



# Town of Barnstable

## Town Council

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Councilors:

Frederick Chirigotis  
President

Harold E. Tobey  
Vice President

Richard G. Barry  
Janice L. Barton  
Ann A. Canedy  
James H. Crocker, Jr.  
Leah C. Curtis  
Henry C. Farnham  
Janet S. Joakim  
J. Gregory Milne  
James F. Munafo, Jr.  
Tom Rugo  
James M. Tinsley, Jr.

Administrator:  
Donald M. Grissom

Administrative  
Assistant:  
Barbara A. Ford

### **TOWN COUNCIL MEETING**

#### **AGENDA**

**May 7, 2009**

**7:00 PM**

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 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**
- 8. ORDERS OF THE DAY**
  - A. OLD BUSINESS**
  - B. NEW BUSINESS**
- 9. TOWN MANAGER COMMUNICATIONS**
- 10. ADJOURNMENT**
  - **Budget workshop to follow regular business**

**NEXT MEETING: May 21<sup>st</sup>**

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**Minutes** – March 19, 2009 and April 16, 2009

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**Please Note:**

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.

**A. OLD BUSINESS (Joint Public Hearing with the Planning Board) (Roll-call 2/3)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-074**

**INTRO: 03/19/09, 04/02/09, 05/07/09**

**2009-074 AMEND ZONING ORDINANCE - ADDITIONAL TEMPORARY SIGN USE**

ORDERED, that the Code of the Town of Barnstable, Zoning Ordinance, Section 240-74, Temporary Signs, be hereby amended to add the following:

B. Signs, flags or banners belonging to a not for profit organization, civic organization, church or school that announce temporary events permitted through the Town Manager. Such signs, flags and banners:

1. Shall be displayed only during permitted hours of operation and shall be removed once operations cease each day.
2. Shall not obstruct pedestrian and/or vehicular traffic or be otherwise considered, at the discretion of the building commissioner or public safety officials, to be a public safety risk.
3. Shall not exceed 4 feet in width and 5 feet in length and shall be located on the building or property at the event site.
4. Shall remain subject to approvals of all applicable historic boards or commissions.

**SPONSOR:** Councilor Ann B. Canedy

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

# **BARNSTABLE TOWN COUNCIL**

## **AMEND THE ZONING ORDINANCE USE OF TEMPORARY SIGNS**

**ITEM# 2009-074**

**INTRO: 03/19/09, 04/02/09, 05/07/09**

### **SUMMARY**

**TO:** The Town Council  
**FROM:** Councilor Ann B. Canedy  
**DATE:** February 25, 2009  
**SUBJECT:** Exception to sign law - banners, flags, signs

**BACKGROUND:** This amendment addresses permitted businesses housed on Town properties or on facilities owned by the Town (e.g.: Trayser/Coast Guard Museum, JFK Museum, Guyer Barn).

The proposed amendment while permitting their use would prohibit the obstruction of pedestrian/vehicular traffic, require approval of historic districts, and limit the size of the subject banner, sign or flag.

This proposed amendment has been approved as enforceable by the Director of Regulatory Services Department, has been approved as to legal content and import by the Legal Department and by the Planning Board subcommittee.

**FISCAL IMPACT:** None anticipated

**A. OLD BUSINESS (Joint Public Hearing with the Planning Board) (Roll-call 2/3)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-075**

**INTRO: 03/19/09, 04/02/09, 05/07/09**

**2009-075 AMEND ZONING ORDINANCE - AN EXCEPTION TO THE SIGN CODE**

**ORDERED**, that the Code of the Town of Barnstable, Zoning Ordinance Section 240-63 (D), Temporary Signs, be hereby amended to add the following:

Section 240-63 (D): For administration of this section, paragraph 240-63(D) shall not apply to the display of real estate "Open House" signs that do not obstruct pedestrian and/or vehicular traffic; are displayed only during the time an open house is in progress including one hour before and one hour after said open house; are located no farther than the nearest major intersection with the through street on which the property is located; and are otherwise compliant with this section.

**SPONSORS:** Councilors Ann B. Canedy and James H. Crocker, Jr.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

# **BARNSTABLE TOWN COUNCIL**

## **AMEND THE ZONING ORDINANCE REAL ESTATE SIGNS**

**ITEM# 2009-075**

**INTRO: 03/19/09, 04/02/09, 05/07/09**

### **SUMMARY**

**TO:** The Town Council  
**FROM:** Councilors Ann B. Canedy & James H. Crocker, Jr.  
**DATE:** February 25, 2009  
**SUBJECT:** An exception to sign law – open-house signs

**BACKGROUND:** Currently the sign ordinance allows For Sale or Open House signs on the subject property. However, many properties are not on main roadways and therefore signs on the properties cannot be seen by the general public. This amendment allows a realtor to place signs on primary roads should the subject lot be on a less traveled or dead-end road. For example, if the lot for sale is on Old Strawberry Hill Road, this amendment would allow a sign to be placed at Phinney’s Lane and Old Strawberry Hill Road and/or Route 28 and Old Strawberry Hill Road, as long as the remote sign was no farther than the nearest intersection with the through street on which the property is located.

