



Town of Barnstable Town Council

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www.town.barnstable.ma.us



MEETING AGENDA TOWN HALL HEARING ROOM

March 20, 2014

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:
Barbara A. Ford

Administrative
Assistant:
Cynthia A. Lovell

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. PUBLIC COMMENT**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
 - **Independence House - Executive Director Lysetta Hurge-Putnam and Board of Directors President Lauren Kanzer**
 - **Cape Cod Symphony Orchestra – presentation**
 - **Presentation: Regional Beach Access Coalition Members –
Selectmen: Wayne Bergeron, Dennis; John Hodgson, Orleans;
Sean Summers, Chatham**
- 6. ACT ON MINUTES (Includes Executive Session)**
- 7. COMMUNICATIONS – from elected officials, boards, committees, staff, commission reports, correspondence and announcements**
 - **Reports from the Board of Assessors and the Shellfish Committee**
- 8. ORDERS OF THE DAY**
 - A. Old Business**
 - B. New Business**
- 9. TOWN MANAGER COMMUNICATIONS**
- 10. ADJOURNMENT**

NEXT REGULAR MEETING: April 3, 2014

ITEM NO.	INDEX TITLE	PAGE
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A. OLD BUSINESS

2014-065	Appropriation and transfer of \$22,000 from the town's insurance recovery fund for the replacement of a damaged school department vehicle (Public hearing) (Roll call)	5 - 6
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B. NEW BUSINESS

2014-067	Vote on the merits of a group petition submitted in reference to Barnstable Charter Section 8-7 Free Petitions, (b) Group Petitions (Public hearing) (Roll call)	7 - 8
2014-069	Amending the Administrative Code, Chapter 241, §241-59 Youth Commission to expand the membership to include all schools, public and private in the Town of Barnstable (First reading)	9 - 10
2014-070	Acceptance of a \$233,795 grant from the Executive Office of Energy and Environmental Affairs, Parkland Acquisitions and Renovations for Communities (PARC) Program (May be acted upon)	11 – 13

CAPITAL BUDGET ORDERS (For referral to public hearings on 04/03/14)

2014-071	Appropriation and loan order - \$1,050,000 Water Supply Enterprise Fund Capital Improvement Plan for the Hyannis Water System.....	14
2014-072	Appropriation and transfer order - \$200,000 Water Supply Enterprise Fund Capital Improvement Plan for Pump Station and Treatment Plant Upgrades.....	14
2014-073	Appropriation and loan order - \$583,000 Water Supply Enterprise Fund Capital Improvement Plan for the New Well Exploration Program.....	14
2014-074	Appropriation and transfer order - \$68,400 Water Supply Enterprise Fund Capital Improvement Plan for funding the Mary Dunn Tank 2 painting project.....	14
2014-075	Appropriation and transfer order - \$95,900 Water Supply Enterprise Fund Capital Improvement Plan for the Water Main Upgrades.....	14
2014-076	Appropriation and transfer order - \$450,000 Water Pollution Control Enterprise Fund Capital Improvement Plan for the Septage Building Capacity Evaluation and Design.....	14
2014-077	Appropriation and transfer order - \$132,000 Sewer Enterprise Fund Capital Improvement Plan for the construction of a Generator Storage Building.....	15
2014-078	Appropriation and transfer order - \$200,000 Sewer Enterprise Fund Capital Improvement Plan for funding a Plant Upgrade Study for Total Organic Compounds and Total Nitrogen Effluent Limits.....	15
2014-079	Appropriation and transfer order - \$60,000 Solid Waste Enterprise Fund Capital Improvement Plan for a One-Ton Dump Truck.....	15

ITEM NO.	INDEX TITLE	PAGE
2014-080	Appropriation and transfer order - \$110,000 Solid Waste Enterprise Fund Capital Improvement Plan for funding a New Backhoe.....	15
2014-081	Appropriation and transfer order - \$75,000 Solid Waste Enterprise Fund Capital Improvement Plan for funding a Master Plan as outlined in the FY 2015 – FY 2019 Capital Improvement Plan.....	15
2014-082	Appropriation and transfer order - \$50,000 Airport Enterprise Fund Capital Improvement Plan to fund a Painting of Runways, Taxiways, and Roadways.....	15
2014-083	Appropriation and transfer order - \$65,000 Airport Enterprise Fund Capital Improvement Plan for funding a New Dump Truck.....	16
2014-084	Appropriation and transfer order - \$200,000 Airport Enterprise Fund Capital Improvement Plan for funding the Permitting and Design of the Reconstruction of Taxiway C.....	16
2014-085	Appropriation and loan order -\$400,000 Airport Enterprise Fund Capital Improvement Plan for funding the Permitting and Design of the Reconstruction of Runway 15-33.....	16
2014-086	Appropriation and loan order - \$400,000 Airport Enterprise Fund Capital Improvement Plan for funding the Permitting and Design of the Reconstruction of Runway 6-24.....	16
2014-087	Appropriation and transfer order - \$100,000 Airport Enterprise Fund Capital Improvement Plan for funding for the Design and Replacement of the East Ramp T-Hanger Roof.....	16
2014-088	Appropriation and loan order - \$650,000 Airport Enterprise Fund Capital Improvement Plan for funding a New Frontend Loader.....	16
2014-089	Appropriation and loan order - \$448,125 Airport Enterprise Fund Capital Improvement Plan for funding the Design and Construction of the Airport Access Road.....	17
2014-090	Appropriation and transfer order - \$200,000 Airport Enterprise Fund Capital Improvement Plan for funding the Airport Terminal and Building.....	17
2014-091	Appropriation and loan order - \$1,205,000 Airport Enterprise Fund Capital Improvement Plan for funding the Design and Construction of the Airport Fixed Base Operations Building.....	17
2014-092	Appropriation and loan order - \$2,000,000 Capital Trust Fund Capital Improvement Plan for funding the Design and Construction of a New Modular Facility for the Barnstable Early Learning Center.....	17
2014-093	Appropriation and transfer order - \$200,000 Capital Trust Fund Capital Improvement Plan for funding the Barnstable Intermediate School Façade and Roof Improvements.....	17
2014-094	Appropriation and transfer order - \$200,000 Capital Trust Fund Capital Improvement Plan for funding the Barnstable High School Fire Intrusion and Communications System Improvements.....	17
2014-095	Appropriation and transfer order - \$204,000 Capital Trust Fund Capital Improvement Plan for funding the Barnstable Public Schools Internet and Digital Resource Improvements.....	18
2014-096	Appropriation and transfer order - \$200,000 Capital Trust Fund Capital Improvement Plan for funding the Barnstable United Elementary School Air Conditioning and Chiller Pipe Upgrades.....	18
2014-097	Appropriation and transfer order - \$100,000 Capital Trust Fund Capital Improvement Plan for funding the Barnstable Public Schools Interior and Exterior Lock and Hardware Upgrades.....	18

