (Public Hearing May be Acted Upon) (Roll Call)	8-10
2008-021 - Appointments (Second Reading)	11
2008-34 - FY2008 Appropriation Order to Fund Collective Bargaining Agreements (Public Hearing-May be Acted Upon) (Roll Call).....	12-13

Minutes of Barnstable Town Council Meeting of September 6, 2007.

Please Note: It is possible, if it so votes, the Council may go into executive session.
The council may act on items in a different order than they appear on this agenda

A. OLD BUSINESS (Request to Continue)

BARNSTABLE TOWN COUNCIL

**2008-016 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF
\$1,785,000 FOR THE PURPOSE OF A TOWN WIDE COASTAL
ACCESS PLAN
INTRO.: 08/16/07; 09/06/07; 9/20/07**

ORDERED: that the sum of \$1,785,000 be appropriated for the purpose of funding improvements to the Town's coastal properties and that to meet that appropriation, the Town Treasurer is authorized to borrow \$1,785,000 and that the Town Manager is authorized to contract and expend said appropriation made available for that purpose and is authorized to accept any grants or gifts in relation thereto and furthermore that the town rescind \$1,785,000 of borrowing authorization under Council Order 1998-054 for the purpose of the Barnstable United Transportation and Parking System. (BUTAPS).

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read item
- ___ Motion to open public hearing
- ___ Rationale
- ___ Public hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

**BARNSTABLE TOWN COUNCIL
AGENDA ITEM SUMMARY
2008-016
INTRO.: 08/16/07**

TO: Town Council
FROM: John C. Klimm, Town Manager
DATE: August 8, 2007
SUBJECT: Appropriation and loan order in the amount of \$1,785,000 for the purpose of a town wide coastal access plan

BACKGROUND: People are inherently drawn to Barnstable because of the beautiful ocean, lakes, and ponds. The natural environment and water bodies in particular are an important economic driver and the town has a responsibility to our residents and visitors to maintain and enhance the town's coastal properties. Town-owned Ways to Water include Marinas, Beaches, Landings, Bulkheads, Docks, Parks, Boat Ramps, and other points of access deemed "Ways to Water" generically. Funds are needed for maintenance and capital improvements to improve our collective access to these waterways in a comprehensive manner. The creation of the Town of Barnstable's Coastal Access Plan is a collaborative effort between the Town Manager's office and various impacted town departments to enhance said access town wide.

ANALYSIS: This appropriation will improve access for residents and visitors to bodies of water throughout the town, thereby contributing to economic development efforts by improving public recreation space and opportunities.

FISCAL IMPACT: The Town's Capital Trust Fund includes provisions for annual debt service payments on the remaining \$1,785,000 BUTAPS authorization. This request will transfer these provisions to the CAP instead. Since this provision already exists in the CTF there is no impact to the overall available funds for future projects within the CTF.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of this appropriation and loan order.

A. NEW BUSINESS (Public Hearing-May Be Acted Upon)

BARNSTABLE TOWN COUNCIL

2008-019 APPROPRIATION AND LOAN ORDER - PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM REGARDING THORNTON DRIVE (BARNSTABLE), ELLIOT ROAD (CENTERVILLE), EVANS STREET/ROBBINS STREET (OSTERVILLE) AND ACADIA DRIVE (MARSTONS MILLS) INTRO: 9/6/07; 9/20/07

ORDERED:

That the sum of **\$1,607,978** be raised and appropriated for the purpose of making temporary repairs to private roads within the Town of Barnstable, and that to meet this Appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,607,978**, and the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, and the Town Manager is further authorized to accept any grants and/or gifts and/or assessed betterments, in relation thereto.

SPONSORS: Councilors Curtis, Canedy, Farnham, Tobey, Crocker and President Joakim

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read item
- ___ Motion to open public hearing
- ___ Rationale
- ___ Public hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

AGENDA ITEM SUMMARY
2008-019

TO: Town Council

FROM: Councilors Curtis, Canedy, Farnham, Tobey, Crocker and President Joakim

DATE: September 6, 2007

SUBJECT: Appropriation and Loan Order for Temporary Repairs to Private Roads Program Pursuant to Thornton Drive (Barnstable), Elliott Road (Centerville), Evens/Robbins Streets (Osterville) and Acadia Drive (Marstons Mills)

BACKGROUND

The successful passage of Chapter 174 of the Acts of 1994 by the State Legislature of Home Rule legislation authorizes the town to borrow an amount not to exceed \$10 million for repairs to private roads. The Town Council has instituted a Temporary Roads Program which was reviewed by the Roads Committee and submitted to and approved by the Department of Public Works Commission in December 2005. Under this Program the abutters to roads being repaired can be charged betterment assessments for 100% of the actual costs of repairs which they can elect to pay in one lump sum or over a period of twenty years (with interest). None of these roads will be taken by the Town of Barnstable and will remain private roads. Since the inception of the program, \$2.6 million has been borrowed with betterments assessed to all property abutters. There are now four private roads in which a majority of the property abutters have expressed an interest in having repairs made-Thornton Drive, Elliott Road, Evans/Robbins Streets and Acadia Drive.

ANALYSIS

The specific roadway sections, together with a general outline of work to be executed, are as follows:

Thornton Drive (Barnstable): Drainage improvements, installation of “speed bumps” and paving.

