



TOWN COUNCIL MEETING April 17, 2014



A quorum being duly present, Council President Jessica Rapp Grasseti called the April 17, 2014, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

An announcement was made by President Rapp Grasseti 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.

PRESENT: Ann Canedy, Frederick Chirigotis, James Crocker, Jr. (8:00pm), William Crocker, Jr., Jennifer Cullum, Sara Cushing, Debra Dagwan, Jessica Rapp Grasseti, Paul Hebert, John Norman, Eric Steinhilber, James Tinsley, Jr., Philip Wallace. **Absent:** James Tinsley, Jr.

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

PUBLIC COMMENT:

Harvey Cronin stated that he has a handicap placard and the designated handicapped spaces at the harbor are being misused –spaces are always full for 12 hours in the summer. Handicapped parking should be limited to 4 hours. The Town of Barnstable should not ticket a vehicle with a handicapped placard if they park in a non-handicapped space.

COUNCIL RESPONSE TO PUBLIC COMMENT:

Councilors thanked Mr. Cronin for bringing this issue to their attention and stated that this issue is being partly addressed in part by the purchase of the new kiosks, but they will confer with the Director of Regulation Services and the Disability Commission about limiting time to 4 hours instead of 12 with handicapped spaces.

ACT ON MINUTES: (Includes Executive Session)

Upon a motion duly made and seconded it was voted to approve the minutes of the April 3, 2014 meeting as written

VOTE: 10 Yes - 1 Abstention (Steinhilber)

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

- Vice President Canedy offered her condolences to the family of David Scudder who recently passed away, as well as the family of Jane Ann Charette. She expressed her deepest sympathies to both families.
- Councilor Cullum thanked everyone who came to the Barnstable Police Department for a meeting regarding the recent violence on Sea Street and other areas. There was strong support from all villages.

ORDERS OF THE DAY:

**2014-047 AMENDMENT TO ZONING ORDINANCE CHAPTER 240, ARTICLE VII, SIGN REGULATIONS BY STRIKING AND REPLACING PARAGRAPH 240-65C
INTRO: 01/16/14, 04/17/14**

Director JoAnne Buntich, Director of Community Growth Development gave the rationale. This is a housekeeping issue where language needs to be changed to better address concerns of local businesses.

The public hearing was opened seeing none the public hearing was closed.

Upon a motion duly made and seconded it was

ORDERED: That Chapter 240, The Zoning Ordinance of the Town of Barnstable, Article VII, Sign Regulations be amended by striking Paragraph 240-65C in its entirety and by substituting in its place the following:

“C. The area of all signs for each individual business establishment shall not exceed 10% of the area of the building facade associated with the business establishment that contains the establishment's primary customer entrance or 100 square feet, whichever is the lesser amount. In instances where multiple business establishments share a customer entrance on the same facade, the total square footage for all signs of all business establishments attached to each facade shall not exceed 10% of the total area of the facade associated with the business establishments that contains the establishments' shared customer entrance or 100 square feet, whichever is the lesser amount.”

VOTE: Roll Call 10 Yes (Canedy was out of the room)

**2014-070 ACCEPTANCE OF A \$233,795 GRANT FROM THE EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS PARKLAND ACQUISITIONS AND RENOVATIONS FOR COMMUNITIES (PARC) PROGRAM INTRO:
03/20/14, 04/17/14**

Director Miller-Buntich of Community Growth Development gave a rationale on this grant specifically to the Pleasant Street Pier, discussed the schematics of all aspects of the projects. She described existing conditions and a concept plan to alleviate the problems and aesthetics.

Open public comment seeing none it was closed.

Councilor Discussion and Comment:

There are some reservations for this project; there are other priorities that we have as a Town. Whatever dollar is spent on project, 54% will be returned by the state. The Town commitment is \$199K and if this item is voted down, this money goes back into the general fund. This is a small area (7000 square feet) to spend money on. There is an opiate abuse problem; some of that money could be directed against this fight. Lucky to be recipients of this grant, the Town should own as much of the harbor as possible. A park for the future is not a bad idea, but right now there is a whole agenda of priorities that need to be addressed first. Hyannis takes the brunt of many negative issues, this could be a positive impact – Hyannis needs improvements like this.