This amendment will save town staff time and energy better spent on other more pressing concerns. It further saves the real estate companies from the expense of replacing signs while allowing maximum exposure of available properties during the limited time the “open house” is in progress.

This Amendment has been vetted by the Regulatory Services Department, which considers the proposed amendment enforceable. The Amendment has also been vetted by the Legal Department and the Planning Board Subcommittee.

This amendment will have no negative fiscal impact on the Town and may in fact save the Town money through redirected staff time.

**FISCAL IMPACT:** None anticipated

**A. OLD BUSINESS (Joint Public Hearing with Planning Board) (Roll-call 2/3)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-077**

**INTRO: 03/19/09, 04/02/09, 05/07/09**

**2009-077 AMEND ZONING ORDINANCE - TIME PERIODS FOR SPECIAL PERMITS**

**ORDERED,** That

**Section 1.** The Code of the Town of Barnstable, Zoning Ordinance, Chapter 240, Article XII, Administration and Enforcement, is hereby amended by deleting §240-125C (3), Period of Validity, in its entirety and inserting in its place the following:

240-125C

(3) (a) **Period of Validity:** A special permit shall become void within two years from the date of issue unless any construction work contemplated thereby shall have commenced and proceeded in good faith continuously to completion, or, if no construction work is contemplated by the special permit, the premises shall be open for business or in full use under said special permit,. The said two year period shall not include time required to pursue or await determination of an appeal referred to in MGL Ch. 40A, §17. However, the special permit granting authority, in its discretion, may extend the time for exercise of such rights for a period not to exceed a total of one year upon a showing of good cause; and provided further, that the request for such extension is filed with the special permit granting authority prior to the expiration of said two year period. If the permit granting authority does not grant such extension, upon the expiration of the original two-year period, such special permit shall become void.

(b) **Retroactive Applicability:** The period of validity for any special permit in effect on the effective date of these provisions shall be two years from the date of issue, unless further extended pursuant to subsection (a) above. The period of validity for any special permit that would have lapsed before the effective date of these provisions but for which a request for extension was filed prior to its lapse, shall be two years from the date of issue, unless further extended pursuant to subsection (a) above.

**Section 2.** That the Code of the Town of Barnstable, Zoning Ordinance, Chapter 240, Article III, District Regulations, §240-17. Open Space Residential Development is hereby amended by deleting §240-17Q (2) in its entirety and inserting in place thereof, the following new (2):

(2) **Period of Validity:** The provisions of §240-125C (3) shall apply.

**SPONSOR:** Town Manager John C. Klimm

**DATE**

**ACTION TAKEN**

- |  |  |
|--|--|
|  |  |
| <input type="checkbox"/> Read item                     |  |
| <input type="checkbox"/> Motion to Open Public Hearing |  |
| <input type="checkbox"/> Rationale                     |  |
| <input type="checkbox"/> Public Hearing                |  |
| <input type="checkbox"/> Close public hearing          |  |
| <input type="checkbox"/> Council discussion            |  |
| <input type="checkbox"/> Move/vote                     |  |



# **BARNSTABLE TOWN COUNCIL**

## **AMEND ZONING ORDINANCE TIMEFRAME OF SPECIAL PERMITS**

**ITEM# 2009-077**

**INTRO: 03/19/09, 04/02/09, 05/07/09**

### **SUMMARY**

**TO:** The Town Council  
**FROM:** John C. Klimm, Town Manager  
**THROUGH:** Town Attorney Ruth J. Weil  
**DATE:** March 9, 2009  
**SUBJECT:** Amend Zoning Ordinance, Article XII, Section 240-125 C.

**BACKGROUND:** This is an amendment to the Zoning Ordinance, Section 240-125 Zoning Board of Appeals (C) Special Permit Provisions that deletes existing Subsection 3:

(3) Period of validity. A special permit shall become void 12 months from the date of issue unless any construction work contemplated thereby shall commence and proceed in good faith continuously to completion, or, if no construction work is contemplated by the special permit, the premises shall be open for business or in full use under said special permit.

and adds the new **Subsection 3.**

**ANALYSIS:** The Zoning Ordinance now limits the extension of Special Permits to 12 months and does not provide for extension of unexercised special permits.

The purpose of the amendment is to allow the term of an unexercised special permit to be two years, a provision that exists in Massachusetts General Law, Chapter 40A, and also adds a provision to extend the special permit for one year at the discretion of the Zoning Board of Appeals, the customary procedure.

The amendment also allows special permits that have been issued in recent months to access this ability to extend the term of the special permit.

**RATIONALE:** This provision is fairly commonplace in Massachusetts' cities and town zoning provisions. This is an amendment that makes permitting in Barnstable more in step with Massachusetts General Law. In these difficult economic times it may also provide a benefit to applicant's who may need additional time to bring a project to the point where the special permit can be exercised.