ITEM NO.	INDEX TITLE	PAGE
2014-098	Appropriation and transfer order - \$50,000 Capital Trust Fund Capital Improvement Plan for funding the Barnstable Public Schools Kitchen Equipment upgrades	18
2014-099	Appropriation and transfer order - \$75,000 Capital Trust Fund Capital Improvement Plan for funding the Replacement of Heat Circulating Pumps at the Barnstable United Elementary School.....	18
2014-100	Appropriation and transfer order - \$140,000 Capital Trust Fund Capital Improvement Plan for funding the Town's Aerial Flyover and Mapping.....	19
2014-101	Appropriation and loan order - \$170,000 Capital Trust Fund Capital Improvement Plan for funding the Town's Bicycle Accommodations Program	19
2014-102	Appropriation and loan order - \$288,000 Capital Trust Fund Capital Improvement Plan for funding the Improvements to the Barnstable Police Facility.....	19
2014-103	Appropriation and transfer order -\$75,000 Capital Trust Fund Capital Improvement Plan for funding the Remediation of Hydrilla in Long Pond Centerville and Mystic Lake.....	19
2014-104	Appropriation and transfer order -\$100,000 Capital Trust Fund Capital Improvement Plan for funding the Wequaquet Lake Fanwort Control.....	19
2014-105	Appropriation and transfer order - \$140,000 Capital Trust Fund Capital Improvement Plan for funding the Alum Treatment at Lovell's Pond	19
2014-106	Appropriation and loan order -\$290,000 Capital Trust Fund Capital Improvement Plan for funding the Construction of the Senior Center Parking Lot Expansion	20
2014-107	Appropriation and loan order - \$301,500 Capital Trust Fund Capital Improvement Plan for funding the Design and Construction of Beach House Improvements.....	20
2014-108	Appropriation and loan order - \$393,500 Capital Trust Fund Capital Improvement Plan for funding the Reconstruction of the Marstons Mills Fish Run.....	20
2014-109	Appropriation and transfer order - \$42,000 Capital Trust Fund Capital Improvement Plan for funding the Design of the Improvements to the Mill Pond and Long Pond Fish Ways	20
2014-110	Appropriation and transfer order - \$84,000 Capital Trust Fund Capital Improvement Plan for funding the ADA Compliant Improvements to the Restrooms at the Hyannis Golf Course.....	20
2014-111	Appropriation and transfer order - \$50,000 Capital Trust Fund Capital Improvement Plan for funding the Veteran's Park Strategic Plan and Campus Design	20
2014-112	Appropriation and transfer order - \$85,000 Capital Trust Fund Capital Improvement Plan for funding the Veteran's Beach Parking Lot Rehabilitation	21
2014-113	Appropriation and transfer order - \$55,000 Capital Trust Fund Capital Improvement Plan for funding the Installation of Water and Sewer Service at McKeon Park	21
2014-114	Appropriation and transfer order - \$3,250,000 Capital Trust Fund Capital Improvement Plan for funding the Public Roads Maintenance Program.....	21
2014-115	Appropriation and loan order - \$285,000 Capital Trust Fund Capital Improvement Plan for funding Guardrail and Sidewalk Improvements.....	21

ITEM NO.	INDEX TITLE	PAGE
2014-116	Appropriation and loan order - \$350,310 Capital Trust Fund Capital Improvement Plan for funding the Comprehensive Dredge Permitting and Strategic Planning.....	21
2014-117	Appropriation and loan order -\$215,000 Capital Trust Fund Capital Improvement Plan for funding the Design of the Blish Point Sand Management Improvements	21
2014-118	Appropriation and loan order - \$185,000 Capital Trust Fund Capital Improvement Plan for funding the Improvements to the Centerville Recreation Building.....	22
2014-119	Appropriation and transfer order - \$100,000 Capital Improvement Plan for funding the Security Evaluation of Town Facilities.....	22
2014-120	Appropriation and transfer order - \$240,000 Capital Improvement Plan for funding the Improvements to the Paine Black House	22
2014-121	Appropriation and transfer order - \$51,000 Capital Improvement Plan for funding the Burgess House improvement	22

END OF CIP ORDERS

2014-122	Approval of a exemption of an interest under the Conflict of Interest law, MGL c. 268A, §20(d) of a special municipal employee under MGL c.121B, §7, Michael Sweeney, Jr. (May be acted upon)	23 – 24
2014-123	Appointments to a board/committees/commission - Paul Arnold: Historical Commission; Ronald Beaty: Water Pollution Control Board; Thomas Geiler: Economic Development Commission, Personnel Advisory Board; Jonathan Gilmore: Economic Development Commission, Trust Fund Advisory Committee; William Murphy, Jr.: JFK Memorial Trust Fund Committee; Robert Woolhouse: Housing Committee; Ted Wurzburg: Historical Commission (First reading)	25

EXECUTIVE SESSION

The Town Council may vote to go into Executive Session under G.L. c. 30A §21(a)(3) to discuss litigation strategy with regard to all pending litigation where Cape Wind and the Town of Barnstable are parties, if the chair declares that an open meeting may have a detrimental effect on the litigating position of the Town.