Upon a motion duly made and seconded it was

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

VOTE: Roll Call 9 No – 3 Yes (Chirigotis, Dagwan, Hebert)

2014-082 APPROPRIATION AND TRANSFER ORDER \$50,000 TO FUND PAINTING OF RUNWAYS, TAXIWAYS, AND ROADWAYS INTRO: 03/20/14, 04/03/14, 04/17/14

Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

ORDERED: That the sum of \$50,000 be appropriated for the purpose of funding the Painting of Runways, Taxiways and Roadways as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$50,000 be transferred from the Airport Enterprise Fund Reserves, and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes 10 Yes (Cullum was out of the room) referred to a public hearing on 5/1/14

2014-083 APPROPRIATION AND TRANSFER ORDER \$65,000 TO FUND A NEW DUMP TRUCK INTRO: 03/20/14, 04/03/14, 04/17/14

Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

ORDERED: That the sum of \$65,000 be appropriated for the purpose of funding a New Dump Truck as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$65,000 be transferred from the Airport Enterprise Fund Reserves, and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

2014-084 APPROPRIATION AND TRANSFER ORDER \$200,000 TO FUND PERMITTING AND DESIGN OF RECONSTRUCTION OF TAXIWAY C INTRO: 03/20/14, 04/03/14, 04/17/14

Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

ORDERED: That the sum of \$200,000 be appropriated for the purpose of funding the Permitting and Design of the Reconstruction of Taxiway C as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$200,000 be transferred from the Airport Enterprise Fund Reserves, and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

2014-085 APPROPRIATION AND LOAN ORDER \$400,000 TO FUND PERMITTING AND DESIGN OF THE RECONSTRUCTION OF RUNWAY 15-33 INTRO: 03/20/14, 04/03/14, 04/17/14

Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

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

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

2014-086 APPROPRIATION AND LOAN ORDER \$400,000 TO FUND THE PERMITTING AND DESIGN RECONSTRUCTION OF RUNWAY 6-24 INTRO: 03/20/14, 04/03/14, 04/17/14

Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

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

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

2014-087 APPROPRIATION AND TRANSFER ORDER \$100,000 TO FUND THE DESIGN AND REPLACEMENT OF THE EAST RAMP T HANGER ROOF INTRO: 03/20/14, 04/03/14, 04/17/14

Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

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

this appropriation, that \$100,000 be transferred from the Airport Enterprise Fund Reserves, and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

2014-088 APPROPRIATION AND LOAN ORDER \$650,000 TO FUND A NEW FRONT-END LOADER INTRO: 03/20/14, 04/03/14, 04/17/14

Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

ORDERED: That the sum of \$650,000 be appropriated for the purpose of funding a New Front-end Loader as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$650,000, and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

2014-089 APPROPRIATION AND LOAN ORDER \$448,125 TO FUND THE DESIGN AND CONSTRUCTION OF AIRPORT ACCESS ROAD INTRO: 03/20/14, 04/03/14, 04/17/14

Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

ORDERED: That the sum of \$448,125 be appropriated for the purpose of funding the Design and Construction of the Airport Access Road as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$448,125, and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

2014-090 APPROPRIATION AND TRANSFER ORDER \$200,000 TO FUND AIRPORT TERMINAL AND BUILDING IMPROVEMENTS INTRO: 03/20/14, 04/03/14, 04/17/14

Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

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

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

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

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| 2014-091 APPROPRIATION AND LOAN ORDER \$1,205,000 TO FUND DESIGN AND CONSTRUCTION OF AIRPORT FIXED BASE OPERATIONS BUILDING INTRO: 03/20/14, 04/03/14, 04/17/14 |
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Open public comment seeing none it was closed.

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

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

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

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| 2014-100 APPROPRIATION AND TRANSFER ORDER \$140,000 TO FUND THE TOWN'S AERIAL FLYOVER MAPPING INTRO: 3/20/14, 4/3/14, 4/17/14 |
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Town Manager Tom Lynch and IT Director Dan Wood gave the rationale.

Public meeting was opened and seeing none it was closed.

Councilor Discussion and Comment:

Why can we use Google Earth? GIS Mapping is much more detailed. This covers everything new on the ground since 2008 and is comprehensive

Upon a motion duly made and seconded it was

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

VOTE: Roll Call 11 Yes – 1 No (Norman)

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| 2014-101 APPROPRIATION AND TRANSFER ORDER \$170,000 TO FUND THE TOWN'S BICYCLE ACCOMODATIONS INTRO: 3/20/14, 4/3/14, 4/17/14 |
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Director Miller-Buntich gave the rationale for this project this covers the design, route signs, pavement markings, bike racks, and necessary police details

Open public comment

- Robert Miceli stated that he was appointed by Governors Romney and Patrick regarding bicycling issues. Barnstable is beautiful, but bicyclers are not comfortable riding here. This project would make bicyclers very comfortable and draw them to the

Cape and direct them to destination in Barnstable.

