



BARNSTABLE TOWN COUNCIL MEETING June 4, 2009

A quorum being duly present, Council President Frederick Chirigotis called the regular meeting of the Barnstable Town Council to order at 7:00 pm, on June 4, 2009, at the Barnstable Town Hall, 367 Main Street, Hyannis, MA.

PRESENT: Ann Canedy, Janice Barton, Richard Barry, Frederick Chirigotis, James Crocker, Jr. (8:15 p.m.), Leah Curtis, Henry Farnham, Janet Joakim, James Munafo, Jr., Thomas Rugo, James M. Tinsley, Jr., Harold Tobey **ABSENT:** J. Gregory Milne

The Pledge of Allegiance was led by President Chirigotis, followed by a Moment of Silence.

PUBLIC COMMENT:

Mary Ann Barboza thanked the Chief of Police for his recent efforts in various neighborhoods of Hyannis. He is giving the citizens in these locations a feeling of belonging. The new chief is doing it the correct way.

Ann Walther Hayes and Megan Kenney were present from the 4th of July Parade Committee. It will be a great parade; she announced and stated that Lou Columbo will be the grand marshal.

COUNCIL RESPONSE TO PUBLIC COMMENT

Councilor Munafo acknowledged Ms. Hayes work on the parade for all these years. Councilor Farnham echoed Munafo – it is a great parade. He thanked her as well.

Vice President Tobey said Ms. Barboza is right on the money regarding Nautical Way and Fresh Holes Rd. The Chief has made the department more user friendly and is working with the public.

COMMUNICATIONS FROM ELECTED OFFICIALS, BOARDS, COMMISSIONS, STAFF, CORRESPONDENCE, ANNOUNCEMENTS AND COMMITTEE REPORTS

Councilor Farnham said June 21st will be the Father's Day Car show beginning at 9 a.m. on Main Street in Hyannis with about 350 cars on display. He encouraged all to come out.

Councilor Curtis congratulated Councilor Barton who was recently appointed to serve on the Cape Cod Commission on the Status of Women. She will be sworn in later this month.

Councilor Tinsley had an "up" note. He said recently in front of his workplace in Hyannis, ducklings fell in a drain. He acknowledged the many departments and individuals who came out and saved the ducklings that were later reunited with their mother, among them: John Croghan from Balise who "babysat" the ducks while Councilor Tinsley called around, Michael Perry with the Highway Dept. and Russ Keys with Natural Resources.

ORDERS OF THE DAY

A. OLD BUSINESS

2009-107 APPROPRIATION ORDER TO FUND THE POLICE DEPARTMENT FY10 OPERATING BUDGET – Intro: 5/7/09, 6/4/09

Manager Klimm gave the over view on the budget and explained the overall process. He stated that the town is attempting to reach the mission of the council. It will be hard times this year and next year as well. The levels of service will be affected. He thanked Bob O'Brien, Mark Milne, department heads, council and school committee. We will look to consolidation, privatization and regionalization for possible cost savings.

Klimm noted that there will be a brief summarization of the budget and then each item will be taken separately.

Finance Director, Mark Milne gave a PowerPoint presentation on the budget (Please see FY 2010 Proposed Operating Budget attached as "A".)

Manager Klimm highlighted the 9 year summary of general fund personnel levels and where the cuts in personnel have taken place. The last slide showed the distribution of the property and excise taxes. (This information is included in the attachment.)

Bill Brower, Chair of the CFAC, gave a summary of the CFAC report. (Please see report attached hereto and marked as "B".) He felt it was one of the most challenging budget years in recent history. There are no easy answers and next year will also have additional cuts. The committee gave some other ideas regarding taxation, etc. that they encourage the council to look at. Difficult times permit leaders to use bold ideas. They thanked Director Milne for his efforts.

The public was allowed to call in. Anything labeled "Question" was from a telephone inquiry.

- Question – should we reduce the number of days the landfill should be open?
- Question - should we spend money on affordable housing when houses are not selling?
- Question - with cuts coming in the schools this year what will come next year?
- Question – will the policy academy be able to continue?

Manager Klimm read a summary of significant changes in the budget for each department as they were taken.

He began with the Police Department.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous

Chief McDonald (answer on the question) said that the 22nd session of the policy academy will begin in the fall and it will continue. The officers who participate are not paid and give their time.

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 7:40 p.m.
VOTE: Unanimous

Councilor Barry asked about the staffing. The Chief said they have 4 vacancies and are looking to fund one with the stimulus package.

