



Town of Barnstable Town Council

367 Main Street, Village of Hyannis, MA 02601

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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

Acting Administrator
to the Town Council:
Cynthia A. Lovell

MEETING AGENDA TOWN HALL HEARING ROOM

June 18, 2015

7:00 PM

Updated to
reflect
Martin J.
Flynn
Scholarship
Awards
6/15/15

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOMENT OF SILENCE

4. PUBLIC COMMENT

5. COUNCIL RESPONSE TO PUBLIC COMMENT

6. TOWN MANAGER COMMUNICATIONS

7. ACT ON MINUTES (Including Executive Session)

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

- **Town of Barnstable**

Martin J. Flynn Scholarship Awards

9. ORDERS OF THE DAY

A. Old Business

B. New Business

10. ADJOURNMENT

NEXT REGULAR MEETING: July 9, 2015

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A. OLD BUSINESS

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END FY 2016 OPERATING BUDGET APPROPRIATION ORDERS

A. OLD BUSINESS (Cont'd)

2015-148 Appointments to a board/committee/commission: **Council on Aging:** John Alden, as an associate member to a term expiring 6/30/17; **Hyannis Main Street Waterfront Historic District Commission:** John Alden, as an alternate to a term expiring 6/30/16 **(May be acted upon)**..... 16

2015-149 Reappointments to a Board/Committee/Commission: **Airport Commission;** Bob O'Brien, as a regular member to a term expiring 6/30/18; Mary Smith, as a regular member to a term expiring 6/30/18, John Griffin, as a regular member to a term expiring 6/30/18; **Board of Assessors:** William Garreff, as a regular member to a term expiring 6/30/18; **Board of Health:** Junichi Sawayanagi, as a regular member to a term expiring 6/30/18; **Community Preservation Committee:** F.P.Tom Lee, as a regular member to a term expiring 6/30/18; Deborah Converse, as a regular member to a term expiring 6/30/18; Susan Rohrbach, as a regular member to a term expiring 6/30/18; **Comprehensive Financial Advisory Committee:** Laura Cronin, as a regular member to a term expiring 6/30/18; John Schoenherr, as a regular member to a term expiring 6/30/18; **Conservation Commission:** Dennis Houle, as a regular member to a term expiring 6/30/18; **Housing Committee:** Robert Woolhouse, as a regular member to a term expiring 6/30/18, Donald Lynde, as a regular member to a term expiring 6/30/18; Richard Plaskas, as a regular member to a term expiring 6/30/18 **Hyannis Main Street Waterfront Historic District Commission:** Taryn Thoman, as a regular member to a term expiring 6/30/17; **Golf Committee:** Mary Creighton, as a regular member to a term expiring 6/30/18; David Miller, as a regular member to a term expiring 6/30/18; **Land Acquisition and Preservation Committee:** Anne Rowland, as a regular member to a term expiring 6/30/18, F.P.Tom Lee, as a regular member to a term expiring 6/30/18, Phyllis Miller, as a regular member to a term expiring 6/30/18; **Licensing Authority:** Eugene Burman, as a regular member to a term expiring 6/30/18; **Planning Board:** Stephen Helman, as a regular member to a term expiring 6/30/18; **Registrar of Voters:** Lucien Poyant, as a regular member to a term expiring 6/30/18; **Sandy Neck Board:** George Muhlebach, as a regular member to a term expiring 6/30/18; Richards French, as a regular member to a term expiring 6/30/18; Thomas O'Neill, as a regular member to a term expiring 6/30/18; **Zoning Board of Appeals:** Herbert Bodensiek, as an associate member to a term expiring 6/30/18 **(May be acted upon)** 17

2015-149A Reappointment to a Board/Committee/Commission: **Conservation Commission:** Scott Blazis, as a regular member to a term expiring 6/30/18 **(May be acted upon)** 18

2015-149B Reappointment to a Board/Committee/Commission: **Zoning Board of Appeals:** Robin Young, as an associate member to a term expiring 6/30/18 **(May be acted upon)**..... 19

2015-150 Appropriation and Loan order of \$785,000 for the purpose of funding the reconstruction of Taxiway Charlie and a portion of Taxiway Delta **(Public hearing) (Roll call 2/3 vote)**..... 20-22

2015-151 Appointments to a Board/Committee/Commission: **Library Committee:** Mark Cote, 1745 South County Road, PO Box 373, Osterville, as a member with a term expiring 6/30/16; Charlie Dings, 35 Brandywine Court, Cotuit, as a member with a term expiring 6/30/16; Suzanne Kelley, 3941 Route 6A, Barnstable, as a member with a term expiring 6/30/16, Ed Maddox, 244 School Street, Cotuit, as a member with a term expiring 6/30/16 **(May be acted upon)** 23

A. OLD BUSINESS (Cont'd)

2015-152	Reappointments to a Board/Committee/Commission: Library Committee: Robert Anthony, 104 Old Stage Road, Centerville, as a member with a term expiring 6/30/16; Elaine Grace, 11 Apollo Drive, West Barnstable, as a member with a term expiring 6/30/16; Genevieve Hill, 49 Indian Hill Road, Cummaquid, as a member with a term expiring 6/30/16; John Jenkins, 361 Parker Road, West Barnstable, as a member with a term expiring 6/30/16; Kenneth Jenkins, 184 Flume Avenue, Marstons Mills, as a member with a term expiring 6/30/16; Sheila Place, 583 Whistleberry Drive, Marstons Mills, as a member with a term expiring 6/30/16; Karen Rezendes, 121 Great Marsh Road, Centerville, as a member with a term expiring 6/30/16; Gloria Rudman, 50 Waterman Farm Road, Centerville, as a member with a term expiring 6/30/16; Lili Seely, 33 Candlewick Lane, Hyannis, as a member with a term expiring 6/30/16; Cyndy Shulman, 1529 Race Lane, Marstons Mills, as a member with a term expiring 6/30/16 (May be acted upon)	24
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2015-179	Appropriation Order of \$117,000.00 Community Preservation funds for creation of open space and recreation land consisting of Capital Improvement to the field at Barnstable Community Horace Mann Charter Public School (Public hearing) (Roll call)	27-28
2015-180	Appropriation Order of \$504,000.00 Community Preservation Funds for affordable housing Hi River Road, Marstons Mills (Public hearing) (Roll call)	29-30
2015-181	Appropriation Order of \$295,000.00 Community Preservation Funds for acquisition and creation of open space and recreation at 0 Sandy Neck, Map 339 parcel 2 consisting of a parcel of 14 acres more or less (Public hearing) (Roll call)	31-32
2015-182	Appropriation Order of \$100,000 Community Preservation funds for affordable housing on 1819 Old Stage Road, West Barnstable (Public hearing) (Roll call)	33-34