**B. NEW BUSINESS (Joint Public Hearing with Planning Board) (Roll-call 2/3)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-099**

**INTRO: 04/16/09, 05/07/09**

**2009-099 AMEND ZONING ORDINANCE RELATING TO DEMOLITION AND REBUILDING ON MERGED, DEVELOPED LOTS**

**ORDERED:**

**Section 1.** That the Code of the Town of Barnstable, Zoning Ordinance, Chapter 240, Article VIII, Nonconformities, §240-91H is hereby amended by adding a new paragraph (2) as follows:

- (2) As of Right: Merged Lots Each Containing a Minimum Area of 43,560 Square Feet of Contiguous Upland.

Where immediately prior to November 16, 2000, two legally created contiguous lots each containing a minimum area of 43,560 square feet of contiguous upland were:

- (a) located in the Resource Protection Overlay District and
- (b) held in common ownership and
- (c) improved by the construction of one single-family residence including accessory structures which occupied both lots,

each said 43,560 square foot lot may be treated under these provisions as two separate buildable lots, provided that each of said lots conformed to all the bulk regulations of the zoning ordinance immediately prior to November 16, 2000 and as long as the other requirements of §240-91H(1)(a)-(c) above are satisfied.

And by renumbering the paragraphs thereunder so that the current §240-91H(2) becomes §240-91H(3).

**Section 2:** That the Code of the Town of Barnstable, Zoning Ordinance, Chapter 240, Article VIII, Nonconformities, §240-91H is hereby amended by adding a new subsection §240-91H(3)(d) which reads: "This section shall only apply to H(2) to the extent that the proposed demolition and rebuilding cannot satisfy the criteria established in Subsection H(1) above and shall not be available for relief from any of the other provisions of H(2)."

And so §240-91H would now read as follows:

- H. Developed lot protection; demolition and rebuilding on nonconforming lots. Preexisting legal nonconforming lots which have been improved by the construction of a single- or two-family residence which conformed to all provisions of the zoning ordinance or bylaw at the time of construction shall be entitled to completely demolish the old residence and construct thereon a new residence in accordance with the following. **[Added 11-18-2004 by Order No. 2005-025]**
- (1) As of right. The proposed demolition and rebuilding shall be permitted as-of-right on a preexisting legal nonconforming lot that contains a minimum of 10,000 square feet of contiguous upland, provided that the Building Commissioner determines that all of the following criteria are met:
    - (a) The proposed new structure conforms to all current use and setback requirements of the zoning district it is located in;

- (b) The proposed construction conforms to the following requirements of lot coverage, floor area ratio and building height:
  - [1] Lot coverage by all buildings and all structures shall not exceed 20% or the existing lot coverage, whichever is greater;
  - [2] The floor area ratio shall not exceed 0.30 or the existing floor area ratio of the structure being demolished and rebuilt, whichever is greater; and
  - [3] The building height, in feet, shall not exceed 30 feet to the highest plate and shall contain no more than 2 1/2 stories. The building height, in feet, shall be defined as the vertical distance from the average grade plane to plate.
  - [4] Lot coverage by all buildings and all structures shall not exceed 20% or the existing lot coverage, whichever is greater;
  - [5] The floor area ratio shall not exceed 0.30 or the existing floor area ratio of the structure being demolished and rebuilt, whichever is greater; and
  - [6] The building height, in feet, shall not exceed 30 feet to the highest plate and shall contain no more than 2 1/2 stories. The building height, in feet, shall be defined as the vertical distance from the average grade plane to plate.
- (c) Further expansion of the rebuilt structure must conform to Subsection H(1)(b) above.
- (2) As of Right: Merged Lots Each Containing a Minimum Area of 43,560 Square Feet of Contiguous Upland.

Where immediately prior to November 16, 2000, two legally created contiguous lots each containing a minimum area of 43,560 square feet of contiguous upland were:

- (a) located in the Resource Protection Overlay District and
- (b) held in common ownership and
- (c) improved by the construction of one single-family residence including accessory structures which occupied both lots,

each said 43,560 square foot lot may be treated under these provisions as two separate buildable lots, provided that each of said lots conformed to all the bulk regulations of the zoning ordinance immediately prior to November 16, 2000 and as long as the other requirements of §240-91H(1)(a)-(c) above are satisfied.

- (3) By special permit. If the proposed demolition and rebuilding cannot satisfy the criteria established in Subsection H(1) above, then the Zoning Board of Appeals may allow the demolition and rebuilding by special permit, provided that the Board finds that:
  - (a) If the proposed new dwelling does not comply with Subsection H(1)(a) above, then the proposed yard setbacks must be equal to or greater than the yard setbacks of the existing building; and **[Amended 2-17-2005 by Order No. 2005-058]**
  - (b) All the criteria in Subsection H(1)(b)[1], [2] and [3] above are met.
  - (c) The proposed new dwelling would not be substantially more detrimental to the neighborhood than the existing dwelling.
  - (d) This section shall only apply to H(2) to the extent that the proposed demolition and rebuilding cannot satisfy the criteria established in Subsection H(1) above and shall not be available for relief from any of the other provisions of H(2).

