



**TOWN COUNCIL
MEETING
April 4, 2013**

A quorum being duly present, Council President Debra Dagwan called the April 4, 2013, Town Council meeting to order at 7:05 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

PRESENT: Janice Barton, Ann Canedy, James Cote, Jennifer Cullum, Debra Dagwan, June Daley, Jessica Rapp Grasseti, Michael Hersey, Janet Joakim, John Norman, Thomas Rugo, **ABSENT:** Frederick Chirigotis, James Tinsley, Jr.

The Pledge of Allegiance was led by President Dagwan, followed by a moment of silence.

An announcement was made by President Dagwan regarding the meeting being televised live and questioning if anyone was actively taping the session to please make their presence known. This session is recorded and broadcast on Channel 18.

- **Special gift from Mrs. Irene Sears to the Bluecoats of Barnstable for the Barnstable Police Department:** Chief MacDonald thanked Irene and Waldo Sears for the \$10,000 gift to the police department. The Bluecoats are a group of residents, and tax payers in the Town of Barnstable.

PUBLIC COMMENT:

Christine Greeley brought the Council up to date regarding the moratorium within Yarmouth on Medical Marijuana.

Dorothy Hughes asked questions about grinder pumps. The grinder pumps size, lifespan and who will repair them or replace them?

Charlie Hetsel appreciates the outstanding job of taking care of the roads recently. He has concerns about Stewart Creek and the costs associated with the grinders.

Jane Saunders stated the settlement offered to our property is a cruel joke. Jane said she and Patrick met with a new lawyer assigned to them in October. Jane said he was to get back to them in 4 to 6 weeks. They never had a meeting again until well after Christmas. After 5 months we were offered a nuisance payment of \$5,000.

John Julius stated he is disappointed in the Council, restricting us to two minutes. There will be a lawsuit against the Stewart's Creek fiasco. Stick it to the homeowners, if you don't want to listen to the residents, you will be facing us in court.

Laurie Brown speaking on the Stewart's Creek betterments, regarding the per parcel per property, which is different than dwelling units. She asked the Council to help us out and thanked them for listening.

Close Public Comment.

COUNCILOR RESPONSE TO PUBLIC COMMENT:

Councilor Canedy said we are available to talk with the residents. Tonight we can't spend five or ten minutes for each public comment due to the heavy agenda.

Councilor Cullum said if you talk nicely to me I will respond.

Councilor Joakim stated there has to be a balance between letting people speak and having time limits. Council approved \$220,000 for an Accessory Affordable Housing Project, not for a 40B.

Councilor Rugo asked the Town Manager about the questions relative to the sewers and the grinders, and where does the tax money from the hotel and local option go.

Town Manager, Thomas Lynch said the tax monies from the local options go into a separate Sewer Trust Fund just to be used for waste water protection and sewerage issues. Grinder pumps are being provided by the town. We now have one point of contact available to the residents for questions regarding Stewarts Creek, call Len Gobiel. Len's number is 508-862-4701 and email address is len.gobiel@town.barnstable.ma.us.

Councilor Canedy asked is there relief afforded to newly installed title 5 system? Yes, the resident should contact Mr. Gobiel regarding relief.

ACT ON MINUTES:

Upon motion duly made and seconded it was voted to approve the minutes of March 21, 2013, as amended as follows:

Councilor Canedy submitted these amendments to the March 21, 2013:

Add after House Bill: "extends bonds from 20 to 30 years"

Statement read by President Dagwan, change the "I" to "President Dagwan"

Under Chapter 133: The underlying law is broad and vague and difficult to enforce and "this amendment only further extends the liability to the owner/landlord" so I won't be supporting it

VOTE: Unanimous 11 Yes

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

Councilor Daley announced a Spaghetti Supper with take out available, and the Wheldon Library having an antique show.

Councilor Canedy announced she has the full document on Medical Marijuana from the Department of Health, and offered same to the Councilors.