Councilor Curtis asked if cross training could help with technology losses. McDonald explained the technology needs and acknowledged the help from IT Director Dan Wood and his department. Manager Klimm noted that the police and town departments do work together.

A motion was made and seconded to move the question.
VOTE: Unanimous in favor

Upon motion duly made and seconded it was:
ORDERED, That the sum of \$11,413,905 be raised and appropriated for the purpose of funding the Town's FY 2010 Police Department budget as presented to the Town Council by the Town Manager.
VOTE: - Roll Call 11 yes

2009-108 APPROPRIATION ORDER TO FUND THE FY10 MUNICIPAL AIRPORT ENTERPRISE FUND BUDGET Intro: 5/7/09, 6/4/09

Manager Klimm stated the cuts.

Question – please update timetable on the terminal.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.
VOTE: Unanimous

Bud Breault, Director of the Airport, said the updated schedule for the terminal, if all goes as planned will include them coming to the council in November for funding, and maybe by spring of 2011 it will be complete

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 8:47 p.m.
VOTE: Unanimous

Councilor Munafo asked about the 7% increase in the budget. Klimm said a large expenditure for jet fuel was included. Breault agreed. If we do not need the money, it will return to the reserve account. Munafo noted an increase in staff, expenses. Breault said the enterprise accounts have not had to take reductions. Munafo asked if anything was presented to the unions to ask for reductions. They asked the union and there was no response.

Councilor Farnham noted that the airport is the second largest employer on the Cape and it is a significant economic impact for Barnstable.

Councilor Canedy said that she is disappointed that the unions and personnel in the airport enterprise account could not join in support of the efforts. A question was asked what would happen if the airport did not meet their estimated revenues. Breault said if our revenues don't meet the budget we will ask for a vote to get it from the reserves.

Councilor Tinsley asked for an explanation on some budget language. Milne explained that it dealt with a land acquisition.

Vice President Tobey noted that the monies come from your enterprise accounts, not the taxes. Milne said June 26th is the last day to pass the budget. Munafo asked if this item does not pass, what will happen to the airport. Attorney Weil asked for a brief moment to confirm her answer.

A motion was made and seconded to move the question.

VOTE: 9 Yes 2 No (Munafo and Canedy)

Upon motion duly made and seconded it was:

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

VOTE: - ROLL CALL – 8 yes 3 no (Canedy, Barry, Munafo)

(There would be no funding for the airport if there was a majority "no" vote, according to Town Attorney Ruth Weil.)

2009-109 APPROPRIATION ORDER TO FUND THE FY10 LOCAL SCHOOL SYSTEM BUDGET Intro: 5/7/09, 6/4/09

Manager Klimm outlined the cuts that the schools are taking.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous

In answer to the question on next year's budget - Supt. Grenier has started to look at salaries, and explained that we are looking at contract negotiations. It is hard to project 2011.

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 8:03 p.m.

VOTE: Unanimous

Councilor Curtis asked when the contract negotiations will be complete. Supt. Grenier spoke with school counsel, Bill Butler. Attorney Butler said the school committee has to bargain in good faith. Potentially we could look at months before we have resolution. School Committee Chairman Ralph Cahoon said we cannot discuss our position publicly – we are very aware of our situation. We can't tell you any thing beyond that.

Councilor Farnham said if we approve the budget and the contract negotiations increase the amount, how do you deal with it? Cahoon said we will determine how we will handle it. I can't tell you what will happen on a situation that we don't know how it will turn out.

Councilor Canedy asked about savings the School Administration has realized as a result of consolidation and closing of schools. Supt. Grenier read out the cuts that were made with regard to the closing. What you pass is what we live with. We are all in the same position.

Director Milne said there are 3 versions of the state budget; once it is all passed we will then know the local aid.

Councilor Barry noted that schools were closed. He said we should tip our hat to the school committee for their work and we should not hold it against them because of a lack of information on a contract.

Councilor Barton thanked them.

Councilor Rugo noted that the school has lost 162 positions in the last 10 years. The school has cut a lot of money and he encouraged support of the budget

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 10 yes 2 no – (Farnham, Munafo) – Councilor Crocker now in attendance increasing the count to 12.

Council Curtis asked for as much information as possible from the school as soon as contracts are settled.