**SPONSOR:** Town Manger John C. Klimm

# **BARNSTABLE TOWN COUNCIL**

## **ZONING AMENDMENT DEMOLITION & REBUILDING MERGED, DEVELOPED LOTS**

**ITEM# 2009-099  
INTRO: 04/16/09, 05/07/09**

### **SUMMARY**

**TO:** Town Council  
**FROM:** John Klimm, Town Manager  
**THROUGH:** Jo Anne Buntich, Interim Director, Growth Management Department  
**DATE:** April 8, 2009  
**SUBJECT:** Zoning Amendment

**BACKGROUND & RATIONAL:** This amendment is being presented to clarify a condition that exists in the zoning ordinance related to the two acre zoning and state grandfathering rights with respect to the “zoning lot” upon which a single-family dwelling exists. The amendment proposes to protect those legally created lots of one-acre or more when two such abutting lots have been developed as one.

For most of the town, the Resource Protection Overlay District (RPOD) imposed a minimum lot area of two acres as of November of 2000. A specific provision was incorporated to limit merger of legally created vacant one-acre lots. That grandfathering provision for the RPOD followed the state’s standard grandfathering language for merger of vacant lots. This grandfathering provision in the RPOD did not address two abutting one-acre lots developed with one single-family dwelling, which may include accessory structures on these two one-acre lots. And so, the two lots are now considered one lot for the purposes of zoning.

Although each of the two lots conform to all the requirements including the one-acre minimum lot area and predates the adoption of the RPOD, the pattern of development and the use of the two lots as one creates an issue with how they would be treated upon the demolition of the single-family dwelling now located on the lots. This amendment clarifies that the two lots would each be treated as are all other pre November 2000 one-acre lots. Once the existing dwelling is demolished, it clarifies that rebuilding would be allowed on each of the two one-acre lots.

The Barnstable RPOD grandfathering provision is more permissive than the state’s grandfathering provision. So to allow the local ordinance to prevail, this amendment is proposed.

**TOWN MANAGER RECOMMENDATION:** Town Council proceeds to a joint public hearing with the Planning Board to receive public comment on the proposal.

**STAFF ASSISTANCE:** Jo Anne Buntich, Interim Director, Growth Management Department

**B. NEW BUSINESS (Refer to Public Hearing 05/21/09) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-103  
INTRO: 05/07/09**

**2009-103 COMMUNITY PRESERVATION FUND APPROPRIATION FOR ACQUISITION  
OF A CONSERVATION RESTRICTION ON 17 ACRES**

**ORDERED**, that pursuant to the provisions of G.L. c. 44B, the sum of Two Hundred Thousand and No/100 (\$200,000) Dollars be appropriated and transferred from the amount set aside for Open Space in the Community Preservation Fund on March 30, 2009; and that the Town of Barnstable Growth Management Department is authorized to contract for and expend the amount of (\$200,000) with the prior approval of the Town Manager for the purpose of acquiring a conservation restriction on a 17 acre parcel located at 0 Pine Lane in Barnstable Village, on Map 278 Parcel 048; said land is to be owned by the Barnstable Fire District under the control of the Water Department.

**SPONSOR:** Councilor Richard Barry upon recommendation of the Community Preservation Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

# **BARNSTABLE TOWN COUNCIL**

## **CPF APPROPRIATION**

**ITEM# 2009-103**  
**INTRO: 05/07/09**

### **SUMMARY**

**TO:** Town Council  
**FROM:** Community Preservation Committee  
**DATE:** April 22, 2009  
**SUBJECT:** Barnstable Fire District / Bush Brown property (17 acres), Map 278 Parcel 048

**BACKGROUND:** The Community Preservation Committee (CPC) met on March 30, 2009 and has recommended that the town support the funding request in the amount of, and not to exceed \$200,000, made by the Barnstable Fire District to acquire one parcel of land totaling 17 acres of the following lot: Map 278 Parcel 048. The total acquisition for the 17 acres is \$200,000; and is being requested and shall be appropriated and transferred from the Open Space Community Preservation Funds.

**RATIONALE:** This Barnstable Fire District seeks to purchase the parcel, reducing the number of buildable lots to six, while increasing open space, further increasing the groundwater protection area and permanently protecting the future potential public water supply source.

Acquisition of this parcel will protect and enhance an important wildlife corridor, connecting to approximately 1,000 acres of protected open space, encompassing Barnstable Fire District's wellfields and the Town's Old Jail Lane Preserve; also connecting miles of existing protected public walking trails, and complete a link in the Barnstable County's Cape Cod Pathway's program

The Community Preservation Committee has approved the request contingent on the Barnstable Water District contributing an equal amount of funds. A Conservation Restriction for the 17 acres of the Bush Brown property will be held jointly by the Town of Barnstable and Barnstable Land Trust.

