



Town of Barnstable Town Council

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MEETING AGENDA TOWN HALL HEARING ROOM October 15, 2015 7:00 PM

Councillors:

Jessica Rapp Grassetti
President
Precinct 7

Ann B. Canedy
Vice President
Precinct 1

Eric R. Steinhilber
Precinct 2

Paul Hebert
Precinct 3

Frederick Chirigotis
Precinct 4

James H. Crocker
Precinct 5

William Crocker, Jr.
Precinct 6

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Sara Cushing
Precinct 10

Philip N. Wallace
Precinct 11

John T. Norman
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator to the
Town Council:
Cynthia A. Lovell

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF SILENCE

4. PUBLIC COMMENT

5. COUNCIL RESPONSE TO PUBLIC COMMENT

6. TOWN MANAGER COMMUNICATIONS

7. ACT ON MINUTES (Including Executive Session)

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

- **Presentation on the findings of the Needs Assessment Study as requested by Senior Services - Jan E. Mutchler, PhD; Center for Social & Demographic Research on Aging; Gerontology Institute and the John W. McCormack School of Policy & Global Studies University of Massachusetts, Boston, MA.**
- **Report on Service Road shared use bike path project Patricia G. Domigan, P.E., Director, Massachusetts Municipal Services**

9. ORDERS OF THE DAY

- A. Old Business**
- B. New Business**

10. ADJOURNMENT

NEXT REGULAR MEETING: November 5, 2015

ITEM NO.	INDEX TITLE	PAGE
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A. OLD BUSINESS

2016-032 Appointments to a board/committee/commission: **Planning Board:** Holly Brockman-Johnson, 94A Sea Street, Hyannis, as a regular member to a term expiring 06/30/18; **Youth Commission:** Lily Sethares c/o Hyannis Youth Community Center, Bassett Lane, Hyannis as a regular member to a term expiring 06/30/16; Sean Smith c/o Hyannis Youth Community Center, Bassett Lane, Hyannis as a regular member to a term expiring 06/30/16; Caleb Sonnabend c/o Hyannis Youth Community Center, Bassett Lane, Hyannis as a regular member to a term expiring 06/30/16; Alison Wolfe c/o Hyannis Youth Community Center, Bassett Lane, Hyannis as a regular member to a term expiring 06/30/16. **(May be acted upon)**..... 3

2016-033 Reappointments to board/committee/commission: **Personnel Board:** Thomas Geiler as a regular member to a term expiring 06/30/18**(May be acted upon)**..... 4

2016-035 Appropriation and Loan Order of \$490,000 for Barnstable Harbor outer entrance channel dredge project. **(Public hearing)(Roll call 2/3 vote)**5-6

2016-037 Appropriation Transfer and Loan Order for \$323,386 Pursuant to Temporary Repair to Private Roads Program regarding Governor's Way, Barnstable, MA. **(Public Hearing)(Roll call 2/3 vote)**7-8

2016-038 Appropriation and Transfer Order in the amount of \$82,000 for additional funds for the Americans with Disabilities Act (ADA) compliant restrooms at the Hyannis Golf Course, Hyannis, MA. **(Public Hearing) (Roll call 2/3 vote)**..... 9-10

2016-039 Appropriation and Transfer Order in the amount of \$145,000 for implementation of a Global Positioning System (GPS)-based Automatic Vehicle Location (AVL) system for the Department of Public Works(DPW) **(Public Hearing)(Roll call 2/3 vote)**..... 11-13

B. NEW BUSINESS

2016-040 Resolve approving a Conservation Restriction on Town-Owned land purchased with Community Preservation Act funding: approximately 1.05 acres, map 147, parcel 79, Centerville, MA. **(May be acted upon)**..... 14-15

Approve Minutes – October 1, 2015

Please Note: The list of matters, are those reasonably anticipated by the council president, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Council may go into executive session. The Council may also act on items in an order other than 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, may be put off to a continued session of this meeting, and with proper notice. Anyone requiring hearing assistance devices please inform the Town Clerk at the meeting.