Approve Minutes – March 6, 2014

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)

BARNSTABLE TOWN COUNCIL

ITEM# 2014-065
INTRO: 03/06/14, 03/20/14

2014-065 APPROPRIATION AND TRANSFER ORDER OF \$22,000 FROM TOWN'S INSURANCE RECOVERY FUND TO REPLACE SCHOOL DEPARTMENT VEHICLE

ORDERED: That the Town Council hereby authorizes an appropriation in the amount of \$22,000 for the purpose replacing a damaged School Department vehicle and to meet this appropriation that \$22,000 be transferred from the Town's Insurance Recovery Fund.

SPONSOR: Town Manager Thomas K. Lynch

DATE	ACTION TAKEN
<u>03/06/14</u>	<u>Referred to 03/20/14 for public hearing</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2014-065
INTRO: 03/06/14, 03/20/14

SUMMARY

TO: Town Council
FROM: School Committee
THROUGH: Town Manager Thomas K. Lynch
DATE: February 24, 2014
SUBJECT: Appropriation Order to Transfer Insurance Proceeds to Replace Damaged School Department Vehicle

BACKGROUND: On July 5, 2013, a 2008 Chevrolet Silverado pickup truck used by the School Department maintenance staff sustained extensive damage in a motor vehicle accident. The Town's insurer determined that vehicle to be a total loss and has paid the Town \$22,000 to settle the claim. In the meantime, the School Department has acquired a 2013 Chevrolet Silverado pickup truck to replace the damaged vehicle, using funds from the FY14 school-operating budget.

ANALYSIS: The Town has received a reimbursement from its insurance policy for the damaged School Department vehicle in the amount of \$22,000. This will be used to reimburse the expenditure from the FY14 school-operating budget to acquire a replacement vehicle.

FINANCIAL IMPACT: The proceeds from the insurance settlement will cover the cost of the replacement vehicle. No additional funding is anticipated.

B. NEW BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

**ITEM# 2014-067
INTRO: 03/20/14**

2014-067 TO VOTE ON THE MERITS OF A GROUP PETITION SUBMITTED IN REFERENCE TO THE TOWN CHARTER, SECTION 8-7, FREE PETITION (b) GROUP PETITIONS

“Pursuant to and in accordance with the *Barnstable Town Charter, Section 8-7(b); Group Petitions*, it is hereby officially requested that the Barnstable Town Council hold a public hearing and act by taking a vote on the merits of this petition pertaining to the following measure:

RESOLVED: That the Town Council directs that the Town Clerk cause the following binding local public policy question be placed on the ballot of the next Town Election, or State Election, or Special Election whichever first occurs: *‘Shall the Town of Barnstable petition the General Court of the Commonwealth of Massachusetts asking that the Town of Barnstable be released from membership in and removed from the authority of the Cape Cod Commission, and the Cape Cod Commission Act?’*”

On February 14, 2014, Town Clerk Ann Quirk certified more than 150 signatures on the group petition.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

PETITIONERS RATIONALE:

“As a rationale, such a proposed petition to the Barnstable Town Council is solidly grounded upon the First Amendment to the United States Constitution and *“the right of the people...to petition the Government for a redress of grievances.”* Furthermore, funding for the Cape Cod Commission is based upon population, with the Town of Barnstable paying a substantially larger share of the financial burden for the CCC than any other Cape Cod town. However, through their appointed and non-elected representatives, each of the Cape municipalities has equal voting power on the *Cape Cod Commission*. It is seriously contented that the Town of Barnstable is presently both underrepresented on the *Cape Cod Commission*, and overcharged for the services that it receives from the CCC. The chief issue is equal representation as defined under the *Fourteenth Amendment* to the *United States Constitution*. At a minimum, since the *Town of Barnstable* has the largest population and is charged the most amount of money to support the CCC, then fairness dictates that the *Town of Barnstable* should possess a weighted vote in proportion to its larger population (similar to what it now rightfully enjoys on the *County Assembly of Delegates*). Moreover, since the CCC possesses concentrated regulatory and political power on a Cape-wide basis, then respective town representatives to the *Cape Cod Commission* ought to be democratically elected by the voters of each Town, rather than appointed by municipal officials.”

B. NEW BUSINESS (First reading)

BARNSTABLE TOWN COUNCIL

**ITEM # 2014-069
INTRO: 03/20/14**

2014-069 AMENDING THE ADMINISTRATIVE CODE, CHAPTER 241, ARTICLE III, MULTIPLE-MEMBER APPOINTIVE ORGANIZATIONS, §241-39, YOUTH COMMISSION

ORDERED: That §241-39 of Chapter 241, Administrative Code, Article III, Multiple-Member Appointive Organization be amended by striking out in its entirety and substituting in its place the following:

§241-39. Youth Commission.

[Added 7-16-1992 by Order No. 92-141; amended 6-12-1997 by Order No. 97-150; 11-4-2004 by Order No. 2005-030]

A. Composition; term of office. There shall be a Youth Commission consisting of eleven members, nine of whom will be between the ages of 13 and 19. These nine members shall serve for a one-year term and may be reappointed as long as they continue to qualify, and they will be the only voting members. Two members shall be adults and will serve for three-year terms, overlapping, as determined by the Appointments Committee. The two adult members will be nonvoting members and serve in an advisory capacity. All members appointed shall provide for a balanced and diverse representation of the community's interests and concerns. One member of the Youth Commission shall serve as a liaison to the Town Council, reporting either in person or in writing, as they are able.