Completion of this acquisition will safeguard the land from development, and ensure that the rural and peaceful character of the area will be preserved indefinitely.

**STAFF ASSISTANCE:** Project Coordinator Alisha L. Stanley

**B. NEW BUSINESS (Refer to Public Hearing 05/21/09) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-104  
INTRO: 05/07/09**

**2009-104 COMMUNITY PRESERVATION FUND APPROPRIATION FOR THE  
ACQUISITION OF A CONSERVATION RESTRICTION ON 3.5 ACRES**

**ORDERED**, that pursuant to the provisions of G.L. c. 44B, the sum of One Hundred Thousand and No/100 (\$100,000) Dollars be appropriated and transferred from the amount set aside for Open Space in the Community Preservation Fund on March 30, 2009; and that the Town of Barnstable Growth Management Department is authorized to contract for and expend the amount of (\$100,000) with the prior approval of the Town Manager for the purpose of acquiring a conservation restriction on a 3.5 acre parcel located at 580 Old Post Road in Cotuit, on Map 054 Parcel 007.

**SPONSOR:** Councilor Richard Barry upon recommendation of the Community Preservation Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

# **BARNSTABLE TOWN COUNCIL**

## **CPF APPROPRIATION**

**ITEM# 2009-2009-104**

**INTRO: 05/07/09**

### **SUMMARY**

**TO:** Town Council  
**FROM:** Community Preservation Committee  
**DATE:** April 22, 2009  
**SUBJECT:** Galloway Conservation Restriction, 580 Old Post Road, Cotuit, Map 054 Parcel 007

**BACKGROUND:** The Community Preservation Committee (CPC) met on March 30, 2009 and has recommended that the town support the funding request of \$100,000, made by Barnstable Land Trust to have the town acquire a Conservation Restriction on 3.5 acres of property, Map 054 Parcel 007. The total requested amount is \$100,000 and is being requested and shall be appropriated and transferred from the Community Preservation Funds.

**RATIONALE:** This project seeks to assist Barnstable Land Trust in the acquisition 3.5 acres of the Galloway property located at 580 Old Post Road, Cotuit; Map 054 Parcel 007. Permanent protection and preservation by a Conservation Restriction will be acquired for the 3.5 acres to be held by the Town of Barnstable. The Town of Barnstable would also be identified as a partner with the Barnstable Land Trust in helping to preserve the Eagle Pond Sanctuary which is likely the most heavily used conservation land in the Mashpee / Cotuit area.

The Galloway property fronts on Old Post Road, which is used by bicyclists, walkers and joggers. The goal is to keep the land in its natural state and create a new pedestrian entrance from the south into the Eagle Pond Sanctuary. The new entrance will hopefully eliminate roadway pedestrian traffic. The installation of an educational kiosk would include a map and provide a sense of place for people.

Between the changes to the Resource Protection Overlay District and continued protection of the 'headwaters' of the Little River Corridor; protection of this property would further reduce nitrogen, maintain the numerous aquatic usages of the area and aide in the reduction of eutrophication of shellfish beds.

This project is consistent with the Local Comprehensive Plan; preserves the essential character of the Town; saves resources that would otherwise be threatened; demonstrates financial feasibility; produces advantageous benefits; endorsed by other municipal entities; and serves more than one CPA purpose.

The overall benefit of this parcel will enhance existing wildlife habitat and enhanced preservation of the aquifer which lies beneath that provides drinking water and interconnects with the rich surface waters and kettlehole ponds.

**STAFF ASSISTANCE:** Project Coordinator Alisha L. Stanley



**B. NEW BUSINESS (Refer to Public Hearing 05/21/09) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-105  
INTRO: 05/07/09**

**2009-105 TRANSFER & APPROPRIATION ORDER - ACQUISITION & CREATION OF OPEN SPACE AT 864 MARY DUNN ROAD & 0 MID-CAPE HIGHWAY**

**ORDERED,** That the sum of Forty Six Thousand Six Hundred and No/100 (\$46,600) Dollars is appropriated for the acquisition and creation of open space and recreation, to wit, parcels of land located at 864 Mary Dunn Road (Map 332 Parcel 005) and 0 Mid Cape Highway (Map 348 Parcel 036); that in order to meet this appropriation the sum of \$46,600.00 be appropriated and transferred pursuant to the provisions of G.L. c. 44B from the amounts set aside for Open Space and Recreation under the Community Preservation Fund on August 21, 2008 under agenda item number 2008-161 and that the Growth Management Department is authorized to contract for and expend the amount of \$46,600.00 with the prior approval of the Town Manager.