Cost of improvements: \$358,283; cost per 22 abutters: \$16,285

Elliot Road, including the following dead end secondary roads off Elliott that must use Elliott to enter and egress their roads and are included in the list of abutters - Broken Dike Road, Alberti Way, Fox Run and Sea Marsh Road - (Centerville):

Drainage improvements; installation of “speed bumps” and paving supplemented with geotextile fabric

Cost of improvements: \$865,125; cost per 112 abutters: \$7725

Evans/Robbins Streets(Osterville): Included in the betterment equation are the actual abutters of Evans/Robbins Streets *and* the abutters of Donna Avenue and Stone Horse Road, connector roads between Robbins and Evans, who must use Robbins/Evans Streets to enter and exit their roads.-): Drainage improvements and paving.

Cost of improvements: \$362,100; cost per 51 abutters \$7,100

Acadia Drive (Marstons Mills): Drainage improvements at the intersection of Old Post Road.

Cost of improvements \$22,471; cost per 12 abutters: \$1,873

FISCAL IMPACT

The Town of Barnstable will issue a bond to cover the cost of the repairs to these four roads. Subsequently, the property abutters will be assessed their fair share of the improvements in the form of betterment and they will have the option to pay the betterments in one payment or apportion the betterment over a period of time with interest. The payments to the Town of Barnstable for the betterments assessed will be used to make the annual loan payments on the bond which is issued to finance all costs associated with the project.

TOWN MANAGER RECOMMENDATION

The Town Manager recommends that the Town Council approve this Appropriation and Loan Order after the holding of a public hearing.

STAFF ASSISTANCE

Department of Public Works

Mark Ells

Roland Breault

Robert Burgmann

Roger Parsons

Denise Devlin

Legal

Robert Smith

Charles McLaughlin

Finance

Mark Milne

A. OLD BUSINESS (Second Reading)

BARNSTABLE TOWN COUNCIL

2008-021 APPOINTMENTS

INTRO.: 09/06/07; 9/20/07

That the Barnstable Town Council appoint the following individuals to a multiple member town board/committee/commission.

AIRPORT COMMISSION APPOINTMENT: (Vote for One)

Ronald Persuitte, 59 Colonial Way, West Barnstable, MA 02668, term expires 06/30/2010

Tom Dolby, 12 Mountwood Road, Marstons Mills, MA, 02648, term expires 06/30/2010

Ralph Krau, 312 Compass Circle, Hyannis, MA 02601, term expires 06/30/2010

Steve Shuman, 27 Eastview Terrace, Marstons Mills 02648, term expires 06/30/2010

AIRPORT COMMISSION REAPPOINTMENT: (Vote for One)

Michael Dunning, 399 Old Jail Lane, Barnstable, MA 02630, term expires 06/30/2010

Tom Dolby, 12 Mountwood Road, Marstons Mills, term expires 06/30/2010

Ralph Krau, 312 Compass Circle, Hyannis, MA 02601, term expires 06/30/2010

Steve Shuman, 27 Eastview Terrace, Marstons Mills 02648, term expires 06/30/2010

SPONSORS: Appointments Committee

DATE

ACTION TAKEN

___ Read item

___ Council discussion

___ Move/vote

BARNSTABLE TOWN COUNCIL

ITEM NO.: 2008-034

INTRO: 9/06/2007; 9/20/07

Appropriation Order to Fund Collective Bargaining Agreements (Public Hearing – May Be Acted Upon) (Roll Call)

ORDERED

That the Town Council hereby raise and appropriate the sum of \$545,300 for the purpose of funding the FY2008 General Fund operating budget salaries, and that the sum of \$14,500 be appropriated for the purpose of funding the FY2008 Solid Waste Operating Budget salaries, and that \$14,500 be raised from current year revenues in the Solid Waste Enterprise Fund.

Sponsor: Town Manager John C. Klimm

- Read item
- Motion to open public hearing
- Rationale
- Public hearing
- Close public hearing
- Council discussion
- Move/vote

**AGENDA ITEM SUMMARY
2008-034**

TO: Town Council
FROM: John C. Klimm, Town Manager
DATE: August 30, 2007
SUBJECT: FY2008 Appropriation Order to Fund Collective Bargaining Agreements

BACKGROUND

The current collective bargaining agreements between the Town of Barnstable and several municipal employee units expired on June 30, 2007. The Town has been in negotiations with the unions on a successor agreement.

ANALYSIS

After several months of negotiations, the Town anticipates reaching agreements with the unions for a 3-year contract covering the period July 1, 2007 to June 30, 2010. The largest unit, Barnstable Municipal Employees Association has ratified the agreement on August 1, 2007 and it is anticipated other units will settle under similar terms.

FISCAL IMPACT

All of the enterprise funds, except for the Solid Waste Fund, have budgeted provisions within their respective funds to cover their share of this cost. Additionally, there is no provision in the FY2008 General Fund budget to cover its share of the contract settlements. An appropriation is needed for Solid Waste Enterprise Fund (\$14,500) and the General Fund (\$545,300).

TOWN MANAGER RECOMMENDATION

The Town Manager recommends approval of the appropriation order after the required public hearing.

STAFF ASSISTANCE

William E. Cole, Human Resources Director