B. Authority and responsibilities. The Youth Commission advises and assists the Town Council and Town Manager in the development of policies, programs, and delivery of services for the health and welfare of youth and their families. The Commission shall regularly assess the needs of youth as individuals and community members and work with all public and private schools located within the Town as well as the Community Services Department, Police and other town departments, multiple member boards and community groups in coordinating or developing mutual efforts to address these needs. The Commission further advises and otherwise assists the Town Manager in utilization of all federal, state, and municipal programs and services available to youth and provides education and referral resources to all members of the community. The Youth Commission is an advisory commission to the town.

C. Interrelationships.

(1) Town Council. The Youth Commission interacts with its Town Council liaison and the Town Council to advise the Council relative to the establishment of policies and legislation concerning issues affecting youth within the town. The Board interacts primarily with the Recreation Commission and Golf Commission.

(2) Town Manager. The Youth Commission interacts with the Town Manager to ensure that the development and delivery of youth and family services are effective. The Commission receives administrative and staff support from the Department of Community Services.

(3) Other boards. The Youth Commission interacts with the Recreation Commission, Golf Commission, Conservation Commission, Sandy Neck Board, Public Works Commission, Historical Commission, J.F.K. Memorial Trust Fund Committee, and other boards as necessary.

SPONSOR: Councilor Jen Cullum

DATE	ACTION TAKEN
_____	_____
_____	_____
_____ Read Item	_____ Council Discussion
_____ Rationale	_____ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2014-069
INTRO: 03/20/14

SUMMARY

TO: Town Council
FROM: Councilor Jen Cullum
DATE: March 20, 2014
SUBJECT: Amending the Administrative Code, §241-39, Youth Commission by increasing the number of members and widening the membership to students in all Barnstable Schools, both public and private.

BACKGROUND: The Youth Commission is an independent voice of the students. Members are appointed by and answer to the Town Council (not the School Committee), and are charged with bringing to the forefront issues which affect the youth in our community. Currently, membership is limited to 5 students, and all of those students are enrolled in Barnstable High School.

The purpose of this item is to increase appointees from 5 students to 9 students, in order to encourage the participation of students from all schools in Barnstable (both public and private), and to offer them the opportunity of adding their voices to the Youth Commission.

Given the gravity of the problems facing our youth today, especially the risks associated with drug use, burgeoning the strength of the Youth Commission is an excellent way of bringing the youthful voice forward, of developing real and relevant dialogue with those that are truly on the frontline: our kids.

With the adoption of this measure, the Barnstable Youth Commission will truly have the potential to represent the students of the Town of Barnstable as a whole, as opposed to just Barnstable Public Schools.

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2014-070

INTRO: 03/20/14

2014-070 ACCEPTANCE OF A \$233,795 GRANT FROM THE EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS PARKLAND ACQUISITIONS AND RENOVATIONS FOR COMMUNITIES (PARC) PROGRAM

RESOLVED: That the Town Council does hereby accept the grant award in the amount of \$233,795 from the Executive Office of Energy and Environmental Affairs PARC Program for the purpose of creating construction documents and constructing improvements to renovate and dedicate for park purposes under M.G.L. c. 45, Section 3, the portion of Town land located at 182 Pleasant Street, Map 326, Parcel 131 shown as Parcel A-1 on the attached site plan, exclusive of Parcel D and Easements 1 & 2. Further resolved that the Town Manager be authorized to contract for and expend the grant funds for the purpose stated herein.

SPONSOR: Thomas K. Lynch, Town Manager

BARNSTABLE TOWN COUNCIL

ITEM# 2014-070
INTRO: 03/20/14

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Jo Anne Miller Buntich, Growth Management Director
DATE: March 10, 2014
SUBJECT: Acceptance of grant from Executive Office of Energy and Environmental Affairs Parkland Acquisition and Restoration for Communities (PARC) Program

BACKGROUND: The Growth Management Department applied for and has been awarded funding from the Executive Office of Energy and Environmental Affairs PARC Grant Program for improvements to Pleasant Street Pier in the amount of \$233,795. This grant was awarded on our second submission to the program

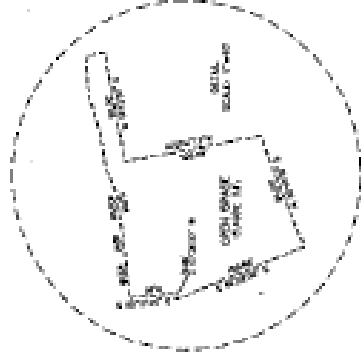
Growth Management conducted extensive outreach to the Pier area users and neighbors as we developed the grant concept plan in 2011. GMD will again outreach to these groups and stakeholders to finalize the design before construction documents are executed.

FISCAL IMPACT: As an economic development project, the implementation of Pier area improvements will enhance use of the area by residents and visitors, extend the Walkway to the Sea attractions, retain existing uses, and interpret nearby history, ecology, and uses. The project supports visitor retention goals and will further enhance public use of the harbor waterfront. The match for this grant was appropriated in FY 2012 and was contingent upon the receipt of this grant. Maintenance needs will rise. New plantings will be maintained by the contractor for one year after installation. GMD will work with DPW to determine and submit funding requests for DPW operations funding after the one-year maintenance contract period.

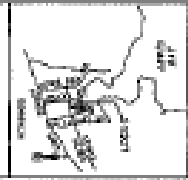
TOWN MANAGER RECOMMENDATION: The Town Manager recommends acceptance of this grant.