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2016-032
INTRO: 10/01/15, 10/15/15

2016-032 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoint the following individuals to a multiple-member board/committee/commission:

YOUTH COMMISSION: Lily Sethares, 141Bassett Lane, Hyannis, MA as a regular member to a term expiring 06/30/16; Sean Smith, 141Bassett Lane, Hyannis, MA as a regular member to a term expiring 06/30/16; Caleb Sonnabend, 141Bassett Lane, Hyannis, MA as a regular member to a term expiring 06/30/16; Alison Wolfe, 141Bassett Lane, Hyannis, MA as a regular member to a term expiring 06/30/16.

PLANNING BOARD: Holly Brockman-Johnson, 94A Sea Street, Hyannis, as a regular member to a term expiring 06/30/18.

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Council Discussion
- ___ Move/Vote

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2016-033
INTRO: 10/01/15, 10/15/15

2016-033 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council reappoint the following individuals to a multiple-member board/committee/commission:

PERSONNEL BOARD: Thomas Geiler, as a regular member to a term expiring 06/30/18.

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Council Discussion
- Move/Vote

A. OLD BUSINESS (Public hearing) (Roll call 2/3 vote)

BARNSTABLE TOWN COUNCIL

**ITEM #: 2016-035
INTRO: 10/01/15, 10/15/15**

2016-035 APPROPRIATION AND LOAN ORDER OF \$490,000 FOR BARNSTABLE HARBOR OUTER ENTRANCE CHANNEL DREDGE PROJECT

ORDERED: That the sum of \$490,000 be appropriated for the purpose of funding the dredging of Barnstable Harbor outer entrance channel, and that to meet this appropriation, the Town Treasurer with the approval of the Town Manager, is authorized to borrow \$490,000 and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Vice President Ann Canedy

DATE	ACTION TAKEN
<u>10/01/15</u>	<u>Refer to Public hearing 10/15/15</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM #: 2016-035
INTRO: 10/01/15, 10/15/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
DATE: October 1, 2015
THROUGH: Daniel W. Santos, P.E., Director of Public Works; John Juros, AIA, Town Architect
SUBJECT: Appropriation and Loan Order in the amount of \$490,000 for Barnstable Harbor outer entrance channel dredge project

BACKGROUND: In recent years the entrance channel to Barnstable Harbor has experienced an extensive influx of sand resulting in shoaling throughout the channel. The shoaling is on the verge of impeding access to the harbor for commercial vessels and some larger recreational vessels. Access could be restricted at any time, particularly if we were to experience another winter like the previous two.

ANALYSIS: DPW has been aware of the need for maintenance dredging of Barnstable Harbor for a number of years; however the increasing rate of accumulating sand over the past couple of years requires immediate action to avoid restricting access to the harbor for some vessels. This proposal will fund the dredging of the outer entrance channel starting this coming November. The dredging will be accomplished utilizing the County dredge with the dredged material (sand) destined for re-nourishment of Sandy Neck. This project is currently permitted by the State. The Town Council approved a Capital Improvement Project (2014-116) to undertake a comprehensive dredge permit and strategic plan for areas requiring maintenance dredging. While these efforts are underway, they will not be concluded in time to undertake the dredging this year. Consequently the channel dredging proposal is being considered separate from that project. Additional maintenance dredging is required in the inner entrance channel (Blish Point to the Town boat ramp). The material to be dredged in this section differs from the material in the outer portion, with dredging and disposal by different means and methods. This work remains to be permitted and will be submitted as part of the FY2017 Capital Improvement Program(CIP).

FISCAL IMPACT: Funding for this project will be provided from a bond issue. The bond for this project will be combined with the other borrowing authorizations approved as part of the FY 2016 Capital Improvement Program which the town plans to issue in February 2016. The annual principal and interest payments on the bond are anticipated to begin in FY 2017 and will be provided for in the FY2017 general fund budget.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of the Appropriation and Loan Order.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public
John Juros, AIA, Town Architect

A. OLD BUSINESS (Public Hearing) (Roll call 2/3 vote)

BARNSTABLE TOWN COUNCIL

**ITEM # 2016-037
INTRO: 10/01/15, 10/15/15**

2016-037 APPROPRIATION TRANSFER AND LOAN ORDER OF \$323,386 PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM REGARDING GOVERNOR'S WAY, BARNSTABLE, MA

ORDERED: That the sum of \$323,386 be appropriated for the purpose of making temporary repairs to Governor's Way, Barnstable, MA. a private road within the Town of Barnstable, MA. and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow \$304,000, and that the sum of \$19,386 be transferred from available funds remaining in Town Council appropriation order 2013-066, and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, and that betterments be assessed, and the Town Manager is further authorized to accept any grants and/or gifts in relation thereto.