**SPONSOR:** Councilor Richard Barry upon recommendation of the Community Preservation Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

# **BARNSTABLE TOWN COUNCIL**

## **CPF APPROPRIATION**

**ITEM# 2009-105**  
**INTRO: 05/07/09**

### **SUMMARY**

**TO:** Town Council  
**FROM:** Community Preservation Committee  
**DATE:** April 24, 2009  
**SUBJECT:** Conservation Restriction – Mary Dunn Road

**BACKGROUND:** The Community Preservation Committee (CPC) met on March 30, 2009 and has recommended that the town support the funding request of \$46,600, made by the Growth Management Department to acquire two parcels of land totaling 1.79 acres of the following two lots: Map 332 Parcel 005 and Map 348 Parcel 036. The total acquisition cost for the 1.79 acres is \$46,600 for the parcel purchase, closing costs and legal fees, and shall be appropriated and transferred from the Community Preservation Funds Open Space set aside. The Town has obtained appraisals that support the purchase price.

**RATIONALE:** The first parcel, located at 864 Mary Dunn Road, Hyannis, abutting Israel Pond, (Map 332 Parcel 005) consists of approximately 0.59 acres of open land and is located entirely within the Wellhead Protection Overlay District. The acquisition of this parcel will be dedicated to Open Space and water supply protection as it directly abuts the Hyannis Water Supply Division property.

The second parcel, located at 0 Midcape Highway, Hyannis (Map 348 Parcel 036) consists of approximately 1.2 acres of open land and is landlocked within the 350 +/- acres of land owned by the Commonwealth of Massachusetts Division of Fish and Game. The acquisition of this parcel will also be dedicated to Open Space.

The acquisition of both parcels will allow for the permanent protection of the many rare plant and animal species habitat that live within the surrounding lands by deterring future development. Further protection of the public drinking water supply wells off Mary Dunn Road will be achieved with the acquisition of the parcel abutting Israel Pond.

**STAFF ASSISTANCE:** Project Coordinator Alisha L. Stanley

**B. NEW BUSINESS (Refer to public hearing 05/21/09) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-106  
INTRO: 05/07/09**

**2009-106 AMEND ORDINANCES ESTABLISHING AN ENTERPRISE ACCOUNT FOR THE HYANNIS YOUTH & COMMUNITY CENTER OPERATIONS**

**ORDERED**, that §86-6 of the General Ordinances is hereby amended by inserting at the end thereof the following new paragraph:

“H. The Department of Community Services Hyannis Youth and Community Center facility, as an enterprise thereunder.”

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

# **BARNSTABLE TOWN COUNCIL**

## **ESTABLISHING AN ENTERPRISE FUND FOR HYCC OPERATIONS**

**ITEM# 2009-106**  
**INTRO: 05/07/09**

### **SUMMARY**

**TO:** Town Council  
**FROM:** John C. Klimm  
**DATE:** April 26, 2005  
**SUBJECT:** Ordinance Amendment-establishing an enterprise fund for HYCC operations

**RATIONALE:** An Enterprise Fund is a separate fund established to account for operations (a) that are financed and operated in a manner similar to private business enterprises – where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes. It is the town's intent that these operations are self-sufficient, and that user fees are set at appropriate levels to cover all operating and capital costs.

Massachusetts general finance law, Chapter 44; Section 53F1/2 allows communities to establish Enterprise Funds for a utility, health care, recreational or transportation facility. The town currently has seven enterprise funds consisting of the Barnstable Municipal Airport, Olde Barnstable Fairgrounds and Hyannis Golf Courses, the transfer station in Marstons Mills, the Hyannis Water Supply Division, the Water Pollution Control Plant, the town owned marinas and Sandy Neck Recreational Park.

As part of the FY10 budget proposal; the town is proposing to create a new enterprise fund operation for the Hyannis Youth and Community Center recreational facility. The Community Services Department has created a business plan and developed user fee charges that will cover the operational cost; excluding debt service, for this facility. A conservative revenue projection has been developed for fiscal year 2010 as it will be the first year of operations for the new facility. It is projected in year two of the operations that the revenue generated will exceed the operating costs and a portion of the debt service payments on the facility's construction can be covered. In fiscal year 2010 the debt service on the construction of the facility will be covered by a transfer from the Capital Trust Fund. The fiscal year 2010 budget proposal provides the estimated operating costs and associated revenue.

**STAFF ASSISTANCE:** Finance Director Mark Milne

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-107  
INTRO: 05/07/09**

**2009-107 APPROPRIATION ORDER TO FUND THE POLICE DEPARTMENT FY10  
OPERATING BUDGET**

**ORDERED,** That the sum of \$11,413,905 be raised and appropriated for the purpose of funding the Town's FY 2010 Police Department budget as presented to the Town Council by the Town Manager.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-108  
INTRO: 05/07/09**

**2009-108 APPROPRIATION ORDER TO FUND THE FY10 MUNICIPAL AIRPORT  
ENTERPRISE FUND BUDGET**

**ORDERED,** That the sum of \$7,252,849 be appropriated for the purpose of funding the Town's FY 2010 Airport Enterprise Fund budget, and to meet such appropriation that \$7,252,849 be raised from current year revenues by the airport as presented to the Town Council by the Town Manager.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-109  
INTRO: 05/07/09**

**2009-109 APPROPRIATION ORDER TO FUND THE FY10 LOCAL SCHOOL SYSTEM BUDGET**

**ORDERED,** That the sum of \$57,868,177 be raised and appropriated for the purpose of funding the Town's FY 2010 Local School System budget as presented to the Town Council by the Town Manager.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-110  
INTRO: 05/07/09**

**2009-110 APPROPRIATION ORDER TO FUND THE FY10 DPW GENERAL FUND BUDGET**

**ORDERED,** That the sum of \$8,124,730 be raised and appropriated for the purpose of funding the Town's FY 2010 Department of Public Works General Fund budget as presented to the Town Council by the Town Manager.