800602, NET 3.2

HYANNIS
INNER HARBOR



CONSTRUCTION
SCHEDULE 3 TO
REVISIONS



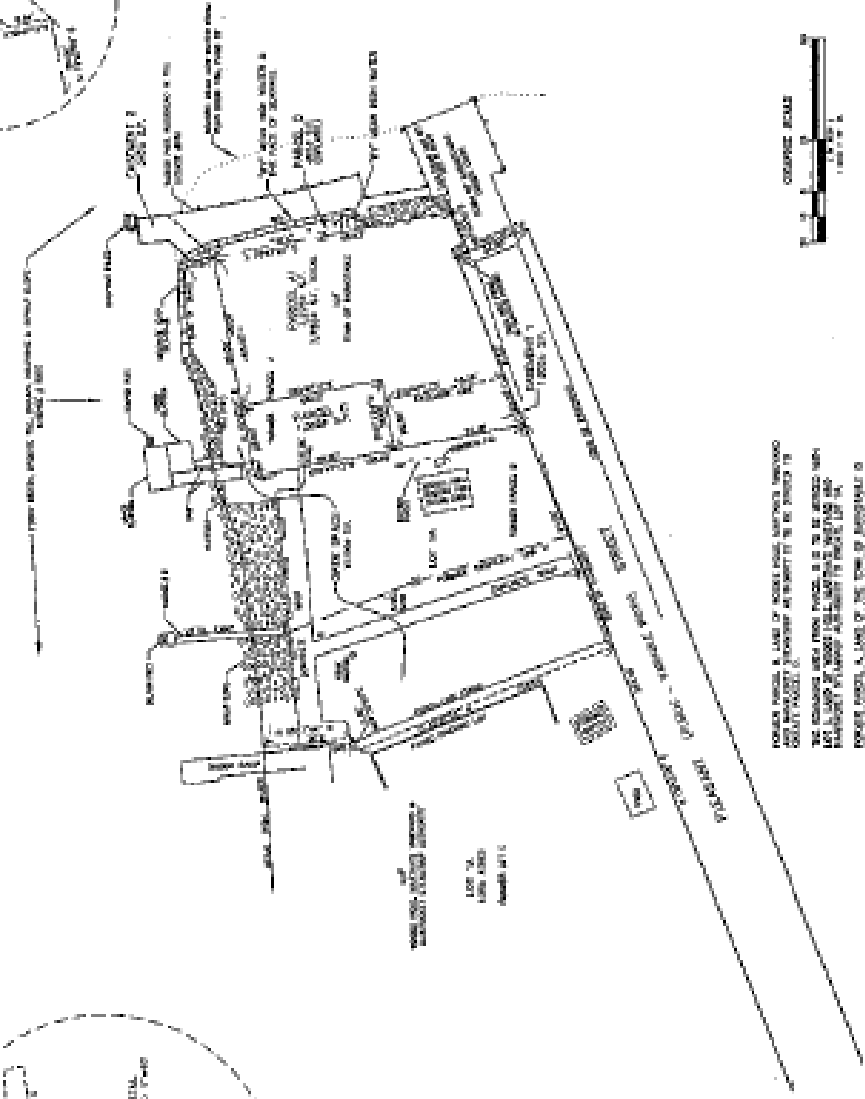
OWNER: **COMMONWEALTH OF MASSACHUSETTS**
 100 STATE STREET
 BOSTON, MA 02109

I certify that the plan, map, and specifications are true and correct and that I am a duly qualified and licensed Professional Engineer in the State of Massachusetts.

John J. [Signature]
 Professional Engineer

The State and the County of Dukes are hereby notified that the plan, map, and specifications are true and correct and that I am a duly qualified and licensed Professional Engineer in the State of Massachusetts.

John J. [Signature]
 Professional Engineer



THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE COMMONWEALTH OF MASSACHUSETTS AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE COMMONWEALTH OF MASSACHUSETTS.



- 1. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE COMMONWEALTH OF MASSACHUSETTS.
- 2. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE COUNTY OF DUKES.
- 3. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE TOWN OF HYANNIS.
- 4. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE WARD OF HYANNIS.
- 5. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE BLOCK OF HYANNIS.
- 6. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE LOT OF HYANNIS.
- 7. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE PARCEL OF HYANNIS.
- 8. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE TRACT OF HYANNIS.
- 9. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE DISTRICT OF HYANNIS.
- 10. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE SECTION OF HYANNIS.
- 11. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE TOWNSHIP OF HYANNIS.
- 12. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE COUNTY OF HYANNIS.
- 13. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE STATE OF HYANNIS.
- 14. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE NATION OF HYANNIS.
- 15. SHOWS THE LOCATION OF THE PROJECT AREA WITHIN THE WORLD OF HYANNIS.

LEGEND
 (Symbol) FILL
 (Symbol) ROAD
 (Symbol) UTILITY

IT IS HEREBY CERTIFIED THAT THE ABOVE PLANS AND SPECIFICATIONS ARE TRUE AND CORRECT AND THAT I AM A DULY QUALIFIED AND LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MASSACHUSETTS.

John J. [Signature]
 Professional Engineer

DATE	APPROVED	DATE
8/1/2012	[Signature]	8/1/2012
PLAN OF LAND		
SUBJECT: COMMONWEALTH OF MASSACHUSETTS		
PROJECT: HYANNIS INNER HARBOR		
SCALE: 1" = 20'	DATE: 8/1/2012	BY: [Signature]
DRAWN BY: [Signature]		
CHECKED BY: [Signature]		
DESIGNED BY: [Signature]		
PROJECT NO.: [Number]		
JOB NO.: [Number]		

85-209

B. NEW BUSINESS (Refer to public hearing 04/03/14)

FY 2015 CAPITAL BUDGET APPROPRIATION ORDERS

2014-071 APPROPRIATION AND LOAN ORDER \$1,050,000

Water Supply Enterprise Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$1,050,000 be appropriated for the purpose of funding the pipe replacement and upgrade program for the Hyannis Water System as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$250,000 be transferred from the Water Supply Enterprise Fund Reserves, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$800,000, 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.

2014-072 APPROPRIATION AND TRANSFER ORDER \$200,000

Water Supply Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$200,000 be appropriated for the purpose of Pump Station and Treatment Plant Upgrades as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$200,000 be transferred from the Water Supply Enterprise Fund Reserves, 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.

2014-073 APPROPRIATION AND LOAN ORDER \$583,000

Water Supply Enterprise Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$583,000 be appropriated for the purpose of funding the New Well Exploration Program as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$583,000, 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.