Councilor Cullum announced a reporter, Kasey Myers, has put together a three piece report about the drug abuse on Cape Cod. Don't turn a blind eye.

2013-082 APPROPRIATION ORDER OF \$50,000 TO CONDUCT A PLANNING PROCESS TO STUDY THE NOVEL AND COMPLEX ISSUES OF SITING MEDICAL MARIJUANA TREATMENT CENTERS INTRO: 03/07/13, 03/21/13, 04/04/13

Open public hearing

Upon motion duly made and seconded it was to continue to a public hearing on April 25, 2013
ORDERED: That the sum of **\$50,000** be appropriated to hire a consultant for the purposes of conducting a planning process to study the public health, safety, general welfare, legal and land use implications, including the direct and secondary effects of siting medical marijuana treatment centers and accessory uses in the Town, as those uses are defined under Ballot Question 3 on November 6, 2012, and to meet this appropriation that **\$50,000** be transferred from available funds.

VOTE: Unanimous to continue to a public hearing on April 25

2013-083 AMENDING THE GENERAL ORDINANCE, CHAPTER 40, BOATS, S.5 B INTRO: 03/21/13, 04/04/13

Open public hearing

Upon motion duly made and seconded it was to continue to a public hearing on April 25, 2013
ORDERED: That Chapter 40 Section 5 of the General Code of the Town of Barnstable is hereby amended by adding to Section B after the words "other boats or of the shore" the words, "Additionally there shall be no water skiing within 300 feet of a shoreline being used as a swimming area whether public or private."

VOTE: Unanimous to continue to a public hearing on April 25

2013-121 ACCEPTANCE OF A \$9,997 UNDERAGE ALCOHOL ENFORCEMENT GRANT INTRO: 04/04/13

Chief MacDonald gave the rationale.

Upon motion duly made and seconded it was

RESOLVED: That the Town Council hereby accepts an Underage Alcohol Enforcement Grant in the amount of \$9,997 from the Executive Office of Public Safety and Security, Highway Safety Division.

VOTE: Passed Unanimous

2013-122 AUTHORIZATION OF INTEREST RATE TO BE USED ON BETTERMENT ASSESSMENTS FOR STEWART'S CREEK SEWER EXPANSION INTRO: 04/04/13

Councilor Canedy asked to be added as a sponsor to this item. Mark Milne, Finance Director, gave the rationale.

Summary of Councilor discussion with Mark Milne, Finance Director: That the interest rate can be spread over multiple years up to 20, and may pay off early without penalties. This 4 % interest financing is available to anyone in Stewart's Creek which is calculated at the beginning of each year. The sale of property that has utilized the multiple years pay off and may have a balance due is negotiated between the buyer and seller.

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: that the interest rate of 4% be used on the betterment assessments placed on property owners included within the Stewart's Creek sewer expansion project.

VOTE: 11 YES

2013-119 AUTHORIZING TO SUBMIT A STATEMENT OF INTEREST TO MASSACHUSETTS SCHOOL BUILDING AUTHORITY FOR BARNSTABLE INTERMEDIATE SCHOOL INTRO: 04/04/2013

Superintendent of Schools, Dr Mary Czajkowski, introduced David Kenyoth, Facilities Director, and Gareth Markwell, Finance Director. David Kenyoth, Facilities Director, went through a slide presentation describing the improvements needed for the roof and the façade of the intermediate school, United School grades 4 & 5 Roof and Trim Replacement (Exhibit A)

Summary of the Council discussion with the Facilities Director, David Kenyoth, as follows:

The lifespan of a new roof is about 30 years; the original construction company was not at fault. No claim was tendered as it was a design error and they are no longer in business. After Council acceptance of this item the school will apply for the approvals. The award from the state will reduce the amount owed to complete the projects. After the project is finished we can revisit solar collectors on the new roof.