B. NEW BUSINESS

2015-183	Acceptance of a \$1,300 grant from the GALE Fund (Gay and Lesbian Equity Fund) for creation of new . programs at the Barnstable Senior Center (May be acted upon)	35-36
2015-184	Approval of amended and restated conservation restriction between Peter A. Walter (grantor) and the Barnstable Land Trust, Inc. (grantee) (May be acted upon)	37-39
2015-185	Approval of a conservation restriction between Robert J. Miceli and Jane Miceli (grantor) to the Barnstable Land Trust, Inc. (grantee) (May be acted upon)	40-42
2015-186	Approval of a conservation restriction between Native Land Conservancy Inc. (grantor) to the Barnstable Land Trust, Inc. (grantee) (May be acted upon)	43-45

Approve Minutes – June 4, 2015

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

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-158

INTRO: 05/21/15, 06/04/15, 06/18/15

2015-158 APPROPRIATION ORDER OF \$2,857,738 FOR FY 2016 COMMUNITY SERVICES DEPARTMENT GENERAL FUND BUDGET

Community Services Department General Fund Budget

ORDERED: That the sum of **\$2,857,738** be appropriated for the purpose of funding the Town's FY 2016 Community Services Department General Fund budget, and to meet such appropriation, that **\$2,569,738** be raised from current year revenue and that **\$288,000** be transferred from the Mooring Fee Special Revenue Fund as presented to the Town Council by the Town Manager.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-159

INTRO: 05/21/15, 06/04/15, 06/18/15

**2015-159 APPROPRIATION ORDER FOR \$3,117,308 FOR FY 2016 GOLF COURSE
ENTERPRISE FUND BUDGET**

Community Services Department Golf Course Enterprise Fund

ORDERED: That the sum of **\$3,117,308** to be appropriated for the purpose of funding the Town's FY 2016 Golf Course Enterprise Fund budget; and to meet such appropriation that **\$3,117,308** be raised from current year revenues by the golf course facilities as presented to the Town Council by the Town Manager

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-160

INTRO: 05/21/15, 06/04/15, 06/18/15

2015-160 APPROPRIATION ORDER OF \$2,902,598 FOR FY 2016 HYANNIS YOUTH AND COMMUNITY CENTER ENTERPRISE FUND BUDGET

Community Services Department Hyannis Youth and Community Center Enterprise Fund

ORDERED: That the sum of **\$2,902,598** be appropriated for the purpose of funding the Town's FY 2016 Hyannis Youth and Community Center Enterprise Fund budget; and to meet such appropriation that **\$1,175,450** be raised from current year revenues by the Hyannis Youth and Community Center operations, and that **\$310,148** be raised from the general fund, and that **\$1,292,000** be transferred from the Capital Trust Fund, and that **\$125,000** be transferred from the Hyannis Youth and Community Center Enterprise Fund reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-161

INTRO: 05/21/15, 06/04/15, 06/18/15

2015-161 APPROPRIATION ORDER OF \$873,731 FOR FY 2016 MARINA ENTERPRISE FUND BUDGET

Community Services Department Marina Enterprise Fund

ORDERED: That the sum of **\$873,731** be appropriated for the purpose of funding the Town's FY 2016 Marina Enterprise Fund budget; and to meet such appropriation that **\$618,500** be raised from current year revenues by the marina facilities, and that **\$61,231** be transferred from the Capital Trust Fund, and that **\$24,000** be transferred from the Bismore Park Special Revenue Fund, and that **\$170,000** be transferred from the Marina Enterprise Fund reserves as presented to the Town Council by the Town Manager

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-162
INTRO: 05/21/15, 06/04/15, 06/18/15

2015-162 APPROPRIATION ORDER OF \$865,717 FOR FY 2016 SANDY NECK PARK ENTERPRISE FUND BUDGET

Community Services Department Sandy Neck Park Enterprise Fund

ORDERED: That the sum of **\$865,717** be appropriated for the purpose of funding the Town's FY 2016 Sandy Neck Park Enterprise Fund budget; and to meet such appropriation that **\$815,717** be raised from current year revenues by the Sandy Neck Park operations, and that **\$50,000** be transferred from the Sandy Neck reserves, as presented to the Town Council by the Town Manager.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-164

INTRO: 05/21/15, 06/04/15, 06/18/15

2015-164 APPROPRIATION ORDER OF \$8,782,377 FOR FY 2016 DEPARTMENT OF PUBLIC WORKS GENERAL FUND BUDGET

Department of Public Works General Fund Budget

ORDERED: That the sum of **\$8,782,377** be appropriated for the purpose of funding the Town's FY 2016 Department of Public Works General Fund budget, and to meet such appropriation, that **\$8,718,877** be raised from current year revenue, **\$43,500** be transferred from the Embarkation Fee Special Revenue Fund and **\$20,000** be transferred from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-165

INTRO: 05/21/15, 06/04/15, 06/18/15

2015-165 APPROPRIATION ORDER OF \$3,362,811 FOR FY 2016 DEPARTMENT OF PUBLIC WORKS SOLID WASTE ENTERPRISE FUND BUDGET

Department of Public Works Solid Waste Enterprise Fund

ORDERED: That the sum of **\$3,362,811** be appropriated for the purpose of funding the Town's FY 2016 Department of Public Works Solid Waste Enterprise Fund budget, and to meet such appropriation that **\$2,751,900** be raised from current year revenues by the solid waste facility, and that **\$610,911** be transferred from the solid waste enterprise fund reserves, as presented to the Town Council by the Town Manager

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-166

INTRO: 05/21/15, 06/04/15, 06/18/15

2015-166 APPROPRIATION ORDER OF \$4,463,158 FY 2016 DEPARTMENT OF PUBLIC WORKS WATER POLLUTION CONTROL ENTERPRISE FUND BUDGET

Department of Public Works Water Pollution Control Enterprise Fund

ORDERED: That the sum of **\$4,463,158** to be appropriated for the purpose of funding the Town's FY 2016 Department of Public Works Water Pollution Control Enterprise Fund budget, and to meet such appropriation that **\$4,463,158** be raised from current year revenues by the water pollution control facility, as presented to the Town Council by the Town Manager.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-167

