



Town of Barnstable Town Council

367 Main Street, Village of Hyannis, MA 02601
Office 508.862.4738 • Fax 508.862.4770
E-mail: council@town.barnstable.ma.us
www.town.barnstable.ma.us

MEETING AGENDA TOWN HALL HEARING ROOM April 5, 2018 7:00 PM

Councilors:

Eric R. Steinhilber
President
Precinct 2

James H. Crocker Jr.
Vice President
Precinct 5

John G. Flores
Precinct 1

Paul Hebert
Precinct 3

Britt Beedenbender
Precinct 4

Paul C. Neary
Precinct 6

Jessica Rapp Grassetti
Precinct 7

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Matthew Levesque
Precinct 10

Philip N. Wallace
Precinct 11

Paula Schnepf
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell

Administrative
Assistant:
Kelly Crahan

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. PUBLIC COMMENT**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
- 6. TOWN MANAGER COMMUNICATIONS**
- 7. ACT ON MINUTES (Including Executive Session)**
- 8. COMMUNICATIONS- from elected officials, boards, committees, staff commission reports, correspondence and announcements**
- 9. ORDERS OF THE DAY**
 - A. Old Business**
 - B. New Business**
- 10. ADJOURNMENT**

NEXT REGULAR MEETING: April 26, 2018

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A. OLD BUSINESS		
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2018-065	Appropriation and Loan Order in the amount of \$250,000 for the purpose of funding the Barnstable Public School District Wide Communication, Video Surveillance and Entry Improvement Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (2/3 vote)	7
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2018-068	Appropriation and Transfer Order in the amount of \$100,000 for the purpose of funding the Barnstable Public School Emergency Generator Replacement at West Villages Elementary School as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (2/3 vote)	10
2018-069	Appropriation and Loan Order in the amount of \$300,000 for the purpose of funding the Comprehensive Airport Layout Plan and Master Plan Project as outlined in the Fiscal Year 2019 Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (2/3 vote)	11
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2018-073	Appropriation and Transfer Order in the amount of \$57,774 for the purpose of funding the Olde Barnstable Fairgrounds replacement of Clubhouse carpeting, furniture, fixtures and merchandise displays as outlined in Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (Majority Vote)	15
2018-074	Appropriation and Loan Order in the amount of \$1,000,000 for the purpose of funding the Cotuit Bay Entrance Channel Dredging Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (2/3 Vote)	16

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2018-079	Appropriation and Transfer Order in the amount of \$150,000 for the purpose of funding the Effluent Discharge Location Evaluation for the Water Pollution Control Facility as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (Majority Vote)	21
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2018-083	Appropriation and Loan Order in the amount of \$555,000 for the purpose of funding the New Well Exploration Program Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (2/3 Vote)	25
2018-084	Appropriation and Transfer Order in the amount of \$165,000 for the purpose of funding the construction of a permanent interconnection with the Centerville, Osterville, Marstons Mills (COMM) Public Water Supply System as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (Majority Vote)	26
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2018-087	Appropriation and Transfer Order in the amount of \$315,000 for the purpose of funding the Phinney’s Sewer Expansion Preliminary Design as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (Majority Vote)	29

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2018-095	Appropriation and Transfer Order in the amount of \$45,000 for the purpose of funding the design of the sidewalk on Ocean St. as outlined in Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (2/3 Vote)	36
2018-096	Appropriation and Loan Order in the amount of \$667,000 for the purpose of funding the Design and Hazmat Removal Project at the Armory Building as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan (Public Hearing) (2/3 Vote)	37
2018-097	Appropriation and Transfer Order in the amount of \$4,000,000 be transferred from General Reserves to the Capital Trust Fund (Public Hearing) (Majority Vote)	38-39