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

RESOLVED: Having convened in an open meeting on April 4, 2013, the Town Council of the Town of Barnstable, in accordance with its charter, by-laws, and ordinances, authorizes the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated March 6, 2013, for the Barnstable Intermediate School located at 895 Falmouth Road, Hyannis, MA 02601, which describes and explains the following deficiencies and the priority category for which the Town of Barnstable may be invited to apply to the Massachusetts School Building Authority in the future: extensive roof, exterior facade, flashing and window repairs, which is a Priority 5 project (replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility); and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Barnstable to filing an application for funding with the Massachusetts School Building Authority.

VOTE: 11 YES, Unanimous

2013-120 AUTHORIZATION TO SUBMIT A STATEMENT OF INTEREST TO MASSACHUSETTS SCHOOL BUILDING AUTHORITY FOR BARNSTABLE UNITED ELEMENTARY SCHOOL INTRO: 04/04/2013

Upon motion duly made and seconded it was

RESOLVED: Having convened in an open meeting on April 4, 2013, the Town Council of the Town of Barnstable, in accordance with its charter, by-laws, and ordinances, authorizes the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated March 6, 2013, for the Barnstable United 4/5 Elementary School, 730 Osterville-West Barnstable Road, Marstons Mills, MA 02648, which describes and explains the following deficiencies and the priority category for which the Town of Barnstable may be invited to apply to the Massachusetts School Building Authority in the future: roof system replacement, which is a Priority 5 project (replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility); and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Barnstable to filing an application for funding with the Massachusetts School Building Authority.

VOTE: Unanimous

**2013-104 APPROPRIATION AND TRANSFER ORDER -\$100,000 Capital Trust Fund
Capital Improvement Plan for removal of underground oil tanks at school locations
INTRO: 03/21/13, 04/04/13**

Town Manager, Thomas Lynch, introduced Laura Cronin to give a summary of the CFAC review. Mark Milne, Finance Director, went through a short slide presentation.(Exhibit B) David Kenyoth, Facilities Director gave the rationale
Open public hearing, seeing no one, close public hearing
Upon motion duly made and seconded to move the question
VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$100,000** be appropriated for the purpose of funding the removal of underground oil tanks at school locations as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$100,000** be transferred from available funds within the Town's Capital Trust Fund, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES, Unanimous

**2013-105 APPROPRIATION AND TRANSFER ORDER - \$125,000 Capital Trust Fund
Capital Improvement Plan for removal of modular classrooms at school locations and
an alternative space assessment INTRO: 03/21/13, 04/04/13**

Open public hearing
Superintendent of Schools, Dr. Mary Czajkowski gave the rationale, currently have 5 portable classrooms left, they have leaks and mold, we need to remove these.

Summary of the Council Discussion with Dr. Czajkowski as follows: The buildings need to be removed, and the children will be moved temporarily to other classrooms. It is a short term inconvenience and the Teachers are willing to handle it. Anticipate the study to be completed by June of 2014. Several Councilors volunteered to help with the demolition of the modular classrooms which will be completed over the summer. There is a possibility of some redistricting in the future.

Close public hearing

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Dr Mary stated that the Centerville Elementary School address is incorrect on page 124 of the Capital Budget Book

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$125,000** be appropriated for the purpose of funding the removal of modular classrooms at school locations and an alternative space assessment as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$125,000** be transferred from available funds within the Town’s Capital Trust Fund, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 Yes, unanimous

**2013-106 APPROPRIATION AND LOAN ORDER -\$1,679,000 Capital Trust Fund
Capital Improvement Plan for seven school facility, improvement projects INTRO:
03/21/13, 04/04/13**

Open Public Hearing

Dr Mary Czajkowski, Superintendent of Schools gave the rationale and added that preventative maintenance has been added this year. David Kenyoth, Facilities Director spoke to the individual projects.