INTRO: 05/21/15, 06/04/15, 06/18/15

2015-167 APPROPRIATION ORDER OF \$4,389,768 FOR FY 2016 DEPARTMENT OF PUBLIC WORKS WATER SUPPLY ENTERPRISE FUND BUDGET

Department of Public Works Water Supply Enterprise Fund

ORDERED: That the sum of **\$4,389,768** be appropriated for the purpose of funding the Town's FY 2016 Department of Public Works Water Supply Enterprise Fund budget, and to meet such appropriation that **\$4,389,768** be raised from current year revenues by the water supply operations, as presented to the Town Council by the Town Manager.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-173
INTRO: 05/21/15, 06/04/15, 06/18/15

2015-173 APPROPRIATION ORDER OF \$1,838,250 FOR FY 2016 LIBRARY AND TOURISM GRANT BUDGETS

Grants

ORDERED: That the sum of **\$1,838,250** be raised and appropriated for the purpose of funding the Town's FY 2016 Library and Tourism Grant budgets as presented to the Town Council by the Town Manager.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>05/21/15</u>	<u>Referred to Public Hearing 06/04/15</u>
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

END FY 2016 OPERATING BUDGET ORDERS

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-148
INTRO: 06/04/15, 06/18/15

2015-148 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

Council on Aging: John Alden, 60 Alicia Road, Hyannis, MA 02601 as an associate member to a term expiring 6/30/17

Hyannis Main Street Waterfront Historic District: John Alden, 60 Alicia Road, Hyannis, MA 02601 as an alternate member to the Hyannis Main Street Waterfront Historic District Commission to a term expiring 6/30/16

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>06/04/18</u>	<u>Continued to 06/18/15</u>

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

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-149
INTRO: 06/04/15, 06/18/15**

2015-149 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

AIRPORT COMMISSION: Bob O'Brien, as a regular member to a term expiring 6/30/18; Mary Smith, as a regular member to a term expiring 6/30/18; John Griffin, as a regular member to a term expiring 6/30/18; **BOARD OF ASSESSORS:** William Garreff, as a regular member to a term expiring 6/30/18; **BOARD OF HEALTH:** Junichi Sawayanagi, as a regular member to a term expiring 6/30/18; **COMMUNITY PRESERVATION COMMITTEE:** F.P. Tom Lee, as a regular member to a term expiring 6/30/18; Deborah Converse, as a regular member to a term expiring 6/30/18; Susan Rohrbach, as a regular member to a term expiring 6/30/18; **COMPREHENSIVE FINANCIAL ADVISORY COMMITTEE:** Laura Cronin, as a regular member to a term expiring 6/30/18; John Schoenherr, as a regular member to a term expiring 6/30/18; **CONSERVATION COMMISSION:** Dennis Houle, as a regular member to a term expiring 6/30/18; **HOUSING COMMITTEE:** Robert Woolhouse, as a regular member to a term expiring 6/30/18; Donald Lynde, as a regular member to a term expiring 6/30/18; Richard Plaskas, as a regular member to a term expiring 6/30/18; **HYANNIS MAIN STREET WATERFRONT HISTORIC DISTRICT COMMISSION:** Taryn Thoman, as a regular member to a term expiring 6/30/17; **GOLF COMMITTEE:** Mary Creighton, as a regular member to a term expiring 6/30/18; David Miller, as a regular member to a term expiring 6/30/18; **LAND ACQUISITION AND PRESERVATION COMMITTEE:** Anne Rowland, as a regular member to a term expiring 6/30/18; F.P. Tom Lee, as a regular member to a term expiring 6/30/18; Phyllis Miller, as a regular member to a term expiring 6/30/18; **LICENSING AUTHORITY:** Eugene Burman, as a regular member to a term expiring 6/30/18; **PLANNING BOARD:** Stephen Helman, as a regular member to a term expiring 6/30/18; **REGISTRAR OF VOTERS:** Lucien Poyant, as a regular member to a term expiring 6/30/18; **SANDY NECK BOARD:** George Muhlebach, as a regular member to a term expiring 6/30/18; Richards French, as a regular member to a term expiring 6/30/18; Thomas O'Neill, as a regular member to a term expiring 6/30/18; **ZONING BOARD OF APPEALS:** Herbert Bodensiek, as an associate member to a term expiring 6/30/18

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>06/04/18</u>	<u>Continued to 06/18/15</u>
_____	_____

- Read Item
- Council Discussion
- Move/Vote

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-149A
INTRO: 06/04/15, 06/18/15

2015-149A REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

CONSERVATION COMMISSION: Scott Blazis, as a regular member to a term expiring 6/30/18

DATE	ACTION TAKEN
<u>06/04/18</u>	<u>Bifurcated on 06/04/15 continued to 06/18/15</u>

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

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-149B
INTRO: 06/04/15, 06/18/15

2015-149B REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

ZONING BOARD OF APPEALS: Robin Young, as an associate member to a term expiring 6/30/18

DATE	ACTION TAKEN
<u>06/04/18</u>	<u>Bifurcated on 06/04/15 continued to 06/18/15</u>

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

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

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-150
INTRO: 06/04/15, 06/18/15**

2015-150 APPROPRIATION AND LOAN ORDER OF \$785,000 FOR THE PURPOSE OF FUNDING THE RECONSTRUCTION OF TAXIWAY CHARLIE AND A PORTION OF TAXIWAY DELTA

Airport Reserve Fund

ORDERED: That the sum of Seven Hundred Eighty-Five Thousand Dollars and No Cents (\$785,000.00) be appropriated for the purpose of reconstructing Taxiway Charlie and a portion of Taxiway Delta at the airport; to be added to the amount appropriated under **Council Order 2015-122**, and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$785,000, and furthermore that the Barnstable Municipal 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.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

BARNSTABLE TOWN COUNCIL

ITEM #: 2015-150
INTRO: 06/04/15, 06/18/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: (1) R. W. Breault, Jr., Airport Manager
(2) Barnstable Municipal Airport Commission
DATE: May 6, 2015
SUBJECT: Appropriation and Loan Order for Additional Funds for the Reconstruction of Taxiway Charlie and a Portion of Taxiway D Project

BACKGROUND: As part of the Federal Aviation Administration's (FAA) goals to improve and correct airport layout deficiencies, enhance aircraft safety, and insure compliance with regulatory guidance, this project serves to correct major operational aircraft ground and runway safety area (RSA) deficiencies associated with taxiways Charlie and a portion of Delta, and its aircraft run-up area.