- Jeff Cradock stated that he supports the projects and it will create business in the Town.
- Lindsay Council stated the CPA will bring forward request for design funds on bicycling projects and this is great for the Town.
- Andrew Maker stated he's been riding in the Town for over 2 years. He would like to have his son feel comfortable and accommodated as he rides throughout town. This will allow visitors to feel welcome and they will spend there money.
- Linda Shelburne stated she is on the board for the CC Bicycling Club and this current route is intimidating and this project will make these routes very accommodating.

Close public comment

Councilor Discussion and Comment:

Excellent for everyone and very important for downtown Hyannis. Perhaps encouraging bikers to utilize bike paths is another option. This is an investment in the community and their safety. Lindsay Council described the project that the CPA is working on currently.

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$170,000 be appropriated for the purpose of funding the Town's Bicycle Accommodations Program as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$170,000 be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call 10 Yes – 2 No (Crocker, J, Norman)

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| <p>2014-102 APPROPRIATION AND LOAN ORDER \$288,000 TO FUND THE IMPROVEMENTS TO THE BARNSTABLE POLICE FACILITY INTRO: 3/20/14, 4/3/14, 4/17/14</p> |
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DPW Director Santos gave the rational and schematics regarding these upgrades

Public meeting was opened and seeing none it was closed.

Upon a motion duly made and seconded it was ordered

ORDERED: That the sum of \$288,000 be appropriated for the purpose of funding the Improvements to the Barnstable Police Facility as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$288,000, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call- 12 Yes (Unanimous)

2014-103 APPROPRIATION AND TRANSFER ORDER \$75,000 TO FUND THE REMEDIATION OF HYDRILLA IN LONG POND CENTERVILLE AND MYSTIC LAKE
INTRO: 3/20/14, 4/3/14, 4/17/14

Director of Regulator Services Richard Scali gave the rational regarding the remediation.

Open public comment

- Alexa Frazee stated that she supports the project. This is necessary to the vitality of these ponds.

Close public comment

Councilor Discussion and Comments:

This is very critical for Mystic Lake. Are we getting a handle on this issue? There has been great success in Long Pond and it is important to keep working at it because Hydrilla grows very quickly. There was a learning curve how to handle Hydrilla in Long Pond and that knowledge will be transferred to Mystic Lake.

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$75,000 be appropriated for the purpose of funding the Remediation of Hydrilla in Long Pond Centerville and Mystic Lake as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$75,000 be transferred from General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call- 12 Yes

2014-104 APPROPRIATION AND TRANSFER ORDER \$100,000 TO FUND THE WEQUAQUET LAKE FANWORT CONTROL
INTRO: 3/20/14, 4/3/14, 4/17/14

Director of Regulator Services Richard Scali gave the rational fro this appropriation. This is limited to suction harvesting and sonar aquatic herbicide.

Open public comment

- Gail McGuire stated that she supports this appropriation because it is an effective treatment for small areas and not for large. A professional treatment such as this is much needed.

Close public comment

Councilor Discussion and Comment:

Goosebury Cove is a shallow basin and it's estimated to be less than 10 feet deep. The suction harvesting would be annual.

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$100,000 be appropriated for the purpose of funding the Wequaquet Lake Fanwort Control as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$100,000 be transferred from General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call 12 Yes

2014-105 APPROPRIATION AND TRANSFER ORDER \$140,000 TO FUND THE ALUM TREATMENT AT LOVELL'S POND
INTRO: 3/20/14, 4/3/14, 4/17/14

Director Scali gave the rational for this appropriation and stated this was another needed treatment.

Open public comment seeing none public comment was closed.

Councilor Discussion and Comment:

The permitting process is done, but waiting for the appeal period to end.

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$140,000 be appropriated for the purpose of funding the Alum Treatment at Lovell’s Pond as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$51,241 be transferred from General Fund Reserves, and that \$88,759 be transferred from the available balance in council Order 2012-097, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call 11 Yes (Steinhilber was out of the room)

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| <p>2014-106 APPROPRIATION AND LOAN ORDER \$290,000 TO FUND THE CONSTRUCTION OF THE SENIOR CENTER PARKING LOT EXPANSION INTRO: 3/20/14, 4/3/14, 4/17/14</p> |
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DPW Director Dan Santos gave the rational for this appropriation. The building is used extensively and will only grow –adequate drainage and parking is needed. He described the schematics of the project.