B. NEW BUSINESS

2018-103	Appointments to a Board/Committee/Commission: Disability Commission: Marc Brunco, 21 Highpoint Road, Marstons Mills as a regular member to a term expiring 6/30/19; Public Works Commission: Ed Eichner, 141 Pine Tree Drive, Centerville, as a regular member to a term expiring 06/30/18; Shellfish Committee: Christopher Freeman, 247 High Street, West Barnstable, as regular member to a term expiring 06/30/19; Water Quality Advisory Committee: Fred Dempsey, 48 Field Stone Road, West Barnstable, as a regular member to a term expiring 06/30/18; Zoning Board of Appeals: Mark Hansen, 51 Joyce Anne Road, Centerville, as an associate member to a term expiring 06/30/20 (First Reading)	40
2018-104	Appropriation and Transfer Order in the amount of \$ 449,900 for the Fiscal Year 2018 Airport Capital Budget for the purpose of funding various Airport Capital Improvement Projects (Refer to Public Hearing 04/26/18)	41-42
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2018-106	Appropriation and Transfer Order in the amount of \$110,000 for handicap accessibility upgrades at the Barnstable Community Horace Mann Charter Public School (May be acted upon)	47-48
2018-107	Appropriation and Transfer Order of \$60,000 for the Fiscal Year 2018 Department of Public Works Operating Capital Budget (Refer to Public Hearing 04/26/18)	49-50
2018-108	Regulatory Agreement with Housing Assistance Corporation, 57 Ridgewood Avenue, Hyannis, MA (First Reading) (Refer to Public Hearing 05/03/19)	51-60

Approve Minutes –March 15, 2018

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-064
INTRO: 03/15/18, 04/05/18**

2018-064 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$4,600,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL HIGH SCHOOL SPORTS FIELD UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$4,600,000** be appropriated for the purpose of funding the Barnstable Public School High School Sports Field Upgrade Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$4,600,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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, provided that this appropriation shall not be encumbered or expended except pursuant to a memorandum for sub-surface effluent discharge.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-065
INTRO: 03/15/18, 04/05/18**

2018-065 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL DISTRICT WIDE COMMUNICATION, VIDEO SURVEILLANCE AND ENTRY IMPROVEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$250,000** be appropriated for the purpose of funding the Barnstable Public School District Wide Communication, Video Surveillance and Entry Improvement Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-066
INTRO: 03/15/18, 04/05/18**

2018-066 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL HIGH SCHOOL & INTERMEDIATE SCHOOL ROOF TOP UNIT VENTILATOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$100,000** be appropriated for the purpose of funding the Barnstable Public School High School & Intermediate School Roof Top Unit Ventilator Replacement Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$100,000** be transferred from available funds within the 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-067
INTRO: 03/15/18, 04/05/18**

2018-067 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL ELEMENTARY SCHOOL UNIT VENTILATOR REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$250,000** be appropriated for the purpose of funding the Barnstable Public School Elementary School Unit Ventilator Replacement Project as outlined in the Fiscal Year 2019 Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-068
INTRO: 03/15/18, 04/05/18**

2018-068 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL EMERGENCY GENERATOR REPLACEMENT AT WEST VILLAGES ELEMENTARY SCHOOL AS OUTLINED IN THE FISCAL YEAR 2019 FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$100,000** be appropriated for the purpose of funding the Barnstable Public School Emergency Generator Replacement at West Villages Elementary School as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$100,000** be transferred from available funds within the 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-069
INTRO: 03/15/18, 04/05/18**

2018-069 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$300,000 FOR THE PURPOSE OF FUNDING THE COMPREHENSIVE AIRPORT LAYOUT PLAN AND MASTER PLAN PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Airport Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$300,000** be appropriated for the purpose of funding the Comprehensive Airport Layout Plan and Master Plan Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$300,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-070
INTRO: 03/15/18, 04/05/18**

2018-070 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$975,000 FOR THE PURPOSE OF FUNDING THE AIRPORT’S REPLACEMENT OF SNOW REMOVAL EQUIPMENT AS OUTLINED IN THE FISCAL YEAR 2019 FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Airport Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$975,000** be appropriated for the purpose of funding the Airport’s Replacement of Snow Removal Equipment as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$975,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, and that the Barnstable Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-071
INTRO: 03/15/18, 04/05/18**

2018-071 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$145,000 FOR THE PURPOSE OF FUNDING THE AIRPORT’S REPLACEMENT OF AIRCRAFT AND FIRE FIGHTING EQUIPMENT RESPONSE VEHICLE AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Airport Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$145,000** be appropriated for the purpose of funding the Airport’s Replacement of Aircraft and Fire Fighting Equipment Response Vehicle as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$145,000** be transferred from the Airport Enterprise Fund reserves, and that the Barnstable Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-072
INTRO: 03/15/18, 04/05/18**