2014-074 APPROPRIATION AND TRANSFER ORDER \$68,400

Water Supply Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$68,400 be appropriated for the purpose of funding the Mary Dunn Tank 2 painting project as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$68,400 be transferred from the Water Supply Enterprise Fund Reserves, 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.

2014-075 APPROPRIATION AND TRANSFER ORDER \$95,900

Water Supply Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$95,900 be appropriated for the purpose of funding the Water Main Upgrades as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$95,900 be transferred from the Water Supply Enterprise Fund Reserves, 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.

2014-076 APPROPRIATION AND TRANSFER ORDER \$450,000

Water Pollution Control Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$450,000 be appropriated for the purpose of funding the Septage Building Capacity Evaluation and Design as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$450,000 be transferred from the Water Pollution Control Enterprise Fund Reserves, 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.

FY15 CIP ORDERS (Continued)

2014-077 APPROPRIATION AND TRANSFER ORDER \$132,000

Sewer Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$132,000 be appropriated for the purpose of funding the construction of a Generator Storage Building as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$132,000 be transferred from the Water Pollution Control Enterprise Fund Reserves, 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.

2014-078 APPROPRIATION AND TRANSFER ORDER \$200,000

Sewer Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$200,000 be appropriated for the purpose of funding a Plant Upgrade Study for Total Organic Compounds and Total Nitrogen Effluent Limits as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$200,000 be transferred from the Water Pollution Control Enterprise Fund Reserves, 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.

2014-079 APPROPRIATION AND TRANSFER ORDER \$60,000

Solid Waste Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$60,000 be appropriated for the purpose of funding a One Ton Dump Truck as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$60,000 be transferred from the Solid Waste Enterprise Fund Reserves, 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.

2014-080 APPROPRIATION AND TRANSFER ORDER \$110,000

Solid Waste Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$110,000 be appropriated for the purpose of funding a New Backhoe as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$110,000 be transferred from the Solid Waste Enterprise Fund Reserves, 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.

2014-081 APPROPRIATION AND TRANSFER ORDER \$75,000

Solid Waste Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$75,000 be appropriated for the purpose of funding a Master Plan as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$75,000 be transferred from the Solid Waste Enterprise Fund Reserves, 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.

2014-082 APPROPRIATION AND TRANSFER ORDER \$50,000

Airport Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$50,000 be appropriated for the purpose of funding the Painting of Runways, Taxiways and Roadways as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$50,000 be transferred from the Airport Enterprise Fund Reserves, and that the Airport Commission 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.

FY15 CIP ORDERS (Continued)

2014-083 APPROPRIATION AND TRANSFER ORDER \$65,000

Airport Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$65,000 be appropriated for the purpose of funding a New Dump Truck as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$65,000 be transferred from the Airport Enterprise Fund Reserves, and that the Airport Commission 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.

2014-084 APPROPRIATION AND TRANSFER ORDER \$200,000

Airport Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$200,000 be appropriated for the purpose of funding the Permitting and Design of the Reconstruction of Taxiway C as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$200,000 be transferred from the Airport Enterprise Fund Reserves, and that the Airport Commission 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.

2014-085 APPROPRIATION AND LOAN ORDER \$400,000

Airport Enterprise Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$400,000 be appropriated for the purpose of funding the Permitting and Design of the Reconstruction of Runway 15-33 as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$400,000, and that the Airport Commission 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.

2014-086 APPROPRIATION AND LOAN ORDER \$400,000

Airport Enterprise Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$400,000 be appropriated for the purpose of funding the Permitting and Design of the Reconstruction of Runway 6-24 as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$400,000, and that the Airport Commission 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.

2014-087 APPROPRIATION AND TRANSFER ORDER \$100,000

Airport Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$100,000 be appropriated for the purpose of funding for the Design and Replacement of the East Ramp T-Hanger Roof as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$100,000 be transferred from the Airport Enterprise Fund Reserves, and that the Airport Commission 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.

2014-088 APPROPRIATION AND LOAN ORDER \$650,000

Airport Enterprise Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$650,000 be appropriated for the purpose of funding a New Frontend Loader as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$650,000, and that the Airport Commission 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.

FY15 CIP ORDERS (Continued)

2014-089 APPROPRIATION AND LOAN ORDER \$448,125

Airport Enterprise Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$448,125 be appropriated for the purpose of funding the Design and Construction of the Airport Access Road as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$448,125, and that the Airport Commission 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.

2014-090 APPROPRIATION AND TRANSFER ORDER \$200,000

Airport Enterprise Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$200,000 be appropriated for the purpose of funding the Airport Terminal and Building Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$200,000 be transferred from the Airport Enterprise Fund Reserves, and that the Airport Commission 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.

2014-091 APPROPRIATION AND LOAN ORDER \$1,205,000

Airport Enterprise Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$1,205,000 be appropriated for the purpose of funding the Design and Construction of the Airport Fixed Base Operations Building as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$1,205,000, and that the Airport Commission 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.

2014-092 APPROPRIATION AND LOAN ORDER \$2,000,000

Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$2,000,000 be appropriated for the purpose of funding the Design and Construction of a New Modular Facility for the Barnstable Early Learning Center as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$2,000,000, and that the Barnstable School Committee 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.

2014-093 APPROPRIATION AND TRANSFER ORDER \$200,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$200,000 be appropriated for the purpose of funding the Barnstable Intermediate School Façade and Roof Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$200,000 be transferred from the sale of the former Grade 5 school Special Revenue Fund, and that the Barnstable School Committee 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.

2014-094 APPROPRIATION AND TRANSFER ORDER \$200,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$200,000 be appropriated for the purpose of funding the Barnstable High School Fire, Intrusion, and Communications System Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$200,000 be transferred from the sale of the former Grade 5 school Special Revenue Fund, and that the Barnstable School Committee 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.

FY15 CIP ORDERS (Continued)

2014-095 APPROPRIATION AND TRANSFER ORDER \$204,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$204,000 be appropriated for the purpose of funding the Barnstable Public Schools Internet and Digital Resource Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$204,000 be transferred from the sale of the former Grade 5 school Special Revenue Fund, and that the Barnstable School Committee 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.