Open public comment

- Bob Burke the President of the Council on Aging stated that the population of seniors will increase by 28%. This construction will alleviate the concerns of the elderly.
- John Alden stated that he is a new member of the CoA and sees a real need for this expansion.
- Paul Curly is a member of the COA and stated that there is only one exit out of the Senior Center and the curb cut is very important in the event of an emergency.

Close public comment

Councilor Discussion and Comment:

The Solar panels will be on the ground and there will be no parking underneath them. The Senior Center provides a host of services and it’s important to support this facility and seniors. Consider a valet service where teenagers could park cars for credit. Traffic speed limit is 50mpg and a comprehensive traffic study is underway to determine the best options.

Upon a motion duly made and seconded it was

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

any grants or gifts in relation thereto.

VOTE: Roll Call 12 Yes

2014-107 APPROPRIATION AND LOAN ORDER \$301,500 TO FUND THE DESIGN AND PERMITTING OF BEACH HOUSE IMPROVEMENTS INTRO: 3/20/14, 4/3/14, 4/17/14

DPW Director Santos gave the rationale describing that the building is in poor condition and lacks proper septic system. This is the #1 project for the Recreation Commission and Craigville Beach is the largest beach revenue generator in the Town.

Open public comment seeing none public comment was closed.

Councilor Discussion and Comment:

This is a difficult property to improve and will need to be raised up in the air and aesthetics is a concern. There are many phases to this project and various concerns that need to be addressed before this appropriation comes to a vote. Perhaps this vote should be postponed for a few more weeks so that it may be more carefully considered.

Councilor Norman stated that he noticed a difference in the language of this agenda item. He noted that in the information that was provided to the Councilors, it expressly states the word "permitting" and the language provided tonight, expressly states "construction". He stated that it's important that this language be consistent.

MOTION:

Councilor Norman inserted a friendly amendment to strike the word "*Construction*" and replace with "*Permitting*".

VOTE: Passes Unanimous

MOTION:

Councilor James Crocker made a motion that was duly made and seconded to continue the meeting until May 15 meeting.

Upon a motion that was duly made and seconded the public hearing be referred to the May 15, 2014 meeting.

ORDERED: That the sum of \$301,500 be appropriated for the purpose of funding the Design and Permitting of Beach House Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$301,500, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes 11 Yes -1 No (Chirigotis) referred to the May 15 meeting

2014-108 APPROPRIATION AND LOAN ORDER \$393,500 TO FUND THE RECONSTRUCTION OF THE MARSTONS MILLS FISH RUN INTRO: 3/20/14, 4/3/14, 4/17/14

DPW Director Santos gave the rationale stating that a failing structure needs to be replaced.

Open public comment

- Lindsay Council stated this run bypasses the bogs and gives a shortcut into Mystic Pond and is a very important piece of infrastructure.

- Bob Frasy encouraged support for this and stated that alternative funding was sought but always

Close public comment

Councilor Discussion and Comment:

Councilor James Crocker recused himself from the vote; his family has real estate in the area.

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$393,500 be appropriated for the purpose of funding the Reconstruction of the Marston's Mills Fish Run as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$67,500 be transferred from the available balance in Council Order 2010-105, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$326,500, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call 11 Yes (Crocker, J. recused himself from the vote)

2014-109 APPROPRIATION AND TRANSFER ORDER \$42,000 TO FUND THE DESIGN IMPROVEMENTS TO THE MILL POND AND LONG POND FISH WAYS INTRO: 3/20/14, 4/3/14, 4/17/14

DPW Director Santos gave the rational for this project and stated that a permanent structure is needed.

Open public comment

- Lindsay Council stated that this is another critical improvement and a permanent structure is needed.
- Bob Frasy stated that there is a section where the fish make a tremendous jump and the design needs to encapsulate this issue.

Close public comment

Councilor Discussion and Comment

Council Jim Crocker recused himself from the vote; his family owns property in the area.