The current design and operation of taxiways Charlie, and a portion of Delta, and the aircraft run-up area must be completely reconstructed in order to comply with FAA Part 77 airspace restrictions and terminal instrument procedures (TERPS) criteria. New FAA guidance has mandated the required changes. In June of 2013, the Mass DOT Aeronautics Division completed a statewide pavement management report that shows Taxiways Charlie (C) and Delta (D) as having a pavement condition index (PCI) of 60 to 65 depending upon location, with 0 being the worst condition, to 100 being the best condition. A PCI of 55 to 70 requires complete major rehabilitation.

Last year we completed the reconstruction of taxiway Alpha to provide FAA required minimum clearances between aircraft landing on runway 15/33 while aircraft are also taxiing on the adjacent taxiway Alpha. This project is for the same purpose but for runway 6/24 and its associated taxiways. For example when JetBlue lands on runway 6 in their Embraer 190 aircraft, we cannot let any aircraft taxi on taxiway Charlie until the plane has landed, and while JetBlue is taxiing to the terminal on taxiway Charlie, no aircraft may takeoff on either runway 6 or 24 due to plane to plane clearance requirements. This project will correct that problem and keep the airport in compliance with FAA Part 139 certification requirements.

The Town Council approved A.O. #2014-084 on May 15, 2014 for the permitting and design for the reconstruction of Taxiway Charlie project at the Airport in the amount of \$200,000 based upon an engineering construction estimate at that time of \$2,350,000; and is expected to approve A.O. #2015-122 on May 7, 2015 or May 21, 2015 for the reconstruction of Taxiway Charlie and a portion of Taxiway Delta in the amount of \$3,800,000, based upon preliminary engineering designs for the project and recent bid history for two other major reconstruction projects at the airport.

The Barnstable Municipal Airport Commission (BMAC) contracted with Jacobs Engineering Group, Inc. (Jacobs) on November 22, 2014 for the purpose of designing the project. The design was put out to bid with bid opening on April 30, 2015. The Town received two construction bids, with the apparent low bidder being Lawrence-Lynch Corporation, based in Falmouth, Massachusetts in the amount of \$4,180,396.05. With this bid, the revised total project cost had to be revised to \$4,785,000.00.

Rather than cancel all bids, face the potential of higher bids on a subsequent rebid, and due to a shortage in FAA discretionary funds, we would risk losing FAA funding; and since we did not have

sufficient time to seek an increase in funds prior to the Town Council meeting on May 7, 2015 we are submitting this request for additional funds in the amount of \$785,000 to complete the project.

ANALYSIS: Reasons for the cost escalation are attributed to the fact that all paving construction bid prices have been increasing dramatically in the past year. Last year one project bid price came in approximately \$2,000,000 under engineering estimates. This project’s low bid came in \$780,396.05 over preliminary engineering estimates. In addition, since initial cost estimates were prepared, we added thermo plastic painting which lasts up to 8 years instead of having to repaint on an annual basis; we added a new pavement sealer (P608) that may extend the life of the pavement out to 30 to 40 years instead of the normal 20 year life expectancy; new FAA requirements were added; and a topographical survey revealed that the taxiway would have to be lowered more than expected to be FAA compliant to ensure that the runway elevation is higher than the taxiway.

The request for additional funds should be sufficient to complete the entire project.

<u>Date</u>	<u>Appropriation or Cost</u>	<u>Amount</u>	<u>Grant Eligibility</u>	<u>Grant Amount</u>	<u>Remarks</u>
5/15/2014	A. O. 2014-084	\$200,000	FAA & MDOT	95% of eligible costs	Design & Permitting
5/7/2015	A. O. 2015-122	\$3,800,000	FAA & MDOT	95% of eligible costs	Original Total Project Cost estimate, CIP and Appropriation
4/30/2015	Revised Cost	\$4,785,000	FAA & MDOT at 95% of eligible costs	\$4,518,490.70	Revised Total Project Cost: Construction - \$4,180,396.05; Engineering Services - \$599,809.00; Admin Costs - \$4,794.95
	Shortfall	(\$785,000)			
	Airport Share			\$266,509.30	Airport Enterprise Funds
5/7/2015	Additional Funds Requested	\$785,000			A.O. 2015-xxx Submitted

FISCAL IMPACT: This project is eligible for both FAA funding at a 90% reimbursement rate and MASSDOT AD funding assistance at a 5% reimbursement rate. Even with the cost increase, the Airport’s share of the total project cost of this \$4,750,000 construction project is only \$266,509.

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

BOARD AND COMMISSION ACTION: The Barnstable Municipal Airport Commission approved this request on May 19, 2015.

STAFF ASSISTANCE: R. W. (Bud) Breault, Jr., Airport Manager
Katie Servis, Assistant Airport Manager

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2015-151
INTRO: 06/04/15, 06/18/15

2015-151 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

LIBRARY COMMITTEE:

Mark Cote, 1745 South County Road, Osterville, as a member with a term expiring 6/30/16

Charlie Dings, 35 Brandywine Court, Cotuit, as a member with a term expiring 6/30/16

Suzanne Kelley, 3941 Route 6A, Barnstable, as a member with a term expiring 6/30/16

Ed Maddox, 244 School Street, Cotuit, as a member with a term expiring 6/30/16

DATE ACTION TAKEN

06/04/15 Continued to 06/18/15

- Read Item
- Council Discussion
- Move/Vote

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-152
INTRO: 06/04/15, 06/18/15**

2015-152 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

LIBRARY COMMITTEE:

- Robert Anthony, 104 Old Stage Road, Centerville, as a member with a term expiring 6/30/16
- Elaine Grace, 11 Apollo Drive, West Barnstable, as a member with a term expiring 6/30/16
- Genevieve Hill, 49 Indian Hill Road, Cummaquid, as a member with a term expiring 6/30/16
- John Jenkins, 361 Parker Road, West Barnstable, as a member with a term expiring 6/30/16
- Kenneth Jenkins, 184 Flume Avenue, Marstons Mills, as a member with a term expiring 6/30/16
- Sheila Place, 583 Whistleberry Drive, Marstons Mills, as a member with a term expiring 6/30/16
- Karen Rezendes, 121 Great Marsh Road, Centerville, as a member with a term expiring 6/30/16
- Gloria Rudman, 50 Waterman Farm Road, Centerville, as a member with a term expiring 6/30/16
- Lili Seely, 33 Candlewick Lane, Hyannis, as a member with a term expiring 6/30/16
- Cyndy Shulman, 1529 Race Lane, Marstons Mills, as a member with a term expiring 6/30/16

DATE	ACTION TAKEN
<u>06/04/18</u>	<u>Continued to 06/18/15</u>

- Read Item
- Council Discussion
- Move/Vote

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-153
INTRO: 06/04/15, 06/18/15**

