



Town of Barnstable Town Council

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Councilors:

Frederick Chirigotis
President
Precinct 4

Janice L. Barton
Vice President
Precinct 10

Ann B. Canedy
Precinct 1

Tom Rugo
Precinct 2

Michael P. Hersey
Precinct 3

James H. Cote
Precinct 5

Janet S. Joakim
Precinct 6

Jessica Rapp Grassetti
Precinct 7

Dr. Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

June Daley
Precinct 11

John T. Norman
Precinct 12

Jennifer L. Cullum
Precinct 13

Acting Administrator:

Barbara A. Ford

Administrative
Assistant:

TOWN COUNCIL MEETING AGENDA February 16, 2012 7:00 PM

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
 - **Report of the Town Library Committee**
 - **Workshop - Town Council Citizen's Advisory Committee**
 - **Workshop – Healthcare Reform Law**
- 4. PUBLIC COMMENT (May be limited to 2 minutes)**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
- 6. ACT ON MINUTES (Includes Executive Session)**
- 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**

NEXT REGULAR MEETING: March 1, 2012

A. OLD BUSINESS

2012-035	Amending the Zoning Ordinance, Chapter 240, Article II (Public hearing) (Roll-call, 2/3)	3 - 5
2012-063	Authorizing, in accordance with MGL C. 21A, the town treasurer the issuance of refunding (refinancing) outstanding obligation bonds (Public hearing) (Roll-call, 2/3)	6 - 7

B. NEW BUSINESS

2012-065	Authorization to engage in the process to change health insurance benefits in accordance with MGL C. 32B §§21-23 (May be acted upon)	8 - 9
2012-066	Appointments to a board, committee, or commission (May be acted upon)	10

- The Town Council may vote to go into executive session to discuss litigation strategy with regard to the pending case of *Limoncelli v. Town of Barnstable Zoning Board of Appeals and Town of Barnstable*.

Approve Minutes --February 2, 2012

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 (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-035

INTRO: 11/17/11, 02/02/12, 02/16/12

2012-035 AMENDING THE ZONING ORDINANCE, CHAPTER 240, ARTICLE II

ORDERED: That Chapter 240, Article II of the Zoning Ordinance is hereby amended as follows.

By amending the official zoning map of the Town of Barnstable titled “ZONING MAP OF THE TOWN OF BARNSTABLE, MA,” adopted September 1, 1998 as amended through September 8, 2011, by expanding the B, Business Zoning District as it affects Parcel 274, Map 040-001 off Attucks Lane in Barnstable, rezoning portions of this property from Residence G and IND to Business for the entirety of the parcel. This proposed expansion of the Business Zoning District is shown on maps entitled “Proposed Amendment to the Town Zoning Map to modify the B, RG, and IND zoning districts in the vicinity of Map 274 Parcel 040-001; Proposed Amendment to the Barnstable Zoning Map to modify the B, RG, and IND zoning districts in the vicinity of Map 274 Parcel 040-001; Proposed Amendment to the Hyannis Zoning Map to modify the B, RG, and IND zoning districts in the vicinity of Map 274 Parcel 040-001 dated October 18, 2011 as prepared by the GIS Unit.

SPONSOR: Councilor Ann Canedy

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Referred to Planning Board on 11/17/11
- ___ Planning Board Public Hearing Jan 9th—PB Recommends (w/out amendment) Adoption of Proposed Map Changes.
- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Amendments
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2012-035
INTRO: 11/17/11, 02/02/12, 02/16/12