Close public hearing

Summary of Councilor discussion follows: There was discussion regarding lumping together several different projects, instead of handling them one at a time. Per Mark Milne, Finance Director, said this is done because of borrowing issues, cost measures and efficiencies. Town Manager, Thomas Lynch, responded that any of these projects can be removed if the Council wishes. The funding could be reduced if grants are received for these projects

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$1,679,000** be appropriated for the purpose of funding the following seven school facility improvement projects as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager;

School Fire, Intrusion and Communication System Upgrades.....	\$200,000
School Network Access Upgrades.....	\$189,000
Grade 4/5 Building Roof & Trim Replacement.....	\$600,000
Hot Water Circulating Pumps Replacements in Schools	\$85,000

Bleacher Upgrades in Schools \$55,000
 Design of Barnstable Intermediate School Facade & Roof Replacement \$100,000
 New A/C Units at Barnstable High School \$450,000

and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,679,000**, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES, unanimous

2013-107 APPROPRIATION AND LOAN ORDER - \$260,000 Capital Trust Fund Capital Improvement Plan for two school equipment, replacement projects INTRO: 03/21/13, 04/04/13

Dr Mary Czajkowski, Superintendent of Schools, turned the slide presentation over to David Kenyoth, Facilities Director, as he explained the individual projects.

Open public hearing, seeing no one, close public hearing

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$260,000** be appropriated for the purpose of funding the following two school equipment replacement projects as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager;

School Walk-in Cooler and Kitchen Equipment Replacements\$110,000

School Grounds Maintenance Equipment\$150,000

and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$260,000**, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES, unanimous

2013-085 APPROPRIATION AND LOAN ORDER - \$1,050,000 Water Supply Enterprise Fund Capital Improvement Plan for pipe replacement and upgrade program for the Hyannis Water System INTRO: 03/21/13, 04/04/13

Deb Krau gave the rationale, with this money we can replace part of the water main that is over 100 years old.

Open public hearing, seeing no one, close public hearing.

Summary of Council discussion as follows: Hyannis Water Systems has done a great job. Focus on modernizing the infra structure, perhaps placing conservation restrictions on the land of future wells. The Hyannis Water does not have total control of the zones ones.

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$1,050,000** be appropriated for the purpose of funding the pipe replacement and upgrade program for the Hyannis Water System as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,050,000**, and that the Town Manager is authorized to contract for and expend

the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES, Unanimous

2013-086 APPROPRIATION AND TRANSFER ORDER - \$200,000 Water Supply Enterprise Fund Capital Improvement Plan for pump station and treatment plan upgrades INTRO: 03/21/13, 04/04/13

Deb Krau gave the rationale, and introduced Hans Kaizer, and Skip Simpson.

Open public hearing seeing no one close public hearing

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$200,000** be appropriated for the purpose of Pump Station and Treatment Plant Upgrades as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$200,000** be transferred from the Water Supply Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

2013-087 APPROPRIATION AND LOAN ORDER - \$489,500 Water Supply Enterprise Fund Capital Improvement Plan for new well exploration program INTRO: 03/21/13, 04/04/13

Open public hearing

Deb Krau gave the rationale. She explained that this is phase one of a five phase program.

So she will be back again to continue with the future phases..

Close public hearing

Summary of Council discussion as follows: Abandoned wells, can they be used for affluent depository. Per Mark Ells, nothing in the works, have not abandoned the wells. Wastewater has not been considered at the time. Pairing up with other water/fire districts can be looked at during the study.

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$489,500** be appropriated for the purpose of funding the New Well Exploration Program as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$489,500**, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 10 YES, 1 NO (Norman)

2013-088 APPROPRIATION AND LOAN ORDER - \$300,000 Water Supply Enterprise Fund Capital Improvement Plan for air stripper upgrade INTRO: 03/21/13, 04/04/13

Deb Krau explained what an air stripper looks like and how it works.
Open to a public hearing, seeing no one closed the public hearing
Upon motion duly made and seconded to move the question
VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$300,000** be appropriated for the purpose of funding the Air Stripper Upgrade as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$300,000**, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