2009-110 APPROPRIATION ORDER TO FUND THE FY10 DPW GENERAL FUND BUDGET Intro: 5/7/09, 6/4/09
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Manager Klimm gave the overview of cuts to be taken.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Mark Ells, Dir. Of Public works answered the question on the landfill. He stated that they annually survey the customers at the landfill. The shift from 5 – 7 days was in response to the customers' needs.

Ells noted that due to cuts there will be, across the board, a slower ability to respond to work orders; for instance, sweeping, catch basins, and mowing. We have fewer resources and it will impact everyone.

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 8:28 p.m.

VOTE: Unanimous in favor

Councilor Canedy said we have noticed less trash along the road since the landfill has been open 7 days. She congratulated the employees for wage concessions.

Councilor Joakim asked if betterments are a drain on your resources. Ells said private road complaints are changing. The roads are coming to us beyond emergency condition. They are failed roads and we cannot respond. When they call, we will send out highway and engineering and try to advise them on how to proceed. We have no resources.

Councilor Munafo asked about enterprise accounts – no tax dollars go into them – all costs are covered by fees.

Councilor Curtis asked about repairs to private roads. Ells said they have only \$30,000 in the budget for patch material.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 12 yes

2009-111 APPROPRIATION ORDER TO FUND THE FY10 DPW SOLID WASTE ENTERPRISE FUND BUDGET Intro: 5/7/09, 6/4/09

Manager Klimm explained the cuts and changes to solid waste.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 8:38 p.m.

VOTE: Unanimous in favor

Councilor Munafo asked about the benefits increase of 9%. Director Milne said it is health insurance and Medicare only.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 12 Yes

2009-112 APPROPRIATION ORDER TO FUND THE FY10 DPW WATER POLLUTION CONTROL ENTERPRISE FUND BUDGET Intro: 5/7/09, 6/4/09

Manager Klimm explained the differences in the budget.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous

- Question – before the sewerage plan goes through, have we considered a town-wide ban on fertilizer?

Director Ells stated that a study is part of the nutrient management systems, and once the study is complete, we will come out with recommendations.

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 8:42 p.m.

VOTE: Unanimous in favor

Councilor Munafo asked about the 14% increase in benefits. Director Milne stated that it is health insurance costs; for instance there may have been changes in plans from single to family.

Councilor Curtis asked what is the goal of the sewer rate study. Ells said we are looking at the cost of usage of sewer and septage and looking at a fee at the time of connection.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call - 12 yes

2009-113 APPROPRIATION ORDER TO FUND THE FY10 DPW WATER SUPPLY ENTERPRISE FUND BUDGET
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Manager Klimm spoke briefly on the cuts.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 8:47 p.m.

VOTE: Unanimous in favor

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call – 12 yes

2009-114 APPROPRIATION ORDER TO FUND THE FY10 REGULATORY SERVICES DEPARTMENT BUDGET Intro: 5/7/09, 6/4/09
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Manager Klimm gave the rationale.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 8:49 p.m.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call - 12 yes

2009-115 APPROPRIATION ORDER TO FUND THE FY10 COMMUNITY SERVICES DEPARTMENT GENERAL FUND BUDGET
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Manager Klimm gave a brief rationale outlining some of the changes..

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 8:53 p.m.

VOTE: Unanimous in favor

Councilor Munafo asked if we are not funding the enforcement of the smoking ban. Manager Klimm said there is no money for enforcement.

Lynn Poyant, Director of Community Services, said the signs were made and the ban is working.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 12 yes

2009-116 APPROPRIATION ORDER TO FUND THE FY10 COMMUNITY SERVICES DEPARTMENT GOLF COURSE ENTERPRISE FUND BUDGET Intro: 5/7/09, 6/4/09

Manager Klimm stated that this is for the two golf courses and outlined cost savings.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

- Question – what is the financial status of the golf courses?

David Curley, Director of Recreation, said that they budget golf as one program. The Hyannis course will generate the revenue generated to cover their costs. As far as Old Barnstable we will be contributing toward the land purchase.

Upon motion duly made and seconded, it was voted to go out of a public hearing at: **8:56 p.m.**

VOTE: Unanimous in favor

Councilor Crocker said that DOR asked us to expedite payoff is that correct? Milne said we don't have to fund the loan any more; the golf account will make one more payment.

Councilor Curtis commended the staff at the golf courses, since all have been proactive.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 12 yes

2009-117 APPROPRIATION ORDER TO FUND THE FY10 COMMUNITY SERVICES DEPARTMENT MARINA ENTERPRISE FUND BUDGET Intro: 5/7/09, 6/4/09
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Manager Klimm gave the rationale.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 9:02 a.m.