2014-096 APPROPRIATION AND TRANSFER ORDER \$ 200,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$200,000 be appropriated for the purpose of funding the Barnstable United Elementary School Air Conditioning and Chiller Pipe Upgrades as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$200,000 be transferred from the available balance under Council Order 2011-072, and that the Barnstable School Committee 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.

2014-097 APPROPRIATION AND TRANSFER ORDER \$100,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$100,000 be appropriated for the purpose of funding the Barnstable Public Schools Interior and Exterior Lock and Hardware Upgrades outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$18,936 be transferred from the available balance under Council Order 2011-072, that \$15,159 be transferred from the available balance under Council Order 2010-109, that \$12,508 be transferred from the sale of the former Grade 5 school Special Revenue Fund, and that \$53,397 be transferred from General Fund Reserves, and that the Barnstable School Committee 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.

2014-098 APPROPRIATION AND TRANSFER ORDER \$50,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$50,000 be appropriated for the purpose of funding the Barnstable Public Schools Kitchen Equipment upgrades as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$50,000 be transferred from the sale of the former Grade 5 school Special Revenue Fund, and that the Barnstable School Committee 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.

2014-099 APPROPRIATION AND TRANSFER ORDER \$75,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$75,000 be appropriated for the purpose of funding the Replacement of Heat Circulating Pumps at the Barnstable United Elementary School as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$75,000 be transferred from the sale of the former Grade 5 school Special Revenue Fund, and that the Barnstable School Committee 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.

FY15 CIP ORDERS (Continued)

2014-100 APPROPRIATION AND TRANSFER ORDER \$140,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$140,000 be appropriated for the purpose of funding the Town's Aerial Flyover and Mapping as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$123,618 be transferred from the available balance under Council Order 2012-097, and that \$16,382 be transferred from General Fund Reserves, 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.

2014-101 APPROPRIATION AND LOAN ORDER \$170,000

Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$170,000 be appropriated for the purpose of funding the Town's Bicycle Accommodations Program as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$170,000 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 and be authorized to accept any grants or gifts in relation thereto.

2014-102 APPROPRIATION AND LOAN ORDER \$288,000

Capital Trust Fund Capital Improvement Plan (2 / 3 vote)

ORDERED: That the sum of \$288,000 be appropriated for the purpose of funding the Improvements to the Barnstable Police Facility as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$288,000, 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.

2014-103 APPROPRIATION AND TRANSFER ORDER \$75,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$75,000 be appropriated for the purpose of funding the Remediation of Hydrilla in Long Pond Centerville and Mystic Lake as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$75,000 be transferred from General Fund Reserves, 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.

2014-104 APPROPRIATION AND TRANSFER ORDER \$75,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$100,000 be appropriated for the purpose of funding the Wequaquet Lake Fanwort Control as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$100,000 be transferred from General Fund Reserves, 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.

2014-105 APPROPRIATION AND TRANSFER ORDER \$140,000

Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$140,000 be appropriated for the purpose of funding the Alum Treatment at Lovell's Pond as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$51,241 be transferred from General Fund Reserves, and that \$88,759 be transferred from the available balance in council Order 2012-097, 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.

FY15 CIP ORDERS (Continued)

2014-106 APPROPRIATION AND LOAN ORDER \$290,000 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$290,000 be appropriated for the purpose of funding the Construction of the Senior Center Parking Lot Expansion as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$290,000, 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.

2014-107 APPROPRIATION AND LOAN ORDER \$301,500 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$301,500 be appropriated for the purpose of funding the Design and Construction of Beach House Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$301,500, 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.

2014-108 APPROPRIATION AND LOAN ORDER \$393,500 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$393,500 be appropriated for the purpose of funding the Reconstruction of the Marstons Mills Fish Run as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$67,500 be transferred from the available balance in Council Order 2010-105, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$326,500, 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.

2014-109 APPROPRIATION AND TRANSFER ORDER \$42,000 Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$42,000 be appropriated for the purpose of funding the Design of the Improvements to the Mill Pond and Long Pond Fish Ways as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$42,000 be transferred from General Fund Reserves, 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.

2014-110 APPROPRIATION AND TRANSFER ORDER \$84,000 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$84,000 be appropriated for the purpose of funding the ADA Compliant Improvements to the Restrooms at the Hyannis Golf Course as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$84,000 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 and be authorized to accept any grants or gifts in relation thereto.

2014-111 APPROPRIATION AND TRANSFER ORDER \$50,000 Capital Trust Fund Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$50,000 be appropriated for the purpose of funding the Veteran's Park Strategic Plan and Campus Design as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$50,000 be transferred from General Fund Reserves, 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.

FY15 CIP ORDERS (Continued)

2014-112 APPROPRIATION AND TRANSFER ORDER \$85,000 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$85,000 be appropriated for the purpose of funding the Veteran's Beach Parking Lot Rehabilitation as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$85,000 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 and be authorized to accept any grants or gifts in relation thereto.

2014-113 APPROPRIATION AND TRANSFER ORDER \$55,000 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$55,000 be appropriated for the purpose of funding the Installation of Water and Sewer Service at McKeon Park as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$55,000 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 and be authorized to accept any grants or gifts in relation thereto.

2014-114 APPROPRIATION AND TRANSFER ORDER \$3,250,000 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$3,250,000 be appropriated for the purpose of funding the Public Roads Maintenance Program as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$3,250,000 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 and be authorized to accept any grants or gifts in relation thereto.

2014-115 APPROPRIATION AND LOAN ORDER \$285,000 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$285,000 be appropriated for the purpose of funding Guardrail and Sidewalk Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$285,000, 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.

2014-116 APPROPRIATION AND LOAN ORDER \$350,310 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$350,310 be appropriated for the purpose of funding the Comprehensive Dredge Permitting and Strategic Planning as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and to meet this appropriation, that \$9,310 be transferred from the available balance in Council Order 2010-106, and that, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$341,000, 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.