2013-089 APPROPRIATION AND LOAN ORDER - \$540,000 Water Enterprise Fund Capital Improvement Plan for new water main loop INTRO: 03/21/13, 04/04/13
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Deb Krau gave the rationale

Open to a public hearing, seeing no one closed public hearing

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$540,000** be appropriated for the purpose of funding the New Water Main Loop as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$540,000**, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

Recess-5 minutes

2013-111 APPROPRIATION AND TRANSFER ORDER - \$45,000 Capital Trust Fund Capital Improvement Plan for the hydrilla removal project INTRO: 03/21/13, 04/04/13

Open to a public hearing

Director of Regulatory Services, Tom Geiler, introduced Rob Gatewood and gave the rationale. Rob Gatewood, Conservation Administrator, presented a slide show.

- Ron Sirch, President of the Long Pond Association, thank you for a job well done, don't let up!
- Bob Nichols Indian Pond Association, thanked Conservation and reminded everyone, that Middle Pond and the Marstons Mills River are connected. So we need to keep after the hydrilla in this lake.

Close public hearing

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$45,000** be appropriated for the purpose of funding the hydrilla removal project as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$45,000** be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

**2013-112 APPROPRIATION AND TRANSFER ORDER - \$35,000 Capital Trust Fund
Capital Improvement Plan for the fanwort removal project INTRO: 03/21/13, 04/04/13**

Open to a public hearing

Director of Regulatory Services, Tom Geiler indicated this is the same problem as the previous item. Rob Gatewood, Conservation Administrator presented the slide show of Wequaquet Lake

- Gail Maguire thanked everyone for helping get rid of the fanwort. It has gotten out of control in Gooseberry Pond. Thank you very much for your positive response

Close public hearing

Summary of Councilor response as follows:

Hand removal of the plant works the best. Sometimes the mechanized removal makes it pop out in other areas, if a small portion of the plant breaks off. Is this enough money to take care of these lakes? Rob Gatewood feels we can cover our program with this amount.

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$35,000** be appropriated for the purpose of funding the fanwort removal project as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$35,000** be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

**2013-113 APPROPRIATION AND TRANSFER ORDER - \$90,000 Capital Trust Fund
Capital Improvement Plan for the assessing records conversion project INTRO:
03/21/13, 04/04/13**

Open public hearing

Jeff Rudziak, Director of Assessors gave the rationale

Close public hearing

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$90,000** be appropriated for the purpose of funding the assessing records conversion project as outlined in the FY 2014 - FY 2018 Capital

Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$90,000** be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

2013-090 APPROPRIATION AND TRANSFER ORDER - \$190,000 Sewer Enterprise Fund Capital Improvement Plan for staff locker room construction INTRO: 03/21/13, 04/04/13

Open public hearing

Dan Santos, Director of Public Works gave the rationale, presenting a slide show.

Close public hearing

Summary of Councilor response as follows:

Current building will be torn down, and will reuse the footprint. What will you use for facilities? Dan said they would make do and work quickly. Design costs includes things like permitting, project oversight, management and IT connections. John Juros, Town Architect, explained the staff is capable of the design.

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$190,000** be appropriated for the purpose of funding the Staff Locker Room Construction as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$190,000** be transferred from the Sewer Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 10 YES, 1 NO (Canedy)

2013-091 APPROPRIATION AND TRANSFER ORDER - \$80,000 Sewer Enterprise Fund Capital Improvement Plan to construct a backup pump at the Bearse's Way pump station INTRO: 03/21/13, 04/04/13

DPW Director, Dan Santos gave the rationale

Open public hearing seeing no one, close public hearing

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$80,000** be appropriated for the purpose of funding the construction of a Backup Pump for the Bearse's Way Pump Station as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$80,000** be transferred from the Sewer Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

2013-092 APPROPRIATION AND TRANSFER ORDER - \$50,000 Sewer Enterprise Fund Capital Improvement Plan for the pretreatment building and clarifier evaluation INTRO: 03/21/13, 04/04/13