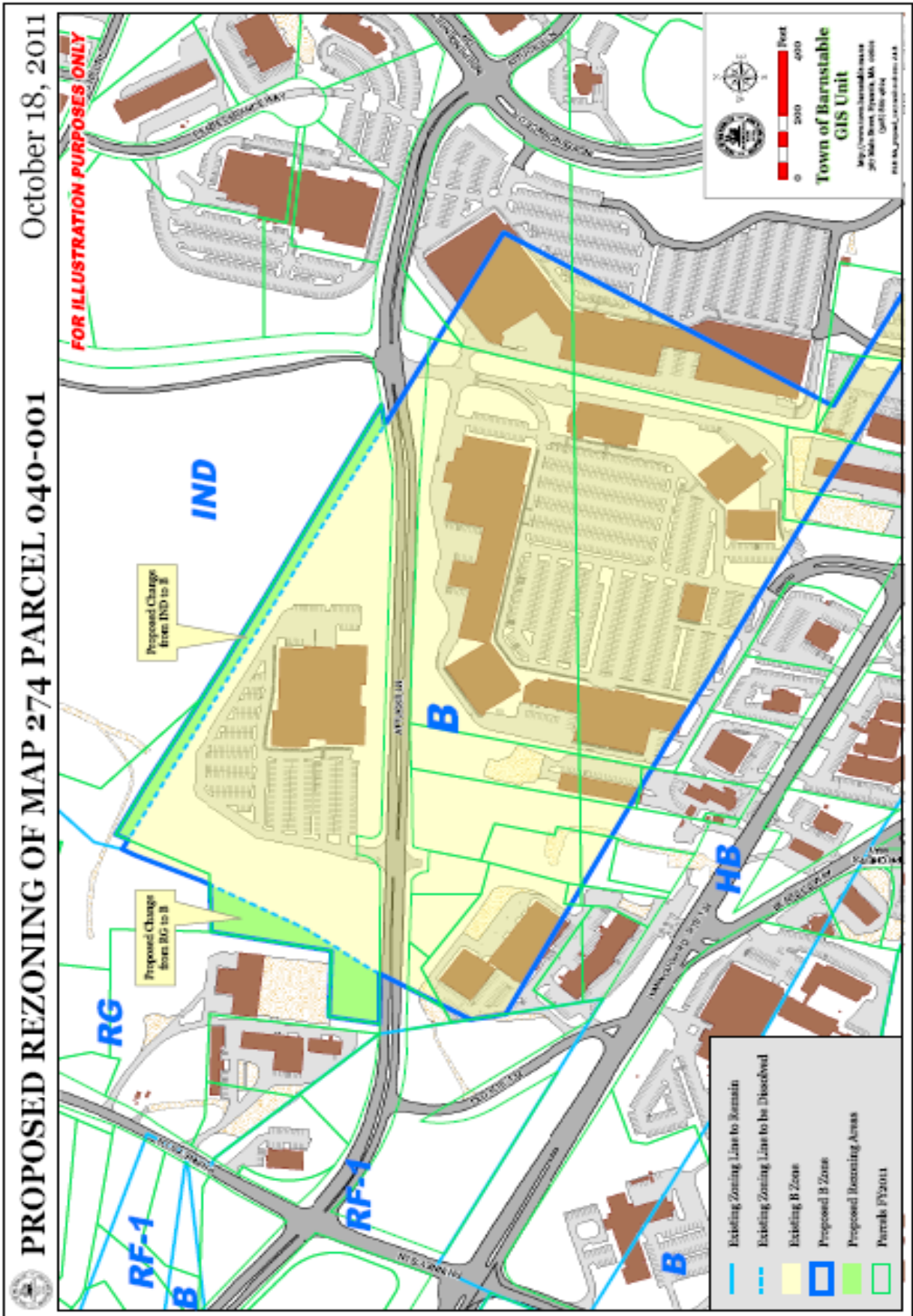
SUMMARY

TO: Town Council
FROM: Through Jo Anne Buntich Miller and the Barnstable Planning Board
DATE: January 13, 2012

ANALYSIS/RATIONALE: This is an amendment to the Zoning Map that extends the B (“Business”) Business District (as described in Section 240-25 of the Zoning Ordinance) to an additional portion of property on Attucks Lane near the intersection of Phinney’s Lane that currently hosts the BJ’s Wholesale Club.

The property owner, through Attorney John Kenney, requests this change to allow the entire parcel to be regulated under one zoning district.

It appears the original district boundaries may have been drawn to satisfy a dimensional offset from the roadways. Relating the zoning district to the parcel boundary is the more recent practice and one that better suits site development



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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-063
INTRO: 02/02/12, 02/16/12

2012-063 AUTHORIZATION –THE ISSUANCE OF REFUNDING BONDS BY TREASURER

ORDERED, That in order to reduce interest costs on outstanding bonds of the Town, it is hereby authorized in accordance with the provisions of Chapter 21A of the General Laws, or any other enabling authority, the issuance of refunding bonds to refund all or any portion of the principal of and the interest on, any bonds of the Town outstanding as of the date hereof, and to pay any related redemption premiums and any other costs incidental and related thereto.

SPONSOR: Acting Town Manager Thomas K. Lynch

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-063
INTRO: 02/02/12, 02/16/12

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Acting Town Manager
DATE: January 23, 2012
SUBJECT: Refunding General Obligation Bonds

BACKGROUND: As a general matter in the bond market, blocks, or lots, of bonds maturing in the early years are charged lower rates of interest at the time of sale while those maturing in the later years are charged a higher rate of interest at the time of sale. As economic conditions change, so do interest rates. The Treasury is always alert to opportunities to refund (refinance) outstanding bonds to achieve future interest savings.