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$42,000 be appropriated for the purpose of funding the Design of the Improvements to the Mill Pond and Long Pond Fish Ways as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$42,000 be transferred from General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call 11 Yes (Crocker, J. recused himself from the vote)

2014-110 APPROPRIATION AND TRANSFER ORDER \$84,000 TO FUND THE ADA COMPLIANT IMPROVEMENTS TO THE RESTROOMS AT THE HYANNIS GOLF COURSE INTRO: 3/20/14, 4/3/14, 4/17/14

DPW Director Santos gave the rational and stated that handicapped have trouble entering the restrooms and improvements are needed to improve this issue to make them handicap assessable.

Open public comment

- Daniel Keefe gave a lengthy list of clubs and organizations that use this facility. Most Barnstable organizations plus many more use this facility.

Close public comment

Councilor Comment and Discussion:

The current balance in the golf enterprise account is \$275K. The cash flow fluctuates throughout the year and that revenue is needed because in December/January the course takes in limited revenue. Enterprise accounts should be self sustaining. This is community facility and not just a golf facility.

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$84,000 be appropriated for the purpose of funding the ADA Compliant Improvements to the Restrooms at the Hyannis Golf Course as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$84,000 be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call 11 Yes - 1No (Norman)

2014-111 APPROPRIATION AND TRANSFER ORDER \$50,000 TO FUND THE VETERAN'S PARK STRATEGIC PLAN AND CAMPUS DESIGN INTRO: 3/20/14, 4/3/14, 4/17/14

Open public hearing seeing none public hearing was closed.

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

ORDERED: That the sum of \$50,000 be appropriated for the purpose of funding the Veteran's Park Strategic Plan and Campus Design as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$50,000 be transferred from General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

2014-112 APPROPRIATION AND TRANSFER ORDER \$85,000 TO FUND THE VETERAN'S BEACH PARKING LOT REHABILITATION INTRO: 3/20/14, 4/3/14, 4/17/14

Open public hearing seeing none public hearing was closed.

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

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

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

2014-113 APPROPRIATION AND TRANSFER ORDER \$55,000 TO FUND THE INSTALLATION OF WATER AND SEWER SERVICE AT MCKEON PARK INTRO: 3/20/14, 4/3/14, 4/17/14

DPW Director Santos gave a rational and stated that water and sewer services are needed for the park.

Open public comment

- Brad Pfeifer stated that they have put over \$100K into the facility and they adjusted the start time to 6pm to allow for fans to walk Main Street and go to restaurants
- Tracy Wise stated this park is family to his son and this is a family oriented business.

Close public comment

Councilor Discussion and Comment:

Cost is half and half for the line to the breaker. Sewer vs. Septic system. There is a high water table and a sewer system is needed. Town of Barnstable owns the property and the Harbor Hawks bid out the vendors. Some of this money needs to be recouped. The Town rents out the fields to different organizations. The Harbor Hawks pay for everything – maintenance, administrative, electric. The Harbor Hawks put up a building (\$885K) and the Town owns it.

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$55,000 be appropriated for the purpose of funding the Installation of Water and Sewer Service at McKeon Park as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$55,000 be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call 11 Yes – 1 No (Norman)

2014-114 APPROPRIATION AND TRANSFER ORDER \$3,250,000 TO FUND THE PUBLIC ROADS MAINTENANCE PROGRAM INTRO: 3/20/14, 4/3/14, 4/17/14

Open public hearing seeing none public hearing was closed.

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

ORDERED: That the sum of \$3,250,000 be appropriated for the purpose of funding the Public Roads Maintenance Program as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$3,250,000 be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

2014-115 APPROPRIATION AND LOAN ORDER \$285,000 TO FUND GUARDRAIL AND

SIDEWALK IMPROVEMENTS INTRO: 3/20/14, 4/3/14, 4/17/14

Open public hearing seeing none public hearing was closed.

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

ORDERED: That the sum of \$285,000 be appropriated for the purpose of funding Guardrail and Sidewalk Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$285,000, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

2014-116 APPROPRIATION AND LOAN ORDER \$350,310 TO FUND THE COMPREHENSIVE DREDGE PERMITTING AND STRATEGIC PLANNING INTRO: 3/20/14, 4/3/14, 4/17/14

Open public hearing seeing none public hearing was closed.

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

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

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

2014-117 APPROPRIATION AND LOAN ORDER \$215,000 TO FUND THE DESIGN OF THE BLISH POINT SAND MANAGEMENT IMPROVEMENTS INTRO: 3/20/14, 4/3/14, 4/17/14

Open public hearing seeing none public hearing was closed.