SPONSOR: Vice President Ann Canedy

DATE	ACTION TAKEN
<u>10/01/15</u>	<u>Refer to Public Hearing 10/15/15</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-037
INTRO: 10/01/15, 10/15/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Roger D. Parsons, P.E., Town Engineer
DATE: October 1, 2015
SUBJECT: Appropriation Transfer and Loan Order for \$323,386 Pursuant to Temporary Repair to Private Roads Program regarding Governor's Way, Barnstable, MA.

BACKGROUND: The successful passage by the State Legislature of Chapter 174 of the Acts of 1994 and House Bill 4409 of Home Rule legislation authorized the Town to expend funds to repair private roads. 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 up to 20 years (with interest). None of these roads will be taken by the Town of Barnstable and will remain private roads. A majority of the property abutters to Governor's Way, Barnstable, MA. have expressed an interest in having repairs made to their private road and have signed a Consent and Acknowledgement Agreement for Betterment Assessment. The proposed work is the removal and replacement of the existing pavement, cleaning of existing drainage, and installation of additional drainage structures.

The cost of improvements: Estimated as \$323,386 with a cost per 18 abutters, distributed as 17.5 shares, not to exceed \$18,480 per abutter share.

FISCAL IMPACT: There is no cost to the Town, as all costs will be covered by betterments assessed on the abutters. The Town will issue a bond to cover the cost of the repairs and use the revenue collected from the betterment assessments to make the annual loan repayments on the bond.

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

STAFF ASSISTANCE: Roger D. Parsons, P.E., Town Engineer

A. OLD BUSINESS (Public Hearing) (Roll call 2/3 vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2016-038
INTRO: 10/01/15, 10/15/15**

2016-038 APPROPRIATION AND TRANSFER ORDER OF \$82,000 FROM THE TOWN'S CAPITAL TRUST FUND FOR ADDITIONAL FUNDS FOR THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANT RESTROOMS AT THE HYANNIS GOLF COURSE

ORDERED: That the sum of \$82,000 be appropriated for the purpose of additional funding for Americans with Disabilities Act (ADA) compliant restrooms at Hyannis Golf Course; and to meet this appropriation, that \$82,000 be transferred from the Capital Trust Fund.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>10/01/15</u>	<u>Refer to Public Hearing 10/15/15</u>

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close Public Hearing
- _____ Council Discussion
- _____ Move/vote

BARNSTABLE TOWN COUNCIL

ITEM #2016-038
INTRO: 10/01/15, 10/15/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
DATE: October 1, 2015
THROUGH: Daniel W. Santos, P.E., Director of Public Works
SUBJECT: Appropriation and transfer order in the amount of \$82,000 for additional funds for the Americans with Disabilities Act (ADA) compliant restrooms at the Hyannis Golf Course, Hyannis, MA

BACKGROUND: The existing public restrooms on the main level of the clubhouse are not Americans with Disabilities Act (ADA) compliant. The deficiencies were identified during the Disability Commissions building survey in 2011. Town council orders 2014-110 and 2015-142 provided funds in the amount of \$134,000 to renovate the existing clubhouse building to provide handicapped accessible restrooms and other associated work on the main level.

ANALYSIS: After initiating the construction contract, numerous unanticipated and unforeseen conditions were identified in the building. Asbestos fibers were identified in joint compound used on the walls and in buried layers of floor tiles. The presence of the asbestos required the demolition and replacement of drywall, plaster, insulation and flooring. Demolition uncovered the presence of wiring and electrical conditions in violation of code requirements. Plumbing issues, including undersized supply lines necessitated changing fixtures. During previous renovations in the building, important structural members were removed that must be replaced. Finally, the exhaust system in the restrooms was not connected to anything.