**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



**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-111  
INTRO: 05/07/09**

**2009-111 APPROPRIATION ORDER TO FUND THE FY10 DPW SOLID WASTE  
ENTERPRISE FUND BUDGET**

**ORDERED,** That the sum of \$2,551,629 be appropriated for the purpose of funding the Town's FY 2010 Department of Public Works Solid Waste Enterprise Fund budget as presented to the Town Council by the Town Manager, and to meet such appropriation that \$2,100,000 be raised from current year revenues by the solid waste facility and that \$451,629 be transferred from the solid waste savings account.

**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

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-112  
INTRO: 05/07/09**

**2009-112 APPROPRIATION ORDER TO FUND THE FY10 DPW WATER POLLUTION CONTROL ENTERPRISE FUND BUDGET**

**ORDERED,** That the sum of \$4,746,448 be appropriated for the purpose of funding the Town's FY 2010 Department of Public Works Water Pollution Control Enterprise Fund budget as presented to the Town Council by the Town Manager, and to meet such appropriation that \$4,309,000 be raised from current year revenues by the water pollution control facility and that \$437,448 be transferred from the water pollution control savings account.

**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

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-113  
INTRO: 05/07/09**

**2009-113 APPROPRIATION ORDER TO FUND THE FY10 DPW WATER SUPPLY  
ENTERPRISE FUND BUDGET**

**ORDERED,** That the sum of \$2,731,839 be appropriated for the purpose of funding the Town's FY 2010 Department of Public Works Water Supply Enterprise Fund budget as presented to the Town Council by the Town Manager, and to meet such appropriation that \$2,731,839 be raised from current year revenues by the water supply operations.

**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

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-114  
INTRO: 05/07/09**

**2009-114 APPROPRIATION ORDER TO FUND THE FY10 REGULATORY SERVICES DEPARTMENT BUDGET**

**ORDERED**, That the sum of \$2,351,783 be raised and appropriated for the purpose of funding the Town's FY 2010 Regulatory Services Department budget as presented to the Town Council by the Town Manager.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-115  
INTRO: 05/07/09**

**2009-115 APPROPRIATION ORDER TO FUND THE FY10 COMMUNITY SERVICES  
DEPARTMENT GENERAL FUND BUDGET**

**ORDERED**, That the sum of \$2,539,565 be raised and appropriated for the purpose of funding the Town's FY 2010 Community Services Department Budget as presented to the Town Council by the Town Manager.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-116  
INTRO: 05/07/09**

**2009-116 APPROPRIATION ORDER TO FUND THE FY10 COMMUNITY SERVICES  
DEPARTMENT GOLF COURSE ENTERPRISE FUND BUDGET**

**ORDERED,** That the sum of \$3,408,443 be appropriated for the purpose of funding the Town's FY 2010 Golf Course Enterprise Fund budget; and to meet such appropriation that \$3,408,443 be raised from current year revenues by the golf course facilities.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-117  
INTRO: 05/07/09**

**2009-117 APPROPRIATION ORDER TO FUND THE FY10 COMMUNITY SERVICES  
DEPARTMENT MARINA ENTERPRISE FUND BUDGET**

**ORDERED,** That the sum of \$628,791 be appropriated for the purpose of funding the Town's FY 2010 Marina Enterprise Fund budget; and to meet such appropriation that \$608,791 be raised from current year revenues by the marina facilities and that \$20,000 be transferred from the marina enterprise fund savings account.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-118  
INTRO: 05/07/09**

**2009-118 APPROPRIATION ORDER TO FUND THE FY10 COMMUNITY SERVICES  
DEPARTMENT SANDY NECK PARK ENTERPRISE FUND BUDGET**

**ORDERED,** That the sum of \$524,996 be appropriated for the purpose of funding the Town's FY 2010 Sandy Neck Park Enterprise Fund budget; and to meet such appropriation that \$524,996 be raised from current year revenues by the Sandy Neck Park operations.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote



**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-119  
INTRO: 05/07/09**

**2009-119 APPROPRIATION & TRANSFER ORDER TO FUND THE FY10 COMMUNITY SERVICES DEPARTMENT HYCC ENTERPRISE FUND BUDGET**

**ORDERED,** That the sum of \$2,862,736 be appropriated for the purpose of funding the Town's FY 2010 Hyannis Youth and Community Center Enterprise Fund budget; and to meet such appropriation that \$1,336,706 be raised from current year revenues by the Hyannis Youth and Community Center operations and that \$1,526,030 be transferred from the Capital Trust Fund.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-120  
INTRO: 05/07/09**

**2009-120 APPROPRIATION ORDER TO FUND THE FY10 GROWTH MANAGEMENT DEPARTMENT BUDGET**

**ORDERED,** That the sum of \$944,777 be raised and appropriated for the purpose of funding the Town's FY 2010 Growth Management Department Budget as presented to the Town Council by the Town Manager.