VOTE: Unanimous in favor

Councilor Curtis asked what is left in the surplus. The answer - \$111,000.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 12 yes

2009-118 APPROPRIATION ORDER TO FUND THE FY10 COMMUNITY SERVICES DEPARTMENT SANDY NECK PARK ENTERPRISE FUND BUDGET Intro: 5/7/09, 6/4/09

Manager Klimm noted a very small increase.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 9:05 p.m.

VOTE: Unanimous in favor

Councilor Farnham asked about the plovers and their impact on usage. This year the Neck has been open for a little more time. Farnham hopes at some time they may have a new bathhouse.

Upon motion duly made and seconded it was:

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

VOTE: Roll Call – 12 yes

2009-119 APPROPRIATION & TRANSFER ORDER TO FUND THE FY10 COMMUNITY SERVICES DEPARTMENT HYCC ENTERPRISE FUND BUDGET Intro: 5/7/09, 6/4/09

Manager Klimm gave the rationale on this new enterprise fund.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 9:10 p.m.

VOTE: Unanimous in favor

Councilor Munafo noted that the salaries are increased – is it because this is the beginning of an account? Yes.

Councilor Crocker asked about the capital trust fund – how close are the figures on the projections to the original business plan. Director Poyant said it is a 10 month cycle and is very conservative. If the revenues are down and expenses are up – we will have to call on the capital trust fund.

A brief recess was taken to more fully answer the question. The meeting reconvened at 9:26 p.m.

Director Milne and Poyant passed out a chart (see attached as "C"). Milne explained that the difference is about \$400,000 from the original business plan. Crocker said then the capital trust fund will only contribute if needed. Milne said that is true. If revenues are up, they will cut back from using the capital.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 12 yes

2009-120 APPROPRIATION ORDER TO FUND THE FY10 GROWTH MANAGEMENT DEPARTMENT BUDGET Intro: 5/7/09, 6/4/09
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Manager Klimm explained the 8.2% decrease.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

- Joanne Buntich, Acting Director of Growth Management, answered the question on affordable housing. She said we need to continue acquiring more affordable housing because the law requires that 10% be affordable. People need housing (workers). It is necessary to get a stability in that stock. With the stimulus money we are looking to purchase some of the foreclosures and sell as affordable.

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 9:32 p.m.

VOTE: Unanimous in favor

Councilor Joakim noted that the CPA has a section for affordable housing. Buntich addressed some of the affordable housing issues.

Councilor Farnham said that economic development is Priority #4 on the council's strategic plan; and, we need to work on this. He mentioned that the Economic Development budget was reduced to \$60,000 for 2010.

Manager Klimm agreed and said that we will look into it in the future.

Councilor Joakim said this department has pulled in a lot of grant money.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: ROLL CALL 12 YES

2009-121 APPROPRIATION ORDER TO FUND THE FY10 TOWN COUNCIL DEPARTMENT BUDGET Intro: 5/7/09, 6/4/09

The Town Manager gave the rationale.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 9:40 p.m.

VOTE: Unanimous in favor

Councilor Crocker asked about the enterprise assistance. It was explained that these were for indirect costs for time spent on enterprise accounts.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 12 yes

2009-122 APPROPRIATION ORDER TO FUND THE FY10 TOWN MANAGER DEPARTMENT BUDGET Intro: 5/7/09, 6/4/09

Manager Klimm gave the overview on his budget.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 9:43 p.m.

VOTE: Unanimous in favor

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 12 yes

2009-123 APPROPRIATION ORDER TO FUND THE FY10 ADMINISTRATIVE SERVICES DEPARTMENT BUDGET Intro: 5/7/09, 6/4/09
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Manager Klimm gave the overview on the cuts and changes.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 9:45 p.m.

VOTE: Unanimous in favor

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

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

VOTE: Roll Call 12 yes

2009-124 APPROPRIATION ORDER TO FUND THE FY10 OTHER REQUIREMENTS BUDGET Intro: 5/7/09, 6/4/09
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Finance Director Mark Milne gave the rationale explaining the other requirements.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

- Question – asked about funding formula change at the libraries. Manager Klimm said that from the time of town meeting, there would be an appropriation for the libraries - then the library committee would work out the distribution of it. Because of a proposal from Hyannis Library, there will be a public forum in the near future on the library distributions. The public can go to that and the formulas can be explained. Klimm said we have a dedicated committee.
- Question – do we need to look at consolidation of the libraries? President Chirigotis said they have looked at it and there was a study on it.