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

ORDERED: That the sum of \$215,000 be appropriated for the purpose of funding the Design of the Blish Point Sand Management Improvements as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$215,000, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

2014-118 APPROPRIATION AND LOAN ORDER \$185,000 TO FUND THE IMPROVEMENTS TO THE CENTERVILLE RECREATION BUILDING INTRO: 3/20/14, 4/3/14, 4/17/14

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

ORDERED: That the sum of \$185,000 be appropriated for the purpose of funding the Improvements to the Centerville Recreation Building as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$185,000, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

2014-119 APPROPRIATION AND TRANSFER ORDER \$100,000 TO FUND THE SECURITY EVALUATION OF TOWN FACILITIES INTRO: 3/20/14, 4/3/14, 4/17/14

Open public hearing seeing none public hearing was closed.

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

ORDERED: That the sum of \$100,000 be appropriated for the purpose of funding the Security Evaluation of Town Facilities as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$100,000 be transferred from the General Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

2014-120 APPROPRIATION AND TRANSFER ORDER \$240,000 TO FUND THE IMPROVEMENTS TO THE PAINE BLACK HOUSE INTRO: 3/20/14, 4/3/14, 4/17/14

Open public hearing seeing none public hearing was closed.

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

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

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

2014-121 APPROPRIATION AND TRANSFER ORDER \$51,000 TO FUND THE BURGESS HOUSE IMPROVEMENTS INTRO: 3/20/14, 4/3/14, 4/17/14

Open public hearing seeing none public hearing was closed.

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

ORDERED: That the sum of \$51,000 be appropriated for the purpose of funding the Burgess House improvement as outlined in the FY 2015 - FY 2019 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$51,000 be transferred from the Historic Preservation portion of the Community Preservation Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

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| 2014-123 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 03/20/14 |
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Open public hearing seeing none public hearing was closed

Upon a motion duly made and seconded it was

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

ECONOMIC DEVELOPMENT COMMISSION

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

HISTORICAL COMMISSION

Ted Wurzburg, 140 Willimantic Drive, Marstons Mills from an alternate to a member to a term expiring 6/30/2017

Paul Arnold, 27 Foster Road, Hyannis as an alternate member to a term expiring 6/30/2015

HOUSING COMMITTEE

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

JFK MEMORIAL TRUST FUND COMMITTEE

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

PERSONNEL BOARD

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

TRUST FUND ADVISORY COMMITTEE

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

WATER POLLUTION CONTROL BOARD

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

VOTE: Passes Unanimous

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| 2014-123A APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION INTRO: 03/20/14 |
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Open public comment

Close public comment

Councilor Discussion and Comment:

This seat is a hotbed for local and regional issues. Significant concerns for this nomination because of the individuals public record.

Upon a motion duly made and seconded it was

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

WATER POLLUTION CONTROL BOARD

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

VOTE: Unanimously Oppose the Nomination.

**2014-124 APPROPRIATION AND TRANSFER ORDER OF \$628,000.00 TO FUND AVIATION JETFUEL PURCHASES FOR THE REMAINDER OF FISCAL YEAR 2014
INTRO: 4/3/14**

Open public hearing seeing none public hearing was closed

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/14

ORDERED: That the sum of Six Hundred Twenty-eight Thousand Dollars and No Cents (\$628,000.00) be appropriated for the purpose of funding aviation jet fuel purchases at the Barnstable Municipal Airport; and that \$628,000.00 be transferred from the Airport's surplus funds into the fiscal year 2014 operating budget Avjet Fuel for Resale (607700-621060) to fund Avjet purchases for the remainder of fiscal year 2014.

VOTE: Passes Unanimous referred to a public hearing on 5/1/14

2014-125 APPROPRIATION AND TRANSFER ORDER OF \$21,797.13 FROM THE TOWN'S INSURANCE RECOVERY FUND FOR LIGHTNING STRIKE DAMAGE LOSS RECOVERY INTRO: 4/3/2014

Open public hearing seeing none public hearing was closed

Upon a motion duly made and seconded it was referred to a public hearing on 5/01/14