2014-117 APPROPRIATION AND LOAN ORDER \$215,000 Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$215,000 be appropriated for the purpose of funding the Design of the Blish Point Sand Management Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$215,000, 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.

FY15 CIP ORDERS (Continued)

2014-118 APPROPRIATION AND LOAN ORDER \$185,000

Capital Trust Fund Capital Improvement Plan (2/3 vote)

ORDERED: That the sum of \$185,000 be appropriated for the purpose of funding the Improvements to the Centerville Recreation Building as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$185,000, 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.

2014-119 APPROPRIATION AND TRANSFER ORDER \$100,000

Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$100,000 be appropriated for the purpose of funding the Security Evaluation of Town Facilities as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$100,000 be transferred from the General Fund Reserves, 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.

2014-120 APPROPRIATION AND TRANSFER ORDER \$240,000

Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$240,000 be appropriated for the purpose of funding the Improvements to the Paine Black House as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$30,970 be transferred from the available balance in Council Order 2011-072, and that \$57 be transferred from the available balance in Council Order 2010-114, and that \$103,973 be transferred from the General Fund Reserves, and that \$105,000 be transferred from the Historic Preservation portion of the Community Preservation Fund, 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.

2014-121 APPROPRIATION AND TRANSFER ORDER \$51,000

Capital Improvement Plan (majority vote)

ORDERED: That the sum of \$51,000 be appropriated for the purpose of funding the Burgess House improvement as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$51,000 be transferred from the Historic Preservation portion of the Community Preservation Fund, 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.

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2014-122
INTRO: 03/20/14

2014-122 APPROVE AN EXEMPTION OF AN INTEREST OF SPECIAL MUNICIPAL EMPLOYEE, MICHAEL SWEENEY, JR., UNDER THE CONFLICT OF INTEREST LAW PURSUANT TO G.L. c. 268A s 20 (d)

RESOLVED: That the Barnstable Town Council hereby exempts the interest of Michael Sweeney, Jr., an elected member of the Barnstable Housing Authority, who is a special municipal employee under G L. c. 121B §7, in contracts between the Barnstable Housing Authority and the Housing Assistance Corporation.

SPONSOR: Councilor Paul Hebert

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2014-122
INTRO: 03/20/14

SUMMARY

RATIONALE: Michael Sweeney, Jr., who is employed by the Housing Assistance Corporation as its Vice President of Administration and Finance, was recently elected to serve as a member of the Barnstable Housing Authority. At the time of his election, there were five existing areas of involvement between HAC and BHA:

Bryan Chase House – The property consists of 6 rooms, subsidized by HUD, with the rental payments paid by BHA. Contract has been in effect since August 1994. The current annual contract has a maximum of \$50,184, based on 6 units at \$697 per month, times 12 months.

Wait List – HAC maintains the wait list for a number of Housing Authorities on Cape Cod. HAC normally charges \$500 per quarter or \$2,000 per year. BHA has acted as the Hearing Officer for HAC subsidy programs and in return, the quarterly/annual fee has been waived. This practice has existed since 2006.

Monitoring Agent – BHA has been contracted by HAC to be the monitoring agent for the HAC owned property known as Southside Village on Route 28 in Hyannis since 2009. HAC pays BHA \$1,750 annually. HAC was required to hire BHA under the Comprehensive Permit issued by the ZBA.

HAC Rental Units – HAC owns rental property in the town of Barnstable and some of those properties are leased to tenants assisted through the BHA. HAC has been leasing its properties for more than 15 years. For the month of March 2014, HAC has 8 units leased to tenants assisted by BHA. Five of the units are located at Southside Village where HAC has hired a property management company to handle all of the tenant/property management issues.

Pursuant to G.L. c. 121B, s. 7, an employee of a housing authority is deemed a special municipal employee. As such, Mr. Sweeney was advised to seek an exemption from the Barnstable Town Council under G.L. c. 268A, §20(d). G.L. c. 268A, §20 is the section of the conflict of interest law which deals with a municipal employee or a special municipal employee who has more than one contract with the municipal agency and provides various mechanisms to seek an exemption from that restriction. G.L. c. 268A, §20(d) is the specific section that allows the Town Council to exempt a special municipal employ from the Section 20 restriction.

B. NEW BUSINESS (First reading)

BARNSTABLE TOWN COUNCIL

**ITEM# 2014-123
INTRO: 03/20/14**

2014-123 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

ECONOMIC DEVELOPMENT COMMISSION

Thomas Geiler, 313 Riverview Lane, Centerville as a member to a term expiring 6/30/2016
Jonathan Gilmore, 110 Pioneer Path, West Barnstable as a member to a term expiring 6/30/2017

HISTORICAL COMMISSION

Ted Wurzburg, 140 Willimantic Drive, Marstons Mills from an alternate to a member to a term expiring 6/30/2017
Paul Arnold, 27 Foster Road, Hyannis as an alternate member to a term expiring 6/30/2015

HOUSING COMMITTEE

Robert Woolhouse, 19 Cardinal Lane, Marstons Mills as a member to a term expiring 6/30/2015

JFK MEMORIAL TRUST FUND COMMITTEE

William Murphy, 67 Centerbrook Lane, Centerville as a member to a term expiring 6/30/2016

PERSONNEL BOARD

Thomas Geiler, 313 Riverview Lane, Centerville as a member to a term expiring 6/30/2015

TRUST FUND ADVISORY COMMITTEE

Jonathan Gilmore, 110 Pioneer Path, West Barnstable as a member-at-large to a term expiring 6/30/2015

WATER POLLUTION CONTROL BOARD

Ronald Beaty, 245 Parker Road, West Barnstable as a member to a term expiring 6/30/2016

SPONSOR: The Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____
___ Read Item	
___ Rationale	
___ Council Discussion	
___ Move/vote	