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 9:53 p.m.

VOTE: Unanimous in favor

Councilor Curtis would support the recommendation for the library committee to have a meeting. The distribution issue is of importance. She hopes that everyone will have sufficient notice on this meeting.

Councilor Crocker also supports the program. The town does not appoint to the boards, we don't own the libraries, we just donate some monies.

Councilor Canedy also supports having a public hearing – she believes the purpose of the committee was to create funding parity.

Councilor Tobey hopes that a better budget would be forthcoming for Hyannis.

President Chirigotis reiterated that we just give a donation – the library committee distributes.

A motion was made and seconded to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

ORDERED:

1) That the sum of **\$27,846,714** and appropriated for funding the Town's FY 2010 Other Requirements Budget as presented to the Town Council by the Town Manager;

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

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

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

4) And further, that the sum of \$23,413 be transferred from the Embarkation Fee Special Revenue Account to the Capital Trust Fund for the payment of debt service on the Pleasant St. dock replacement;

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

VOTE: Roll Call 12 yes

2009-125 AUTHORIZATION ORDER FOR FY10 REVOLVING FUNDS

Intro: 5/7/09, 6/4/09

Mark Milne,, Financial Director, said there was only one change with the shellfish propagation.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the aforementioned item.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to go out of a public hearing at: 9:59 p.m.

VOTE: Unanimous in favor

Councilor Munafo asked how the funds flow through. Milne said some funds are directly segregated for these purposes.

Upon motion duly made and seconded it was:

ORDERED:

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

Fund	Revenue Source	Dept Officer Auth. To Expend Funds	Use of Fund	Total Expenditure Limit FY 2010
Classroom Education Fund	Program registration fees	Senior Services Director	Salaries, benefits, expenses, contract services to operate program	\$35,000
Adult Social Day Fund	Program registration fees	Senior Services Director	Salaries, benefits, expenses, contract services to operate program	\$150,000

Recreation Program Fund	Program registration fees	Recreation Director	Salaries, benefits, expenses, contract services to operate program	\$450,000
Shellfish Propagation Fund	Fees from permits	Natural Resources Director	Salaries, benefits, expenses, contract services, shellfish equipment to operate	\$115,000
Building Inspections Fund	Fees from permits for municipal & private	Building Commissioner	Salaries, benefits, expenses, contract services to operate program	\$150,000
Consumer Protection Fund	Fees from weights & measures services	Director Regulatory Services Dept.	Salaries, benefits, expenses, contract services to operate program	\$165,000
Geographic Information Systems	Fees for GIS maps & reports	Information Systems Director	Salaries, benefits, expenses, contract services to operate program	\$20,000
			Total	\$1,085,000

VOTE: ROLL CALL 12 YES

<p>2009-127 AUTHORIZING THE TOWN MANAGER TO ACQUIRE AN EASEMENT ON BOG ROAD, MARSTONS MILLS Intro: 5/21/09, 6/4/09</p>

Manager Klimm said that this is for the road improvements.

Upon motion duly made and seconded it was voted to go in to a public hearing for the purpose of discussing the above named item.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was voted to go out of the public hearing at 10:03 p.m.

VOTE: Unanimous in favor

Mark Ells said that this is a public road and he further explained the small taking for the easements.

Councilor Munafo made a motion to remove "take by eminent domain". There was no second.

Vice President Tobey asked about fiscal impact. Ells gave the amounts which have been appropriated. Councilor Crocker wanted to know the number of parcels – Ells said 3 parcels and 3 easements - . Ells said there is no issue – we have had no objections.

Councilor Farnham point of order – the square footage on the map does not coincide with the square footage in the order

Upon motion duly made and seconded it was voted to change the square footage to read 2,535.

VOTE: Unanimous in favor

Upon motion duly made and seconded, it was voted to add after the number “more or less”.

VOTE: 11 yes 1 no – (Munafa)

Upon motion duly made and seconded, it was voted to move the question.

VOTE: Unanimous in favor

Upon motion duly made and seconded it was:

ORDERED, That the Town Manager is authorized to purchase, take by eminent domain, or otherwise acquire for the purpose of construction of roadway improvements, easements over three (3) parcels of land located on Bog Road in Marstons Mills consisting of 2,535 square feet more or less, 109 square feet and 128 square feet respectively, as shown on a plan entitled “Definition and Taking Plan of Bog Road in Barnstable(Marstons Mills) MA dated Dec. 7, 2003, Scale 1” = 50’, a copy of which is on file with the Town Clerk; that purposes for which the appropriation was made under council agenda number 2004-082 be and hereby are modified to include acquisition of easements as stated herein; and that the Town Manager is authorized to accept any gifts or grants in relation thereto subject to Town Council approval.