2015-153 APPROPRIATION ORDER OF \$185,000.00 COMMUNITY PRESERVATION FUNDS FOR RESTORATION AND REHABILITATION OF THE HISTORIC ASSETS OF THE TOWN HALL EAST AND WEST STAIRS AND FIRST FLOOR ENTRANCE

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the sum of One Hundred Eighty Five Thousand and NO/100 (\$185,000.00) Dollars be appropriated and transferred from the undesignated portion of the Community Preservation Fund for restoration and rehabilitation of the historic resources consisting of the Town Hall East and West interior stairs, stairwells and first floor entry; and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose subject to the oversight of the Community Preservation Committee.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-153
INTRO: 06/04/15, 06/18/18

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lindsey Counsell, Community Preservation Committee
DATE: June 1, 2015
SUBJECT: Appropriation Order in the amount of \$185,000 Community Preservation funds for Renovation of Town Hall Stairs

BACKGROUND: The Town of Barnstable is seeking approval from the Town Council for CPA funding in the amount of \$185,000 for the historic renovation and stabilization of the east and west stairwells and first floor entrance of the town hall building at 367 Main Street, Hyannis. The Barnstable Town Hall is a contributing building in a national register district (Municipal Group Historic District Properties). The historic building was first opened as the Hyannis State Normal School in September of 1897. Over the course of many decades, the building served as a State Teachers College, Massachusetts Maritime Academy, Cape Cod Conservatory of Music, Cape Cod Community College, Middle School and lastly and currently as the Barnstable Town Hall. In 2010 and 2011 with funding from the Community Preservation Committee, extensive exterior repairs were made to the building and during the past several months, internal work has been started. The funds being requested will be used to restore the stairs, stairwell and first floor entry way to its original wood condition.

FISCAL IMPACT: There is no impact to the general fund. All funds are drawn from the Community Preservation Fund.

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-179
INTRO: 06/04/15, 06/18/15**

2015-179 APPROPRIATION ORDER OF \$117,000.00 COMMUNITY PRESERVATION FUNDS FOR CREATION OF OPEN SPACE AND RECREATION LAND CONSISTING OF CAPTIAL IMPROVEMENT TO THE FIELD AT BARNSTABLE COMMUNITY HORACE MANN CHARTER PUBLIC SCHOOL

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the sum of One Hundred Seventeen Thousand and 00/100 (\$117,000.00) Dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund for the creation of open space and recreation land through capital improvements consisting of field lighting, bio-retention basin and paving on and around the field behind the Barnstable Community Horace Mann Charter Public School used in part by Barnstable Little League; and that the Town Manager is authorized to contract for and expend the amount appropriated for this purpose subject to the oversight of the Community Preservation Committee.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-179
INTRO: 06/04/15, 06/18/18

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lindsey Counsell, Community Preservation Committee
DATE: June 1, 2015
SUBJECT: Appropriation Order in the amount of \$117,000 Barnstable Little League field behind the Barnstable Community Horace Mann Charter Public School

BACKGROUND: The Town of Barnstable is seeking approval from the Town Council for CPA funding in the amount of \$117,000 for the second phase of construction of a Barnstable Little League field behind the Barnstable Community Horace Mann Charter Public School on Bearse's Way, Hyannis. In September of 2014 an appropriation of \$100,000 of Community Preservation funds was approved by the Town Council for the construction of a regulation little league baseball field at the school. Phase II consists of field lighting, bio-retention basin planting and paving repairs. The project is being conducted as a partnership with the Lyndon Paul Lorusso Charitable Foundation and has contributed an additional \$25,000 for the final phase of the project. Additionally, the project has the support of the Barnstable School Committee.

ANALYSIS: The project is consistent with the present land use on site and will assist to preserve and enhance the recreational character and use on the parcel.

FISCAL IMPACT: There is no impact to the general Fund. All funds are drawn from the Community Preservation Fund.

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-180
INTRO: 06/04/15, 06/18/15**

2015-180 APPROPRIATION ORDER OF \$504,000.00 COMMUNITY PRESERVATION FUNDS FOR AFFORDABLE HOUSING HI RIVER ROAD, MARSTONS MILLS

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the sum of Five Hundred Four Thousand and NO/100 (\$504,000.00) Dollars be appropriated and transferred from the amount set aside for community resources in the Community Preservation Fund, for a grant to Habitat for Humanity, Inc. for the acquisition, creation and support of affordable housing on nine (9) acres, more or less, on Hi River Road in Marstons Mills shown as Parcels 33 – 36 on Assessors Map 0600; and that the Town Manager is authorized to contract for and expend the appropriation made available and execute and record documents on behalf of the Town for this purpose to be secured by grant agreements, regulatory agreements, deed riders, title insurance policies, notes and mortgages, subject to the oversight of the Community Preservation Committee.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-180
INTRO: 06/04/15, 06/18/18

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lindsey Counsell, Community Preservation Committee
DATE: June 1, 2015
SUBJECT: Appropriation Order in the amount of \$504,000 for the Habitat for Humanity Property Acquisition on Hi River Road, Marstons Mills

BACKGROUND: The Town of Barnstable is seeking approval from the Town Council for CPA funding in the amount of \$504,000 for the acquisition by Habitat for Humanity Cape Cod of 9 acres of property on Hi River Road in Marstons Mills for the creation of affordable housing. Habitat for Humanity has entered into an Offer to Purchase that is contingent on Habitat receiving a CPC grant for the land purchase. Habitat believes the site will comfortably support approximately 12 affordable homes with a Comprehensive Permit under Massachusetts General Law Chapter 40B. Based on 12 homes, this represents \$42,000 per unit, the bulk of which will go towards land acquisition and the remainder which will fund pre-development, including architectural, engineering and legal costs.

ANALYSIS: The project meets the criteria for CPA funds as it creates community housing and helps preserve Barnstable's character by providing much needed housing opportunities that help maintain a diverse and vibrant community.

FISCAL IMPACT: There is no impact to the general fund. All funds are drawn from the Community Preservation Fund.