2018-072 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$58,511 FOR THE PURPOSE OF FUNDING THE HYANNIS GOLF COURSE MAINTENANCE BUILDING IMPROVEMENTS AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Golf Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$58,511** be appropriated for the purpose of funding the Hyannis Golf Course Maintenance Building Improvements as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$7,147** be transferred from the available funds remaining under Town Council Order 2016-108 and the **\$51,364** be transferred from the Golf Course 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-073
INTRO: 03/15/18, 04/05/18**

2018-073 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$57,774 FOR THE PURPOSE OF FUNDING THE OLDE BARNSTABLE FAIRGROUNDS REPLACEMENT OF CLUBHOUSE CARPETING, FURNITURE, FIXTURES AND MERCHANDISE DISPLAYS AS OUTLINED IN FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Golf Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$57,774** be appropriated for the purpose of funding the Olde Barnstable Fairgrounds Replacement of Clubhouse Carpeting, Furniture, Fixtures and Merchandise Displays as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$52,607** be transferred from the available funds remaining under Town Council Order 2016-107 and the **\$5,167** be transferred from the Golf Course 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-074
INTRO: 03/15/18, 04/05/18**

2018-074 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR THE PURPOSE OF FUNDING THE COTUIT BAY ENTRANCE CHANNEL DREDGING PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$1,000,000** be appropriated for the purpose of funding the Cotuit Bay Entrance Channel Dredging Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,000,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-075
INTRO: 03/15/18, 04/05/18**

2018-075 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$315,116 FOR THE PURPOSE OF FUNDING THE CRAIGVILLE BATHHOUSE AND SITE WORK IMPROVEMENTS PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$315,116** be appropriated for the purpose of funding the Craigville Bathhouse and Site Work Improvements Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$315,116** be transferred from the available funds remaining under Town Council Order 2016-110; 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-076
INTRO: 03/15/18, 04/05/18**

2018-076 APPROPRIATION TRANSFER AND LOAN ORDER IN THE AMOUNT OF \$727,247 FOR THE PURPOSE OF FUNDING THE SENIOR CENTER RENOVATIONS PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$727,247** be appropriated for the purpose of funding the Senior Center Renovations Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$68,247** be transferred from the available funds remaining under Town Council Order 2014-106; and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$659,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-077
INTRO: 03/15/18, 04/05/18

2018-077 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$195,668 FOR THE PURPOSE OF FUNDING THE HYANNIS YOUTH & COMMUNITY CENTER ROOF REPLACEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$195,668** be appropriated for the purpose of funding the Hyannis Youth & Community Center Roof Replacement Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$195,668** be transferred from available funds within 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-078
INTRO: 03/15/18, 04/05/18

2018-078 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$195,000 FOR THE PURPOSE OF FUNDING THE EFFLUENT DISPOSAL CAPACITY STUDY AND EVALUATION FOR THE WATER POLLUTION CONTROL FACILITY AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Water Pollution Control Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$195,000** be appropriated for the purpose of funding the Effluent Disposal Capacity Study and Evaluation for the Water Pollution Control Facility as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$195,000** be transferred from the Water Pollution Control Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-079
INTRO: 03/15/18, 04/05/18**

2018-079 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$150,000 FOR THE PURPOSE OF FUNDING THE EFFLUENT DISCHARGE LOCATION EVALUATION FOR THE WATER POLLUTION CONTROL FACILITY AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Water Pollution Control Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$150,000** be appropriated for the purpose of funding the Effluent Discharge Location Evaluation for the Water Pollution Control Facility as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$150,000** be transferred from the Water Pollution Control Enterprise Fund Reserves, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-080
INTRO: 03/15/18, 04/05/18**

2018-080 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$701,000 FOR THE PURPOSE OF FUNDING THE PLEASANT STREET SEWER LINE UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Water Pollution Control Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$701,000** be appropriated for the purpose of funding the Pleasant Street Sewer Line Upgrade Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$701,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-081
INTRO: 03/15/18, 04/05/18**