VOTE: Roll Call 11 yes 1 no (Munafa) as amended

B. NEW BUSINESS

2009-129 COMMUNITY PRESERVATION FUND RESERVE SET-ASIDES & CPC APPROPRIATION FOR ADMINISTRATIVE EXPENSES Intro: 6/4/09
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Upon motion duly made and seconded, it was voted to refer this item to a public hearing on June 18, 2009.

VOTE: Unanimous in favor

2009-130 APPROPRIATION FOR COMMUNITY PRESERVATION FUND FY10 DEBT SERVICE Intro: 6/4/09

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on June 18, 2009.

VOTE: Unanimous in favor

2009-131 APPROPRIATION & LOAN ORDER-SEWER COLLECTION SYSTEM EXPANSION Intro: 5/21/09, 6/4/09

Upon motion duly made and seconded it was voted to postpone the public hearing on this item until June 18, 2009.

VOTE: Unanimous in favor

**2009-132 APPROPRIATION & LOAN ORDER – PUMP-STATION AND FORCE MAIN
Intro: 5/21/09, 6/4/09**

Upon motion duly made and seconded it was voted to postpone the public hearing on this item until June 18, 2009.

VOTE: Unanimous in favor

**2009-133 APPROPRIATION-& LOAN ORDER - SEWER COLLECTION SYSTEM EXPANSION Intro:
5/21/09, 6/4/09**

Upon motion duly made and seconded it was voted to postpone the public hearing on this item until June 18, 2009.

VOTE: Unanimous in favor

**2009-134 APPROPRIATION FOR DESIGN OF WATER SUPPLY WELLS, PUMP STATION
AND WATER SYSTEM IMPROVEMENTS - HYANNIS. Intro: 6/4/09**

WITHDRAWN

**2009-135 APPROPRIATION & LOAN ORDER – HYANNIS WATER SYSTEM WATER MAIN UPGRADE
INTRO: 6/4/09**

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on June 18, 2009.

VOTE: Unanimous in favor

**2009-136 – SUBSTITUTE MOTION - APPROPRIATION & LOAN ORDER – HYANNIS WATER
SYSTEM IMPROVEMENTS INTRO: 6/4/09**

Upon motion duly made and seconded it was voted to refer this item to a public hearing to be held on June 18, 2009.

VOTE: Unanimous in favor

**2009-137 DCPC IMPLEMENTING REGULATIONS-CENTERVILLE VILLAGE DISTRICT Intro:
6/4/09**

Upon motion duly made and seconded, it was voted to refer this item to a joint public hearing with the planning board on June 18, 2009.

VOTE: Unanimous in favor

**2009-138 AMEND THE REGULATORY AGREEMENT ORDINANCE TO INCLUDE THE
CENTERVILLE VILLAGE DISTRICT. Intro: 6/4/09**

Upon motion duly made and seconded it was voted to refer this item to a public hearing on June 18, 2009.

VOTE: Unanimous in favor

2009-139 AMEND ZONING ORDINANCE RELATING TO SCCRCOD Intro: 6/4/09

Upon motion duly made and seconded it was voted to refer this item to a public hearing on June 18, 2009.

VOTE: Unanimous in favor

2009-140 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

Upon motion duly made and seconded it was voted to refer this item to a second reading.

VOTE: Unanimous in favor of referral

2009-141 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

Upon motion duly made and seconded it was voted to refer this item to a second reading.

VOTE: Unanimous in favor of referral

2009- 142 – APPROPRIATION AND TRANSFER ORDER – MTBE FUNDS

Upon motion duly made and seconded it was voted to refer this item to a public hearing on June 18, 2009.

VOTE: Unanimous in favor of referral

2009-143 – REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

Upon motion duly made and seconded it was voted to refer this item to a second reading

VOTE: Unanimous in favor of referral

ADJOURNMENT

Upon motion duly made and seconded it was voted to adjourn.

ADJOURNED: AT 10:25 p.m.

Respectfully submitted,

Linda E. Hutchenrider, MMC/CMMC
Town Clerk/Town of Barnstable

NEXT MEETING: June 18th