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-181

INTRO: 06/04/15, 06/18/15

2015-181 APPROPRIATION ORDER OF \$295,000.00 COMMUNITY PRESERVATION FUNDS FOR ACQUISITION AND CREATION OF OPEN SPACE AND RECREATION AT 0 SANDY NECK, MAP 339 PARCEL 2 CONSISTING OF A PARCEL OF 14 ACRES MORE OR LESS

ORDERED: That the Town Manager is authorized to purchase on behalf of the Town by commissioner’s sale, real property pursuant to the Community Preservation Act, G. L. c 44B, for open space and recreation, shown on Assessors Map 339, Parcel 002, further described as Lot 6 on a plan entitled “Plan of Land on Sandy Neck in Barnstable, Massachusetts prepared for George J. Hill, Junior ‘Petitioner’ et al” dated January 24, 2014, Scale 11 inch = 60 feet, Down Cape Engineering, Inc. Civil Engineers and Land Surveyors” being a portion of the property known as 0 Sandy Neck, Barnstable, Massachusetts containing 14.10 acres of land more or less; that pursuant to said G. L. c. 44B the sum of Two Hundred Ninety-Five Thousand and NO/100 (\$295,000.00) Dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund for the purchase of said interest; and that the Town Manager is authorized to expend the appropriation for the stated purposes, grant restrictions pursuant to the Community Preservation Act and execute and record any written instruments, subject to the oversight of the Community Preservation Committee.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-181
INTRO: 06/04/15, 06/18/18

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lindsey Counsell, Community Preservation Committee
DATE: June 1, 2015
SUBJECT: Appropriation Order in the amount of \$295,000.00 Community Preservation funds for Acquisition of Parcel at Sandy Neck

BACKGROUND: The Town of Barnstable is seeking approval from the Town Council for CPA funding in the amount of \$295,000 for the acquisition of a 14 acre parcel (more or less) on the environmentally crucial barrier beach Sandy Neck to add to the Town's already held contiguous parcels on the Neck. The Town has entered into a purchase and sale agreement for the parcel (map/parcel 339/002).

RATIONALE: The parcel is located on "Little Neck" close to Beach Point. It is comprised of an extensive dune system, front beach and mud flats which are home to a variety of wildlife and a large variety of shorebird species including state and federally listed "threatened" piping plovers. The complex dune system provides storm damage protection by acting as the first line of defense for the cottage colony, Barnstable Harbor and ultimately the mainland's of Barnstable and the Great Barnstable Marsh. The parcel is used by town staff for land management and emergency response access to Little Neck and Beach Point. It is one of the few privately owned and undeveloped pieces of Sandy Neck and is the missing link in the protection of the entire barrier beach system. Prohibition of new Sandy Neck development is one of the strategies defined in the TOB Comprehensive Plan-2010. Additionally, the Town Council's Strategic Plan for FY 15 states a goal to "preserve and protect areas in town that are most significant as natural and historical resources for visual quality, outdoor recreation, public access, wildlife habitat and cultural history".

FISCAL IMPACT: There is no impact to the general fund. All funds are drawn from the Community Preservation Fund.

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-182
INTRO: 06/04/15, 06/18/15**

2015-182 APPROPRIATION ORDER OF \$100,000 COMMUNITY PRESERVATION FUNDS FOR AFFORDABLE HOUSING ON 1819 OLD STAGE ROAD, WEST BARNSTABLE

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G.L. c. 44B, the sum of One Hundred Thousand and NO/100 (\$100,000.00) Dollars be appropriated and transferred from the amount set aside for community resources in the Community Preservation Fund, for a grant to Habitat for Humanity, Inc. for the acquisition, creation and support of affordable housing on One and two one hundredths (1.02) acres, more or less, at 1819 Old Stage Road in West Barnstable shown as Parcel 36 on Assessors Map 152; and that the Town Manager is authorized to contract for and expend the appropriation made available and execute and record documents on behalf of the Town for this purpose to be secured by grant agreements, regulatory agreements, deed riders, title insurance policies or certifications, notes and mortgages, subject to the oversight of the Community Preservation Committee.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>06/04/15</u>	<u>Opened Public hearing & Continued to 06/18/15</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-182
INTRO: 06/04/15, 06/15/18

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lindsey Counsell, Community Preservation Committee
DATE: June 1, 2015
SUBJECT: Appropriation Order in the amount of \$100,000 Community Preservation funds for affordable housing on 1819 Old Stage Road, West Barnstable

BACKGROUND: The Community Preservation Committee (CPC) met on Monday December 15, 2014 and voted unanimously to recommend to the Town Council, through the Town Manager, to support the funding request of \$100,000.00 from Habitat for Humanity of Cape Cod for the creation of two single family affordable houses on the property located at 1819 Old Stage Road, Centerville, MA (Map 152/Parcel 036).

RATIONALE: The 44,811 square foot parcel is being donated by the current owners once Habitat has received all necessary permits for the creation of two two-bedroom single family dwellings. Estimated total development costs is \$437,469 and CPA funds, along with additional funding sources and grants, will be used to offset construction costs. The homes are built in partnership with the community and with the selected buyer families.

The homes will be affordable in perpetuity with affordability ensured by a Department of Housing and Community Development (DHCD) Local Initiative Program (LIP) Deed Rider and will be counted on Barnstable's DHCD Subsidized Housing Inventory (SHI). The homes will be made available to very-low income households; households earning between 45% and 65% of Area Median Income. Each home sale price will be approximately \$126,000

This project meets the criteria for Community Preservation projects as it creates community housing. The project helps preserve Barnstable's character by providing much needed housing opportunities that help maintain a diverse and vibrant community.

FISCAL IMPACT: There is no impact to the general fund. All funds are drawn from the Community Preservation Fund.

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-183
INTRO: 06/18/15**

2015-183 ACCEPTANCE OF A GRANT OF \$1,300 TO THE BARNSTABLE SENIOR SERVICES DIVISION FROM THE GALE FUND TO SUPPORT LESBIAN, GAY, BI-SEXUAL, TRANSGENDER (LGBT) PROGRAMMING AT THE BARNSTABLE SENIOR CENTER

RESOLVED: That the Town of Barnstable hereby accepts a grant of \$1,300 from the GALE Fund to support LGBT (Lesbian, Gay, Bi-sexual, and Transgender) programming at the Barnstable Senior Center and hereby authorizes the Town Manager to approve the expenditure of monies from said gift account for that purpose.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-183
INTRO: 06/18/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: June 8, 2015
SUBJECT: Acceptance of a \$1,300 grant from the GALE FUND

RATIONALE: The Senior Services Division has received a grant from the GALE Fund (Gay and Lesbian Equity Fund) in the amount of \$1,300. These funds will be used to create new programs and social opportunities for Lesbian, Gay, BI-Sexual, and Transgender (LGBT) elders in our community. LGBT elders are at an increased risk for social isolation, experience poor health and healthcare access and face higher poverty rates than other seniors. Despite the increased need, the LGBT population is less likely to seek assistance and services due to actual and perceived discrimination.