2018-081 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,050,000 FOR THE PURPOSE OF FUNDING THE PIPE REPLACEMENT AND UPGRADE PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Water Supply Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$1,050,000** be appropriated for the purpose of funding the Pipe Replacement and Upgrade Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,050,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-082
INTRO: 03/15/18, 04/05/18

2018-082 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$200,000 FOR THE PURPOSE OF FUNDING THE WELLS, PUMP STATIONS AND TREATMENT PLANT REPAIR AND UPGRADE PROGRAM AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Water Supply Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$200,000** be appropriated for the purpose of funding the Wells, Pump Stations and Treatment Plant Repair and Upgrade Program as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-083
INTRO: 03/15/18, 04/05/18**

2018-083 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$555,000 FOR THE PURPOSE OF FUNDING THE NEW WELL EXPLORATION PROGRAM PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Water Supply Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$555,000** be appropriated for the purpose of funding the New Well Exploration Program Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$555,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-084
INTRO: 03/15/18, 04/05/18**

2018-084 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$165,000 FOR THE PURPOSE OF FUNDING THE CONSTRUCTION OF A PERMANENT INTERCONNECTION WITH THE CENTERILLE, OSTERVILLE, MARSTONS MILLS (COMM) PUBLIC WATER SUPPLY SYSTEM AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Water Supply Enterprise Fund Capital Improvement Plan

ORDERED: That the sum of **\$165,000** be appropriated for the purpose of funding the Construction of a Permanent Interconnection with the COMM Public Water Supply System as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$165,000** 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-085
INTRO: 03/15/18, 04/05/18**

2018-085 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000 FOR THE PURPOSE OF FUNDING THE ATTUCKS LANE PUMP STATION SEWER EXPANSION DESIGN PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Sewer Construction and Private Way Maintenance & Improvement Fund

ORDERED: That the sum of **\$100,000** be appropriated for the purpose of funding the Attucks Lane Pump Station Sewer Expansion Design Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$100,000** be transferred from the Sewer Construction and Private Way 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-086
INTRO: 03/15/18, 04/05/18**

2018-086 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$402,000 FOR THE PURPOSE OF FUNDING THE LONG POND AREA SEWER EXPANSION PRELIMINARY DESIGN AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Sewer Construction and Private Way Maintenance & Improvement Fund

ORDERED: That the sum of **\$402,000** be appropriated for the purpose of funding the Long Pond Area Sewer Expansion Preliminary Design as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$402,000** be transferred from the Sewer Construction and Private Way 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-087
INTRO: 03/15/18, 04/05/18**

2018-087 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$315,000 FOR THE PURPOSE OF FUNDING THE PHINNEY’S SEWER EXPANSION PRELIMINARY DESIGN AS OUTLINED IN THE FISCAL YEAR 2019 FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Sewer Construction and Private Way Maintenance & Improvement Fund

ORDERED: That the sum of **\$315,000** be appropriated for the purpose of funding the Phinney’s Sewer Expansion Preliminary Design as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$315,000** be transferred from the Sewer Construction and Private Way 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-088
INTRO: 03/15/18, 04/05/18

2018-088 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$154,000 FOR THE PURPOSE OF FUNDING THE OLD KING’S ROAD IMPROVEMENT PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

Sewer Construction and Private Way Maintenance & Improvement Fund

ORDERED: That the sum of **\$154,000** be appropriated for the purpose of funding the Old King’s Road Improvement Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$154,000** be transferred from the Sewer Construction and Private Way 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-089
INTRO: 03/15/18, 04/05/18

2018-089 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$3,412,500 FOR THE PURPOSE OF FUNDING THE PUBLIC ROADS IMPROVEMENT PROGRAM AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$3,412,500** be appropriated for the purpose of funding the Public Roads Improvement Program as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$3,412,500** be transferred from available funds within 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-090
INTRO: 03/15/18, 04/05/18**

2018-090 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$103,500 FOR THE PURPOSE OF FUNDING THE DESIGN AND PERMITTING OF PHASE III OF THE DEPARTMENT OF PUBLIC WORKS OFFICES AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$103,500** be appropriated for the purpose of funding the Design and Permitting of Phase III of the Department of Public Works Offices as outlined in the Fiscal Year 2019 Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$103,500** be transferred from available funds within 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-092
INTRO: 03/15/18, 04/05/18**