DPW Director, Dan Santos gave the rationale
Open public hearing seeing no one, close public hearing
Upon motion duly made and seconded to move the question
VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$50,000** be appropriated for the purpose of funding the Pretreatment Building and Clarifier Evaluation as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$50,000** be transferred from the Sewer Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

2013-093 APPROPRIATION AND TRANSFER ORDER - \$50,000 Sewer Enterprise Fund Capital Improvement Plan for the hydraulic load testing analysis INTRO: 03/21/13, 04/04/13

Town Manager Tom Lynch asked to amend the Capital Budget Book pages 62 and 63 to identify the correct funding source this item as follows: Move to amend in both the appropriation and transfer order and the Capital Budget book, "strike the words Sewer Enterprise Fund Reserves and replace with Capital Trust Fund"---

Vote: unanimous to amend

DPW Director, Dan Santos gave the rationale
Open public hearing seeing no one, close public hearing
Upon motion duly made and seconded to move the question
VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$50,000** be appropriated for the purpose of funding the Hydraulic Load Testing Analysis as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$50,000** be transferred from the "Capital Trust Fund", and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

2013-094 APPROPRIATION AND TRANSFER ORDER - \$225,000 Solid Waste Enterprise Fund Capital Improvement Plan for a new trash truck INTRO: 03/21/13, 04/04/13

DPW Director, Dan Santos gave the rationale
Open public hearing seeing no one, close public hearing

Summary of Councilor Discussion: The truck picks up at beaches docks and parking lots across the town. Per Mark Ells, all the facilities pay there share for the use of the truck.

Upon motion duly made and seconded to move the question
VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$225,000** be appropriated for the purpose of funding a New Trash Truck as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$225,000** be transferred from the Solid Waste Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 10 YES, 1 NO (Hersey)

2013-095 APPROPRIATION AND TRANSFER ORDER - \$190,000 Solid Waste Enterprise Fund Capital Improvement Plan for a new roll-off container truck INTRO: 03/21/13, 04/04/13

DPW Director, Dan Santos gave the rationale

Open public hearing seeing no one, closed public comment

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$190,000** be appropriated for the purpose of funding a New Roll-off Container Truck as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$190,000** be transferred from the Solid Waste Enterprise Fund reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

2013-108 APPROPRIATION AND TRANSFER ORDER -\$3,250,000 Capital Trust Fund Capital Improvement Plan for repair of Town public roads and drainage systems INTRO: 03/21/13, 04/04/13

DPW Director, Dan Santos gave the rationale

Open public hearing seeing no one, close public comment

Summary of Councilor discussion: Approximate amount collected by the Town for Motor Vehicle Excise taxes yearly? Per Mark Milne approx 5.1 million, basically we spend more than we take in on road repair and upkeep.

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$3,250,000** be appropriated for the purpose of funding the repair of the Town's public roads and drainage systems as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$2,836,000** be transferred from available funds within the Town's Capital Trust Fund and that **\$414,000** be transferred from the Town's Sale of Real Estate Special Revenue Fund, and that the Town Manager is authorized to contract for and expend the

appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

**2013-109 APPROPRIATION AND TRANSFER ORDER - \$50,000 Capital Trust Fund
Capital Improvement Plan for a drainage study INTRO: 03/21/13, 04/04/13**

DPW Director, Dan Santos gave the rationale

Open public hearing seeing no one, close public comment

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$50,000** be appropriated for the purpose of funding a drainage study as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$50,000** be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

**2013-110 APPROPRIATION AND TRANSFER ORDER - \$35,000 Capital Trust Fund
Capital Improvement Plan for design of a parking lot expansion at the Barnstable Senior**

DPW Director, Dan Santos gave the rationale

Open public hearing seeing no one, close public comment

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$35,000** be appropriated for the purpose of funding the design of a parking lot expansion at the Barnstable Senior Center as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$35,000** be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