**SPONSOR:** Town Manager John C. Klimm

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-121  
INTRO: 05/07/09**

**2009-121 APPROPRIATION ORDER TO FUND THE FY10 TOWN COUNCIL  
DEPARTMENT BUDGET**

**ORDERED,** That the sum of \$332,036 be raised and appropriated for the purpose of funding the Town's FY 2010 Town Council budget as presented to the Town Council by the Town Manager.

**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

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-122  
INTRO: 05/07/09**

**2009-122 APPROPRIATION ORDER TO FUND THE FY10 TOWN MANAGER  
DEPARTMENT BUDGET**

**ORDERED,** That the sum of \$573,801 be raised and appropriated for the purpose of funding the Town's FY 2010 Town Manager budget as presented to the Town Council by the Town Manager.

**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

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-123  
INTRO: 05/07/09**

**2009-123 APPROPRIATION ORDER TO FUND THE FY10 ADMINISTRATIVE SERVICES DEPARTMENT BUDGET**

**ORDERED**, That the sum of \$5,162,474 be raised and appropriated for the purpose of funding the Town's FY 2010 Administrative Services Department budget as presented to the Town Council by the Town Manager.

**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

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-124  
INTRO: 05/07/09**

**2009-124 APPROPRIATION ORDER TO FUND THE FY10 OTHER REQUIREMENTS BUDGET**

**ORDERED:**

1) That the sum of **\$27,896,714** and appropriated for funding the Town's FY 2010 Other Requirements Budget as presented to the Town Council by the Town Manager;

2) And that the following sums be transferred from the Town's Enterprise Accounts for the purpose of funding Administrative Costs within the General Fund:

Water Pollution:	\$492,815
Solid Waste:	\$344,231
Water:	\$128,441
Airport:	\$457,649
Golf Course:	\$225,000
Marinas:	\$43,857
Sandy Neck:	\$50,676

3) And further, that the sum of \$370,000 be transferred and appropriated from the Pension Reserve Account for the purpose of funding the Town's annual pension appropriation obligation under the provisions of Chapter 32, Section 22D;

4) And further, that the sum of \$73,413 be transferred from the Embarkation Fee Special Revenue Account to the Capital Trust Fund for the payment of debt service on the Pleasant St. dock replacement;

5) And further, that the sum of: \$157,076 be transferred from the Bismore Park Account, \$35,000 be transferred from the Wetlands Protection Account, \$45,000 be transferred from the Embarkation Fee Special Revenue Account, \$190,000 be transferred from the Mooring Fee Special Revenue Account; and \$1,930,000 be transferred from the General Fund Savings Account all for the purpose of funding the Town's FY 2010 General Fund budget as presented to the Town Council by the Town Manager.

**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

**B. NEW BUSINESS (Refer to Public Hearing June 4, 2009) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-125  
INTRO: 05/07/09**

**2009-125 AUTHORIZATION ORDER FOR FY10 REVOLVING FUNDS**

**ORDERED:**

Pursuant to Chapter II, Article XVIII-A, Section 3 of the General Ordinances, the Town Council hereby authorizes the following revolving funds for FY 2010:

Fund	Revenue Source	Dept Officer Auth. To Expend Funds	Use of Fund	Total Expenditure Limit FY 2010
Classroom Education Fund	Program registration fees	Senior Services Director	Salaries, benefits, expenses, contract services to operate program	\$35,000
Adult Social Day Fund	Program registration fees	Senior Services Director	Salaries, benefits, expenses, contract services to operate program	\$150,000
Recreation Program Fund	Program registration fees	Recreation Director	Salaries, benefits, expenses, contract services to operate program	\$450,000
Shellfish Propagation Fund	Fees from permits	Natural Resources Director	Salaries, benefits, expenses, contract services, shellfish equipment to operate program	\$115,000
Building Inspections Fund	Fees from permits for municipal & private	Building Commissioner	Salaries, benefits, expenses, contract services to operate program	\$150,000
Consumer Protection Fund	Fees from weights & measures services	Director Regulatory Services Dept.	Salaries, benefits, expenses, contract services to operate program	\$165,000
Geographic Information Systems	Fees for GIS maps & reports	Information Systems Director	Salaries, benefits, expenses, contract services to operate program	\$20,000
			Total	\$1,085,000

**SPONSOR:** Town Manager John C. Klimm