2018-092 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$285,000 FOR THE PURPOSE OF FUNDING THE SCHOOL ADMINISTRATION BUILDING MECHANICAL COOLING UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$285,000** be appropriated for the purpose of funding the School Administration Building Mechanical Cooling Upgrades Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$285,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-093
INTRO: 03/15/18, 04/05/18**

2018-093 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000 FOR THE PURPOSE OF FUNDING THE DESIGN OF THE BUMPS RIVER BRIDGE REPAIRS AS OUTLINED IN THE FISCAL YEAR 2019 FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$100,000** be appropriated for the purpose of funding the Design of the Bumps River Bridge Repairs as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$100,000** be transferred from available funds within 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-094
INTRO: 03/15/18, 04/05/18**

2018-094 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$253,740 FOR THE PURPOSE OF FUNDING THE DEMOLITION OF THE PORTABLE STRUCTURES AT THE FORMER MARSTONS MILLS ELEMENTARY SCHOOL AND THE HAZARDOUS MATERIAL EVALUATION STUDY OF THE MAIN FACILITY AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$253,740** be appropriated for the purpose of funding the Demolition of the Portable Structures at the Former Marstons Mills Elementary School and the Hazardous Material Evaluation Study of the Main Facility as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$253,740**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-095
INTRO: 03/15/18, 04/05/18**

2018-095 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$45,000 FOR THE PURPOSE OF FUNDING THE DESIGN OF THE SIDEWALK ON OCEAN ST. AS OUTLINED IN FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$45,000** be appropriated for the purpose of funding the Design of the Sidewalk on Ocean St. as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$45,000** be transferred from available funds within 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-096
INTRO: 03/15/18, 04/05/18**

2018-096 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$667,000 FOR THE PURPOSE OF FUNDING THE DESIGN AND HAZMAT REMOVAL PROJECT AT THE ARMORY BUILDING AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$667,000** be appropriated for the purpose of funding the Design and Hazmat Removal Project at the Armory Building as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$667,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-097
INTRO: 03/15/18, 04/05/18**

**2018-097 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$4,000,000
BE TRANSFERRED FROM GENERAL RESERVES TO THE CAPITAL TRUST
FUND**

General Fund Capital Improvement Plan

ORDERED: That the Town Council hereby appropriates and transfers from available funds the sum of **\$4,000,000** (four million dollars) from the General Fund to the Capital Trust Fund

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM #2018-097
INTRO: 03/15/18, 04/05/18

SUMMARY

TO: Town Council
THROUGH: Mark S. Ells, Town Manager
FROM: Mark Milne, Director of Finance
DATE: March 15, 2018
SUBJECT: Appropriation and Transfer Order in the amount of \$4,000,000 be transferred from General Reserves to the Capital Trust Fund

BACKGROUND: The Town of Barnstable's capital needs are many. The Fiscal Year 2019 to Fiscal Year 2023 Capital Improvement Plan for the General Fund included a total of **\$141 million** in submissions over the next 5 years. The Fiscal Year 2019 Capital Budget includes funding for **\$13.9 million**. Additional funding sources need to be identified going forward to continue to address the projects on this list. Excess General Fund reserves have been dedicated to the Capital Trust Fund previously and this request seeks to do the same. The Capital Trust Fund is used as a financial tool to accumulate resources that are used to fund the town's capital program. Transferring these funds will allow the Town to fund a more aggressive capital program over the next 5 years.

ANALYSIS: Positive operating results for the fiscal year ending June 30, 2017 resulted in the growth of the town's Free Cash as certified by the Massachusetts Department of Revenue. The growth in Free Cash was the result of unexpended appropriations and actual revenues exceeding budget estimates. The main components of the unexpended appropriations were from vacancy savings in personnel budgets across all departments and all revenue categories reported favorable budget variances. The Town's Free Cash was certified at **\$16,197,155** on July 1, 2017. This request is to transfer **\$4 million** of the amount into the Capital Trust Fund. With this additional transfer it is projected that the fund could finance a total of **\$87 million** in capital improvements over the next 5 years. This includes a combination of bond financed and cash financed projects.