Social isolation is an obstacle facing all Americans as they age. With fewer and lower quality support networks available, feelings of loneliness and depression can lead to deteriorating mental and physical well being. The risk factors for social isolation affect LGBT elders in unique and disproportionate ways. LGBT elders are twice as likely to live alone, twice as likely to be single and three times less likely to have children. Many LGBT elders have faced a lifetime of discrimination and social rejection and have distrust in dealing with most mainstream support services. Due in large part to these negative experiences, they are five times less likely to access senior services than their heterosexual peers.

The Barnstable Senior Center is committed to provide a welcoming, safe and inclusive environment for LGBT elders. The entire Senior Center staff, members of our Council on Aging and Friends of the Barnstable Council on Aging boards and I recently took part in Cultural Competency Training facilitated by Lisa Krinsky, Executive Director of the LGBT Aging Project in Boston. It was an extremely positive experience, and was an outstanding opportunity for us to align our commitment to better serving the needs of the LGBT elder community. We are grateful for the generous support of the GALE Fund, and appreciate the new partnership between the GALE Fund and the Barnstable Senior Center as we collectively work to better serve the needs of LGBT elders in our community.

FISCAL IMPACT: There is no immediate financial impact to the Town's operating budget as a result of accepting this grant. However, additional grant funds will be required to continue the program once this grant has been exhausted. Otherwise, the service may have to be eliminated.

STAFF ASSISTANCE: Madeline Noonan, Director of Senior Services
Donna-Marie Burns, Assistant Director of Senior Services

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-184
INTRO: 06/18/15**

2015-184 APPROVAL OF AMENDED AND RESTATED CONSERVATION RESTRICTION BETWEEN PETER A. WALTER (GRANTOR) AND THE BARNSTABLE LAND TRUST, INC. (GRANTEE)

RESOLVED, that the Town Council approve the Amended and Restated Conservation Restriction between Peter A. Walter (Grantor), and Barnstable Land Trust, Inc., (Grantee), over approximately 8.84 acres of land at 470 Sea View Avenue, Osterville, Map 138, Parcel 1, for conservation purposes.

SPONSOR: Councilor James Crocker Jr.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-184
INTRO: 06/18/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Jaci Barton, Executive Director, Barnstable Land Trust
Lindsey Counsell, Community Preservation Committee
DATE: June 18, 2015
SUBJECT: Amended and Restated Conservation Restriction held by Barnstable Land Trust, Inc. over approximately 8.84 acres of land at 470 Sea View Avenue, Osterville

BACKGROUND This item has been placed on the agenda for Council's approval of amendments to a recorded conservation restriction (CR) held by Barnstable Land Trust, Inc. (BLT), covering 8.84 acres, more or less, at 470 Sea View Avenue in Osterville.

In 2000, the Town Council approved a conservation restriction (CR) to be granted by Gordon and Janice LeBlanc to Barnstable Land Trust on 8.84 acres at 470 Sea View Avenue in Osterville. Within the CR is a 1.75-acre building envelope ("Area A"), a 1.53-acre mowed open area ("Area B"), a 2.94-acre forested area ("Area C") and 2.62 acres of wetlands.

In this amended restriction, Grantor Peter A. Walter (current owner and successor in interest to the Leblanc's under the CR) is requesting the right to erect a fence partially outside the building envelope area. As mitigation for the new fence, the Grantor will restore 16,710 square feet, by converting 7,800 square feet of Area A Building Envelope to an open or forested area, and converting 8,910 square feet from a mowed area to a forested or wetland area by natural growth of vegetation. The result will be a smaller Building Envelope and smaller mowed areas, and an increase in the amount of protected forest and wetlands, resulting in a net benefit to wildlife and their habitats.

To effect these changes requires an amendment to the recorded CR. The Amended and Restated CR, if approved by the Town Council, would consolidate the CR as originally approved and recorded in 2000 and the Amendments as proposed now in 2015. The result is one document, rather than two separate documents.

ANALYSIS: This proposed Amended and Restated CR conforms to the Open Space Policy of the Town, adopted in 1981, which "encouraged...grants of conservation restrictions" which yielded "benefits to the Town." This Amended and Restated CR offers the following public benefits and will:

- preserve a scenic view,
- prevent disturbance of wetlands,
- preserve open space,
- preserve important natural habitats of fish, wildlife or plants, and
- limit or prevent construction on land of natural resource value.

Conservation Values of the Amended and Restated CR:

- 1) is within the area known as the Sea View Avenue swamps and forest, identified repeatedly over the past 30 years as a major wildlife habitat;
- 2) within Osterville, a village underserved with respect to protected open space;
- 3) along the historic woods road known as the “road to Osterville” from Wianno;
- 4) contains wetlands and abutting upland buffer zones;
- 5) has over 400 feet of forested frontage along Sea View Avenue, a designated Scenic Road;
- 6) furthers the Town of Barnstable’s 2010 Update to its Open Space Plan.

APPROVALS: The Amended and Restated CR was unanimously endorsed by the LAPC at its April 14, 2014 meeting and by the Conservation Commission at its April 22, 2014 meeting.

FISCAL IMPACT: None, as the entire property is already encumbered with a conservation restriction.

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-185
INTRO: 06/18/15**

**2015-185 APPROVAL OF A CONSERVATION RESTRICTION FROM
ROBERT J. MICELI AND JANE MICELI (GRANTOR) TO THE BARNSTABLE
LAND TRUST, INC. (GRANTEE)**

RESOLVED, that the Town Council approve a Conservation Restriction from Robert J. Miceli and Jane Miceli (grantor) to the Barnstable Land Trust, Inc. (grantee), over approximately 7.25 acres of land located at 38 Sandalwood Drive in Cotuit, Map 24 Parcel 03 (portion), for conservation purposes.

SPONSOR: President of the Town Council, Jessica Rapp Grasseti

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-185
INTRO: 06/18/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Jaci Barton, Executive Director, Barnstable Land Trust
Lindsey Counsell, Community Preservation Committee
DATE: June 18, 2015
SUBJECT: Conservation Restriction to Barnstable Land Trust, Inc. from Robert J. Miceli and Jane Miceli to the Barnstable Land Trust, Inc., over approximately 7.25 acres of land located at 38 Sandalwood Drive in Cotuit, Map 24 Parcel 03 (portion).

BACKGROUND: This item has been placed on the agenda for the Council's approval of a conservation restriction (CR) to be granted to the Barnstable Land Trust, Inc. by Robert J. Miceli and Jane Miceli to the Barnstable Land Trust, Inc., over approximately 7.25 acres of land located at 38 Sandalwood Drive in Cotuit. The land is shown as a portion of Barnstable Assessor's Map 24 Parcel 03.