ORDERED: That the sum of Twenty-one Thousand Seven Hundred Ninety-seven Dollars and thirteen Cents (\$21,797.13) be appropriated from the Town's Insurance Recovery Fund for the purposes of reimbursing the Barnstable Municipal Airport's Operating Budget for the funds expended to replace and repair damages due to the November 1, 2013 lightning strike. Specifically, One Thousand Five Hundred Eighty-two Dollars and seven cents (\$1,582.07) to Building and Grounds Maintenance Services (607700-613010) and Twenty Thousand Two Hundred Fifteen Dollars and six cent (\$20,215.06) to Airfield Maintenance Services (607700-613130)

VOTE: Passes Unanimous referred to a public hearing on 5/01/14

**2014-127 RESOLVE IN SUPPORT OF LEGISLATION IN THE CURRENT SESSION TO EXPAND THE JURISDICTION OF THE HOUSING COURT DEPARTMENT
INTRO: 04/17/14**

Open public hearing seeing none public hearing was closed

Upon a motion duly made and seconded it was referred to a public hearing on 5/01/14

RESOLVED: that the Town Council of the Town of Barnstable directs the Town manager to express the Town's full support for the enactment of the subject legislation before the completion of the current legislative session, and to take all steps necessary to engage our legislative delegation, an others, to achieve this outcome in 2014.

VOTE: Passes Unanimous referred to a public hearing on 5/01/14

2014-128 AUTHORIZING THE TOWN MANAGER TO EXECUTE A REGULATORY AGREEMENT BETWEEN THE TOWN OF BARNSTABLE AND HARBORVIEW HOTEL INVESTORS, LLC INTRO: 04/17/14

Open public hearing seeing none public hearing was closed

Upon a motion duly made and seconded it was referred to a public hearing on 5/1/2014

ORDERED: That the Town Manager is authorized pursuant to Section 168-5, General Ordinances of the Code of the Town of Barnstable, to enter into and execute a Regulatory Agreement between the Town of Barnstable and Harborview Hotel Investor's, LLC, Developer, for the property at 213 Ocean Street including parking areas, Hyannis, MA, consisting of 3.8 acres, shown on Barnstable Assessor's Map 326 as Parcel 035, title to which is recorded in Barnstable County Registry of Deeds Book 15837 Page 190; and is the named buyer in a Purchase and Sale agreement dated October 31, 2013, for the property at 24 Nantucket Street, Hyannis, MA, consisting of .18 acres, which is shown Barnstable Assessors' Map 326 as Parcel 33. Collectively, the two parcels are referred to herein as the Property; For purposes of this Regulatory Agreement, the "Property" does not include the existing hotel and its operations currently located at 213 Ocean Street but does include all site parking; the Developer desires to develop the Property pursuant to this Regulatory Agreement.

VOTE: Passes Unanimous moved to May 1st.

2014-129 TRANSFER ORDER OF \$54,738 FOR THE BARNSTABLE POLICE DEPARTMENT FY14 PERSONNEL BUDGET FOR OVERTIME INTRO: 04/17/14

Chief Paul MacDonald gave the rational stated that there was a lack of patrol ready personnel and overtime was needed.

Open public hearing seeing none public hearing was closed

Upon a motion duly made and seconded it was

ORDERED: That the sum of \$54,738 be transferred to the FY14 Police Department General Fund Personnel Expense Budget as a transfer from the FY14 Public Works Department General Fund Personnel Budget for the purpose of funding FY14 unanticipated expenses in the Police Department Personnel Budget for overtime.

VOTE: Roll Call 12 Yes

2014-130 TRANSFER ORDER OF \$59,000 FOR THE DEPARTMENT OF PUBLIC WORKS FY14 CAPITAL OUTLAY INTRO: 04/17/14

Open public hearing seeing none public hearing was closed

Upon a motion duly made and seconded it was moved to a public hearing May 1, 2014

ORDERED: That the sum of \$59,000 be transferred from the FY14 Public Works Department personnel budget to the FY14 Public Works Department capital outlay budget for construction work undertaken to rebuild the Santuit Pond Dam, to correct safety deficiencies at the Centerville Playground and for software upgrades to the Structures & Grounds Division work order system.

VOTE: Passes Unanimous was moved to a public hearing May 1, 2014

ADJOURNMENT:

Upon a motion duly made and seconded it was

VOTED to adjourn.

Unanimous

Adjourned at 11:15 PM

Respectfully submitted,

Philip Gaudet

Assistant Town Clerk – Town of Barnstable

NEXT REGULAR MEETING: May 1, 2014

Exhibit:

A: Promoting Justice

B: Thank you letter from Barnstable Public Schools

C: South Coast Bike Route