FISCAL IMPACT: In accordance with Town Council policy, an amount equal to 4% of the General Fund's operating budget, net of transfers, must be set aside for extraordinary and/or unforeseen expenditures from its certified Free Cash balance. The remaining balance is available for appropriation subject to Town Council approval. The allocation of the free cash balance as of July 1, 2017 in concurrence with town policies and the revenue sharing agreement between the municipal and school operations is as follows:

Town Council Reserve	\$5,977,565
Municipal Savings	\$3,371,341
School Savings	<u>\$6,848,249</u>
Total	\$16,197,155

The proposed transfer of \$4 million will be drawn from the school savings accounts. Combined with the Town Council reserve of almost \$6 million, the total remaining balance in the General Fund free cash account (\$12.1 million) represents about 8.2% of the overall General Fund Operating Budget (2 times the amount of the Town Council's reserve policy).

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of the Transfer Order.

STAFF ASSISTANCE: Mark Milne, Director of Finance

B. NEW BUSINESS (First Reading)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-103
INTRO: 04/05/18**

2018-103 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Disability Commission:** Marc Brunco, 21 Highpoint Road, Marstons Mills as a regular member to a term expiring 6/30/19; **Public Works Commission:** Ed Eichner, 141 Pine Tree Drive, Centerville, as a regular member to a term expiring 06/30/18; **Shellfish Committee:** Christopher Freeman, 247 High Street, West Barnstable, as regular member to a term expiring 06/30/19; **Water Quality Advisory Committee:** Fred Dempsey, 48 Field Stone Road, West Barnstable, as a regular member to a term expiring 06/30/18; **Zoning Board of Appeals:** Mark Hansen, 51 Joyce Anne Road, Centerville, as an associate member to a term expiring 06/30/20

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (Refer to Public Hearing 04/26/18)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-104
INTRO: 04/05/2018**

**2018-104 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$ 449,900
FOR THE FISCAL YEAR 2018 AIRPORT CAPITAL BUDGET FOR THE
PURPOSE OF FUNDING VARIOUS AIRPORT CAPITAL IMPROVEMENT
PROJECTS**

(MAJORITY VOTE)

ORDERED: That the sum of **\$449,900** be appropriated for the purpose of funding various Airport capital improvement projects as follows:

- \$241,900 for Hanger II Drainage Improvements
- \$50,000 for Café Patio & Door Addition
- \$22,000 for Forestry Mulcher
- \$136,000 for ARFF/SRE Door Replacement

and that to meet this appropriation, that \$58,380 be transferred from the Airport Enterprise Fund operating capital budget and that \$391,520 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2018-104
INTRO: 04/05/2018

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Katie R. Servis, Assistant Airport Manager
DATE: April 05, 2018
SUBJECT: Appropriation and Transfer Order for the Fiscal Year 2018 Airport Enterprise Fund Capital Budget

BACKGROUND: MassDOT has reached out to airports indicating that they have \$3.5 million in available funding and are looking to fund eligible projects before the end of fiscal year 2018. Airport officials met with MassDOT and the following 4 projects were identified as being eligible for an 80% reimbursement from the MassDOT.

Project	Estimated Cost	MassDOT Share	BMA Share	Funding Source
Hangar II Drainage Improvements*	\$241,900	\$193,520	\$48,380	Rescind Operating Capital project for Maintenance Vehicle for \$48,000
Café Patio & Door Addition*	\$50,000	\$40,000	\$10,000	Rescind Operating Capital project for Operations Building Upgrade for \$10,000
Forestry Mulcher	\$22,000	\$17,600	\$4,400	Airport Reserve Fund
ARFF/SRE Bay Door Replacement*	\$136,000	\$108,800	\$27,200	Airport Reserve fund
Totals	\$449,900	\$359,920	\$89,980	

* These Projects not typically funded by the Federal Aviation Administration and/or MassDOT Aeronautics. Normally the projects are funded entirely by Barnstable Municipal Airport (BMA) as these are not normally considered "priority funded projects". By doing these projects now via MassDOT, BMA is saving \$359,920.