The Micelis have lived on the property for thirty years. They have a house on 8 acres, and propose to donate a perpetual conservation restriction on 7.25 acres to Barnstable Land Trust (BLT). They had attended a BLT landowners' workshop in 2013, were qualified under the State tax credit program in 2014, and would donate the CR in 2015.

This property includes about 425 feet of frontage on Route 28, just west of Santuit-Newtown Road. There are two beautiful maple swamps visible from the highway. There are many American beech trees found on the land, an uncommon species for the Cape. The swamps may harbor vernal pools for rare amphibian breeding grounds. All of the land is within the Zone II Area of Contribution for the Cotuit Well field, meaning any drop of water under the Micelis' land finds its way into Cotuit's drinking water supply. The land also is completely within the State's Priority Habitat area for rare species.

The land is buildable for one new home, reached via old road layout from Sandalwood, not Route 28.

The conveyance of this CR to the Barnstable Land Trust will help protect the public drinking water supply, preserve important wildlife habitat, and protect freshwater wetlands. Public access is not appropriate for this parcel, given the steep slope from Route 28, its guardrail and lack of highway parking, and Sandalwood being a private built-out residential neighborhood. There is great visual public access looking down into the swamp from the highway.

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

Specifically, the Conservation Restriction has the following public benefits and will:

- ◆ increase the amount of protected open space in town;
- ◆ preserve important wildlife habitat;
- ◆ prevent the disturbance of wetlands;
- ◆ preserve the scenic quality and character of this undisturbed area.

APPROVALS: The Land Acquisition and Preservation Committee approved the Conservation Restriction on March 9, 2015. The Conservation Commission voted its approval on March 24, 2015.

FISCAL IMPACT: The 7.25-acre area that is subject to the CR is on the eastern portion of the 8-acre property. The 8 acres are assessed as residential land. The FY15 assessment of both land and buildings totals \$423,000. The land portion of the assessment is \$149,500. The 2 acres under the house is \$132,700. The assessment on the remaining land is \$16,800. Town, Cotuit and CPA tax rate is \$11.80 per \$1000 so the reduction in overall taxes is \$198.24 for FY 2015.

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-186
INTRO: 06/18/15**

2015-186 APPROVAL OF A CONSERVATION RESTRICTION FROM NATIVE LAND CONSERVANCY, INC. (GRANTOR) TO THE BARNSTABLE LAND TRUST, INC. (GRANTEE)

RESOLVED, that the Town Council approve a Conservation Restriction from Native Land Conservancy, Inc. (grantor) to the Barnstable Land Trust, Inc. (grantee), over approximately 1.4 acres of land located at 5 Shoot Flying Hill Road in Barnstable, Map 234 Parcel 057, for conservation purposes.

SPONSOR: Vice President, Ann B. Canedy

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2015-186
INTRO: 06/18/15

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Jaci Barton, Executive Director, Barnstable Land Trust
Lindsey Counsell, Community Preservation Committee
DATE: June 18, 2015
SUBJECT: Conservation Restriction from Native Land Conservancy, Inc. to the Barnstable Land Trust, Inc., over approximately 1.4 acres of land located at 5 Shoot Flying Hill Road, in Barnstable, Map 234 Parcel 057.

BACKGROUND: This item has been placed on the agenda for the Council's approval of a conservation restriction (CR) to be granted to the Barnstable Land Trust, Inc. by Native Land Conservancy, Inc. to the Barnstable Land Trust, Inc., over approximately 1.4 acres of land located at 5 Shoot Flying Hill Road, in Barnstable. The land is shown as Barnstable Assessor's Map 234 Parcel 057. This small linear parcel is the southern remnant of an historic "Long Lot" that stretched in colonial days from Wequaquet Farm to Barnstable Harbor. It was owned variously by the Scudders, Bassetts and Hinckleys, leading families of the Town. The "Long Lot" was carved up over the years, most recently for the construction of State Routes 132 and 6 in the 1950s.

In 2014 the present owner Norman W. Hayes approached the Native Land Conservancy, Inc. with a desire to see the land preserved to honor both colonial and pre-colonial history of the area. The Native Land Conservancy, Inc. (NLC) is the first native-led non-profit land trust east of the Mississippi River. The Hayes parcel will be the first donation of land to NLC. Mr. Hayes, who grew up in Centerville and whose father Stephen Hayes was a founder of the Barnstable Land Trust, Inc. (BLT), would like BLT to hold a conservation restriction on the parcel.

All of the land is within the Zone II Area of Contribution for the Barnstable Fire District Well field, meaning any drop of water under the parcel finds its way into Barnstable Village's drinking water supply in the public supply wells across Rt. 132. The land also is completely within the State's Priority Habitat area for rare species.

The land is entirely wooded upland, thickly forested with tall white pines, oaks, pitch pines and America holly. An historic stone wall, dividing the Northside "Long Lots" from the historic Wequaquet Farm division, runs along the southern sideline of the parcel. A Town-purchased Land Bank parcel is nearby.

The conveyance of this CR to the Barnstable Land Trust will help protect the public drinking water supply, preserve important wildlife habitat, and protect the greenbelt at the entrance into Hyannis from Route 6 onto Route 132. Public access will be available for this parcel, though given the steep slope from Shoot Flying Hill Road, its guardrail and lack of highway parking, practical access is problematic. The land is located opposite the Cape Cod Chamber of Commerce Visitors Center.

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

Specifically, the Conservation Restriction has the following public benefits and will:

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

The Barnstable Land Trust, Inc., the Native Land Conservancy, Inc., and Mr. Norman W. Hayes have submitted letters to the Town indicating their perception that the Town of Barnstable, Cape Cod’s shire town, should be honored for hosting this first landholding by the NLC, which operates throughout Eastern Massachusetts on behalf of native Americans.

APPROVALS: The Land Acquisition and Preservation Committee approved the Conservation Restriction on November 10, 2014. The Conservation Commission voted its approval on March 24, 2015. The State Division of Conservation Services has approved the CR as to form.

FISCAL IMPACT: The 1.4-acre parcel that will be subject to the CR is assessed as residential land. The FY15 assessment is \$58,700. Taxes are \$727.24 annually. Because the land will be owned by the tax-exempt NLC, the land will become tax-exempt in fiscal year 2016 if the deed is recorded by June 30th. The CR to be held by BLT does not affect the tax valuation since the land will be exempt as owned by a conservation non-profit (NLC) for its charitable purpose.