FISCAL IMPACT: Funds for this project are proposed from the Capital Trust Fund with no negative fiscal impacts to the current Capital program or Operating Budget.

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

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

A. OLD BUSINESS (Public Hearing) (Roll call 2/3 vote)

BARNSTABLE TOWN COUNCIL

ITEM: 2016-039
INTRO: 10/01/15, 10/15/15

2016-039 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$145,000 FOR IMPLEMENTATION OF A GLOBAL POSITIONING SYSTEM (GPS) BASED AUTOMATIC VEHICLE LOCATION (AVL) SYSTEM FOR THE DEPARTMENT OF PUBLIC WORKS

ORDERED: That the sum of \$145,000 be appropriated for the purpose of funding the implementation of a Global Positioning System-based Automatic Vehicle Location (AVL) system for the Department of Public Works (DPW), and that to meet this appropriation, that \$145,000 be transferred from available funds within the Town’s Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes.

SPONSOR: Thomas K. Lynch, Town Manager

DATE ACTION TAKEN
10/01/15 Refer to Public Hearing 10/15/15

- ____ Read Item
- ____ Motion to Open Public Hearing
- ____ Rationale
- ____ Public Hearing
- ____ Close public hearing
- ____ Council discussion
- ____ Move/vote

BARNSTABLE TOWN COUNCIL

ITEM: 2016-039
INTRO: 10/01/15, 10/15/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
DATE: October 1, 2015
THROUGH: Daniel W. Santos, P.E., Director of Public Works
SUBJECT: Appropriation and Transfer Order for implementation of a Global Positioning System-based (GPS) Automatic Vehicle Location system (AVL) for the Department of Public Works (DPW)

BACKGROUND: The Department of Public Works (DPW) has a fleet of more than 150 pieces of rolling equipment, including trucks, sanders, trailers, loaders, sweepers, skid steers, snow blowers, etc. The majority of this equipment is deployed throughout the Town during the workday as well as during emergency operations including snow and ice. During snow and ice operations, the Department of Public Works (DPW) is managing more than 250 people and as many pieces of equipment, including contractors. Our current system of managing and deploying this fleet is with paper maps, radios, cell phones and foremen/inspectors. While this has generally worked over the years, it is not without problems. In a Town that is more than 62 square miles, many of the problem areas are only known through citizen complaints. The availability of proven GPS/GIS-based technology will provide a significantly more efficient and effective means to manage the Town's assets.

ANALYSIS: The Department of Public Works (DPW) will be capable of Global Positioning System (GPS) tracking both Department of Public Works (DPW) and Contractor vehicles and machines. The tracking information will be displayed on a large "smart board" located within the Department of Public Works (DPW's) Emergency Response Center (ERC). The smart board's programming is such that not only will the current location of all vehicles be displayed allowing the team to know where trucks are during the storm; but it also will identify any roads that have been missed. This information will be seen by Operators in the ERC (or inspectors in the field with tablets) and can then be translated into action to correct the problem. As the system will have the ability to display the map in satellite view, it will also allow Operators in the ERC to zoom-in to problem areas to see specific road/driveway configurations in order to help equipment operators understand what they are looking at in the field (often difficult at night in a blinding snowstorm). The Automatic Vehicle Location (AVL) system also allows electronic notes to be affixed to the map of traditional trouble areas, which the inspectors can see on their tablets, and serve as corporate memory of these trouble areas. This will decrease repeat problem areas. The overall intent of the system is to dramatically reduce the need for complaints as a way to identify missed areas, and to improve the customer service we provide the Town's residents.

During the winter of 2014/2015, payments to snow removal contractors amounted to more than \$1.8 million. An AVL system will enable DPW to very accurately record and track contractor's efforts on our behalf by showing exactly when they started and ended their service for the Town and the exact routes taken during an event. Additionally, the AVL system will allow the Department of Environmental Protection (DEP) to reduce the number of inspectors in the field and put those individuals into more productive roles, for example as relief drivers during long duration events and as replacements for contractor's that fail to show or break down during a storm.