**2013-114 APPROPRIATION AND LOAN ORDER - \$300,000 Capital Trust Fund
Capital Improvement Plan for the water quality evaluation and sewer CAD model
INTRO: 03/21/13, 04/04/13**

DPW Director, Dan Santos gave the rationale

Open public hearing seeing no one, close public comment

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$300,000** be appropriated for the purpose of funding the water quality evaluation and sewer CAD model as outlined in the FY 2014 - FY 2018 Capital

Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$300,000**, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

**2013-115 APPROPRIATION AND LOAN ORDER - \$370,000 Capital Trust Fund
Capital Improvement Plan for two roadway projects: Bumps River Bridge repair and
Sidewalk Overlays and Guardrail Replacements INTRO: 03/21/13, 04/04/13**

DPW Director, Dan Santos gave the rationale
Open public hearing seeing no one, close public comment
Upon motion duly made and seconded to move the question
VOTE: Unanimous

Upon motion duly made and seconded it was
ORDERED: That the sum of **\$370,000** be appropriated for the purpose of funding the following two roadway projects as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager;

Bumps River Bridge Repairs.....	\$120,000
Sidewalk Overlays and Guardrail Replacements.....	\$250,000

and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$370,000**, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

**2013-116 APPROPRIATION AND LOAN ORDER - \$2,131,000 Capital Trust Fund
Capital Improvement Plan funding thirteen municipal facility improvement projects
INTRO: 03/21/13, 04/04/13**

DPW Director, Dan Santos gave the rationale
Open public hearing seeing no one, close public comment
Summary of Councilor discussion:

A motion was made to remove three of the projects, MEA Facility Upgrades, Design Highway Facility Lockers, showers, etc., and 46 & 50 Pearl St. Upgrades from this item. The motion was seconded, then the second was rescinded. Want to break items out, cannot support all facets of this item. Centerville Community building is scheduled for next year.

Upon motion duly made and seconded to move the question
VOTE: Unanimous

Upon motion duly made and seconded it was
ORDERED: That the sum of **\$2,131,000** be appropriated for the purpose of funding the following thirteen municipal facility improvement projects as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager;

MEA Facility Upgrades.....	\$131,000
Barnstable Police Station Upgrades.....	\$168,000
Town Hall Interior Upgrades.....	\$150,000
Design Highway Facility Lockers, showers, etc....	\$66,000

Structures & Grounds Facility Roof Upgrades....	\$103,000
Osterville Community Building Upgrades	\$200,000
West Barnstable Community Building Upgrades..	\$72,000
U.S. Custom House Upgrades	\$263,000
Guyer Barn Upgrades	\$148,000
46 & 50 Pearl St. Upgrades.....	\$114,000

Comprehensive Beach Facility Design.....	\$115,000
Lombard Parking & Ballfield Design	\$101,000
Tennis Courts Upgrades.....	\$500,000

and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$2,131,000**, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 9 YES, 2 NO (Cenedy, Norman)

*Town Attorney, Ruth Weil explained to the Council, under the rules if you are in the middle of an item, you can complete the item, after that you need a two thirds vote to continue past eleven PM

Upon motion duly made and seconded it was voted to continue long enough to complete the DPW's final item

VOTE: 9 YES

2013-117 APPROPRIATION AND LOAN ORDER - \$875,000 Capital Trust Fund Capital Improvement Plan three waterway improvement projects INTRO: 03/21/13, 04/04/13

DPW Director, Dan Santos gave the rationale

Open public hearing seeing no one, closed public comment

Summary of Councilor discussion: How old is this bulkhead? Richard Parsons, said over forty years old. Do the jets on the Whale Watch effect this dock and boat ramp?...Richard Parsons stated that has been taken into consideration

Upon motion duly made and seconded to move the question

VOTE: Unanimous

Upon motion duly made and seconded it was

ORDERED: That the sum of **\$875,000** be appropriated for the purpose of funding the following three waterway improvement projects as outlined in the FY 2014 - FY 2018 Capital Improvement Plan as recommended by the Town Manager;