ANALYSIS: Authorization of this item will position the Town to act quickly to changing economic conditions that may result in interest savings on the Town's outstanding general obligation bonds. As with any other borrowing authorization, this refunding authorization will not be effective until 30 days after its passage. The Town is actively researching this opportunity and it will initiate a refunding if the market conditions warrant such action.

FISCAL IMPACT: Impact will be favorable to future annual debt service. The issuance costs associated with any refunding will be factored into projected savings and are paid for from a premium charged to the buyer of these refunded bonds at the time of sale.

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

STAFF ASSISTANCE: Debra Blanchette, Treasurer
Mark Milne, Finance Director

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-065
INTRO: 02/16/12

**2012-065 ORDER TO ENGAGE IN THE-PROCESS TO CHANGE HEALTH INSURANCE
BENEFITS UNDER MGL C.32B, §§ 21-23**

ORDERED: The Town of Barnstable elects to engage in the process to change health insurance benefits under M.G.L. c. 32B, §§ 21-23.

SPONSOR: Acting Town Manager Thomas K. Lynch

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-065
INTRO: 02/16/12

SUMMARY

TO: Town Council
FROM: Thomas J. Lynch, Acting Town Manager
DATE: February 7, 2011
SUBJECT: Implement Health Care Reform Process

BACKGROUND: Chapter 69 of the Acts of 2011 enacted the process to follow in order to implement municipal health care reform changes. The Act created three new sections of law under M.G.L. c. 32B; sections 21 through 23. Section 21 outlines the process, which must be followed when electing to change health insurance plan design under sections 22 or 23. Section 22 outlines the changes that can be made by the appropriate public authority to cost-sharing plan design features and the limitations thereto. Section 23 provides the option for the appropriate public authority to provide health insurance coverage to subscribers by transferring its subscribers to the Group Insurance Commission.

ANALYSIS: The Town of Barnstable is a member of the Cape Cod Municipal Health Group (CCMHG) a Joint Purchase Group (JPG). The JPG has made changes to plan design features in accordance with the new legislation under Chapter 69 of the Acts of 2011. These changes include new front-end deductibles; increased co-pays on office visits and prescription medications as well as new and increased co-pays for emergency room visits, inpatient admission, outpatient surgery and radiology. Changes to percentage contribution rates cannot be made under this legislation.

The adoption of this order will allow the Town to follow the expedited collective bargaining procedures under Section 21. This includes implementing a strategy whereby up to 25% of the estimated savings from the plan design changes will be shared with subscribers to help mitigate the financial impact on certain subscribers including retirees, low-income and those with high utilization rates. Otherwise, traditional collective bargaining practices would have to be followed to negotiate the impacts of these changes.

FINANCIAL IM PACT: The changes to cost sharing plan design features implemented by the CCMHG has resulted in health insurance premium rate decreases for FY13 that are 9.3 percent less overall in comparison to the FY12 premium rates. Using the Town's subscriber population from January 2011 the estimated savings from the premium rate reductions is approximately \$1.6 million. Since the Town's contribution rate is shared with subscribers on a 50/50 basis, one-half of the estimated savings will be realized by subscribers and the other half by the Town. Up to 25% of the overall savings (\$1.6 million) must be shared with the subscribers and must come from the Town's share of the savings, resulting in a net budget savings of \$400,000 to the Town.

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

STAFF ASSISTANCE: Mark Milne, Director of Finance
William Cole, Director of Human Resources

B. NEW BUSINESS (First reading)

BARNSTABLE TOWN COUNCIL

**ITEM# 2012-066
INTRO: 02/16/12**

2012-067 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

COMPREHENSIVE FINANCIAL ADVISORY COMMITTEE

Laurie K. Young, 142 Great Bay Road, Osterville as a member, to a term expiring 6/30/2014

CULTURAL COUNCIL

Mary Carolla-Allen, 312B Pleasant Pines Avenue, Centerville as a member, to a term expiring 6/30/2013

HISTORICAL COMMISSION

Laurie K. Young, 142 Great Bay Road, Osterville as a member, to a term expiring 6/30/2014

HOUSING COMMITTEE

Sue W. Davenport, 148 West Main Street, Hyannis as a member, to a term expiring 6/30/2014

PUBLIC WORKS COMMISSION

Robin C. Young, 142 Great Bay Road, Osterville as a member, to a term expiring 6/30/2013

WATERWAYS COMMITTEE

Paul J. Everson, 21 Wren Lane, Marstons Mills as a member, to a term expiring 6/30/2014

YOUTH COMMISSION

Rose Silva, c/o BHS 744 W. Main Street, Hyannis as a member, to a term expiring 6/30/2012

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

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