FISCAL IMPACT: Funds for this project are proposed from the Capital Trust Fund. There is an annual cost associated with operating and maintain the AVL system. This annual cost, to be funded from the Operating Budget, is approximately \$45,000 per year.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of this transfer order.

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

B. NEW BUSINESS (May Be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM#2016-040
INTRO: 10/15/15**

2016-040 RESOLVE APPROVING A CONSERVATION RESTRICTION ON TOWN-OWNED LAND PURCHASED WITH COMMUNITY PRESERVATION ACT FUNDING: APPROXIMATELY 1.05 ACRES, MAP 147, PARCEL 79, LOCATED IN THE VILLAGE OF CENTERVILLE, MA.

RESOLVED: That the Town Council approves the grant of a conservation restriction recommended by the Land Acquisition and Preservation Committee on a parcel of vacant Town land totaling approximately 1.05 acres, located in the village of Centerville, said parcel being shown on Assessors Map 147 as Parcel 79 and further described as “All of the land shown as Parcel 3 on a plan of land entitled “Plan of Subdivision of a Portion of Land of Lillian E. Marchant, Ruth H. Murray, Allen A. Harju & Andrew T. Harju in Barnstable” dated Aug. 23, 1969 and recorded in Barnstable Registry of Deeds in Plan Book 243 Page 121, for and in consideration of satisfaction of the requirements of the Community Preservation Act, G. L. c. 44B § 12(a); and that the Town Manager is authorized to execute, deliver and record any documents necessary for this purpose.

SPONSOR: Vice President Ann Canedy

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Council Discussion
- Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM#2016-040
INTRO: 10/15/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
DATE: October 1, 2015.
THROUGH: Lindsey Counsell, Chairman, Community Preservation Committee
SUBJECT: Conservation Restriction from Town of Barnstable to the Barnstable Land Trust, Inc., over approximately 1.04 acres of land located at 71 Harju Road, in Barnstable, Map 147 Parcel 079.

The conveyance of this Conservation Restriction (CR) to Barnstable Land Trust is pursuant to the Community Preservation Act (CPA) Section 12(a) which requires conservation restrictions on all acquisitions made with CPA funds.

This CR is to be granted by the Town of Barnstable to the Barnstable Land Trust, Inc., over approximately 1.04 acres of land located at 71 Harju Road, in Barnstable. The land is shown as Barnstable Assessor's Map 147 Parcel 079.

BACKGROUND: This parcel was purchased by the Town of Barnstable on April 9, 2014 for open space purposes using Community Preservation Act Funds (2014-060). The Town has made significant investments in open space along the Skunknet River Corridor – one of 12 wetland corridors in our community. With the protection of this parcel, there are now 341 acres of protected open space within the corridor including land owned by the Centerville Osterville Marstons Mills Fire District (COMM) for water supply and protection; and land owned by Barnstable Land Trust, Mass Audubon and the Town. This property is part of the scenic backdrop of Lumbert Mill Pond, joins 35 acres of Town open space protecting Lumbert Pond, is part of a much larger protected greenbelt along the Skunknet River Wetlands Corridor, and is within the Zone of Contribution to the COMM wellfield. There are existing trails running through the property for public access and recreation.

ANALYSIS: This proposed conservation restriction conforms to the Open Space Policy of the Town, adopted in 1981, which “encouraged grants of conservation restrictions” which yielded “benefits to the Town,” and furthers the Town of Barnstable’s 2010 Update to its Open Space Plan.

Specifically, the Conservation Restriction has the following public benefits. It will allow for enhanced public access to the area and will:

- ◆ increase the amount of protected open space in town;
- ◆ preserve important wildlife habitat;
- ◆ prevent the cutting down of trees;
- ◆ preserve the scenic quality and character of this undisturbed area
- ◆ safeguard public drinking water supply

APPROVALS:

Land Acquisition and Preservation Committee: Approved September 14, 2015.

Conservation Commission action is expected on October 13, 2015.

FISCAL IMPACT: As the Town of Barnstable has already acquired this land, the Conservation Restriction will have no effect on the tax rate.