School Street Bulkhead Replacement.....	\$142,000
Millway Boat Ramp and Dock Upgrades	\$133,000
Dredging of East Bay	\$600,000

and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$875,000**, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: 11 YES

2013-096 APPROPRIATION AND TRANSFER ORDER - \$200,000 Airport Enterprise Fund Capital Improvement Plan for testing, design, and construction of Runway 6 engineered material arresting system (EMAS) INTRO: 03/21/13, 04/04/13

Open to a public hearing and continue to April 25th

Upon motion duly made and seconded it was

VOTE: Unanimous to continue public hearing to April 25th

2013-100 APPROPRIATION AND LOAN ORDER - \$260,000 Airport Enterprise Fund Capital Improvement Plan for airfield lighting regulators and runway hold-position signs INTRO: 03/21/13, 04/04/13

Open to a public hearing and continue to April 25th

Upon motion duly made and seconded it was

VOTE: Unanimous to continue public hearing to April 25th

2013-101 APPROPRIATION AND LOAN ORDER - \$7,800,000 Airport Enterprise Fund Capital Improvement Plan for design and construction of the main terminal ramp—phase 2; construction of aircraft deicing pad; relocation and reconstruction of all taxiway alpha from runway 33 end to runway 15 end; other miscellaneous airfield improvements INTRO: 03/21/13, 04/04/13

Open to a public hearing and continue to April 25th

Upon motion duly made and seconded it was

VOTE: Unanimous to continue public hearing to April 25th

2013-102 APPROPRIATION AND LOAN ORDER - \$810,000 Airport Enterprise Fund Capital Improvement Plan for a new fuel farm INTRO: 03/21/13, 04/04/13

Open to a public hearing and continue to April 25th

Upon motion duly made and seconded it was

VOTE: Unanimous to continue public hearing to April 25th

2013-103 APPROPRIATION AND LOAN ORDER - \$634,000 Airport Enterprise Fund Capital Improvement Plan for the East Ramp sewer extension INTRO: 03/21/13, 04/04/13

Open to a public hearing and continue to April 25th

Upon motion duly made and seconded it was

VOTE: Unanimous to continue public hearing to April 25th

2013-097 APPROPRIATION AND TRANSFER ORDER - \$102,000 Airport Enterprise Fund Capital Improvement Plan for design of a new fixed base operations facility INTRO: 03/21/13, 04/04/13

Open to a public hearing and continue to April 25th

Upon motion duly made and seconded it was

VOTE: Unanimous to continue public hearing to April 25th

2013-098 APPROPRIATION AND TRANSFER ORDER - \$200,000 Airport Enterprise Fund Capital Improvement Plan for airport terminal and ARFF (aircraft rescue and firefighting) building improvements INTRO: 03/21/13, 04/04/13

Open to a public hearing and continue to April 25th

Upon motion duly made and seconded it was

VOTE: Unanimous to continue public hearing to April 25th

2013-099 APPROPRIATION AND TRANSFER ORDER - \$90,000 Airport Enterprise Fund Capital Improvement Plan for airfield access control and security upgrades INTRO: 03/21/13, 04/04/13

Open to a public hearing and continue to April 25th

Upon motion duly made and seconded it was

VOTE: Unanimous to continue public hearing to April 25th

TOWN MANAGER COMMUNICATIONS

Town Manager, Thomas Lynch declined making any announcements due to the lateness of the meeting.

ADJOURNMENT

Upon motion duly made and seconded it was

VOTED: To adjourn.

ADJOURNED: at 11:25 p.m.

Respectfully submitted,

Ann M. Quirk, CMC

Assistant Town Clerk/Town of Barnstable

ATTACHMENTS:

- A Barnstable Public Schools CIP Overview
- B FY 2014 - FY2018 General Fund Needs