In addition to the 4 projects listed above the MassDOT will reimburse the airport for 100% of its project costs associated with its Fiscal Year 2018 Airfield Painting Project (\$75,000). This was not anticipated at the time the Fiscal Year 2018 capital budget was approved and the \$75,000 will replenish the Airport's reserve fund.

FISCAL IMPACT: The MassDOT will reimburse the Airport a total of \$434,920 for these projects. The reimbursements will replenish the Airport's reserves used to fund this appropriation and its Fiscal Year 2018 Capital Appropriation for Airfield Painting. The Airport's net share for this Appropriation is \$89,980. Of the Airport's share, \$58,380 is already included in the Fiscal Year 2018 Operating Budget and will be transferred to offset the cost of these projects and the remaining Airport share of \$31,600 will be provided from the Airport's Reserve Fund, which has a balance of \$2,217,767.

STAFF ASSISTANCE: Katie R. Servis, Assistant Airport Manager; Mark A. Milne, Director of Finance

B. NEW BUSINESS (Refer to Public Hearing 04/26/18)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-105
INTRO: 04/05/2018**

**2018-105 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$167,600
FOR THE FISCAL YEAR 2018 AIRPORT OPERATING BUDGET**

(MAJORITY VOTE)

ORDERED: That the sum of \$167,600 be appropriated for the Fiscal Year 2018 Airport Operating Expense Budget, and that to meet this appropriation \$167,600 be transferred from the Airport Enterprise Fund Reserves.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2018-105
INTRO: 04/05/2018

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Katie R. Servis, Assistant Airport Manager
DATE: April 05, 2018
SUBJECT: Appropriation and Transfer Order in the amount of **\$167,600** for the Fiscal Year 2018 Airport Enterprise Fund Operating Budget

BACKGROUND: Barnstable Municipal Airport is requesting to increase the FY 2018 operating expense budget for the following:

- Aviation Jet Fuel Funds;
- Legal Fees; and
- Consultant Fees for environmental analysis and reporting.

Aviation Jet Fuel Funds Analysis – The airport anticipates the need to purchase another 220,000 gallons of fuel to cover April 2018 – June 2018 fuel purchases for resale. The FY2018 budget projections have caused a shortfall in available funds for jet fuel purchases for the remainder of the year due to a price increase in fuel cost and our adjusted fuel budget for FY2018 is inadequate to meet current demand. The table below identifies the budget analysis.

<i>Jet Fuel Purchases</i>	
Original Appropriation	\$1,836,000.00
Year to Date Expended	\$1,295,622.80
Encumbered Funds/Requisition	\$455,736.08
Available Budget	\$84,601.12
Total Available Funds	\$540,337.20
Loads needed for remainder of year	22
Estimated Cost per Load	\$27,000.00
Estimated Cost	\$594,000.00
Available Funds	\$540,337.20

Estimated Cost	\$594,000.00
Funds Potentially Needed	\$53,662.80

To meet projected demand and assure a contingency for any further increase in sales or changes in cost, the Airport is requesting an appropriation of \$40,000 to meet estimated fuel expenditures through the end of June 2018.

Any funds remaining at the end of the Fiscal Year will be returned to the Airport Enterprise Reserve Fund. It is therefore requested that to meet this appropriation, \$40,000 be transferred from available funds within the Airport Enterprise Reserve Fund.

Legal Fees Background - Following the commencement of the FY2018 budgetary cycle, the Barnstable Municipal Airport continues to incur additional legal fees and associated expert consultant expenses above and beyond the original appropriation of \$39,900 for assistance in: 1) the evaluation of the presence of perfluoroalkyl substances (PFAS) in soil and groundwater on and off airport property; and 2) the RFP Development for the K-mart parcel, property owned and managed by the Barnstable Municipal Airport. As such, the FY2018 budget projections have caused a shortfall in available funds for legal fees for the remainder of the year and our adjusted budget for FY2018 is inadequate to meet current demand; therefore, the Barnstable Municipal Airport is requesting an additional \$20,000 to cover legal fees incurred for FY2018.

Legal Fees Analysis – Unexpected increases in legal and expert consultant fees have been incurred and will continue to accrue for the remainder of Fiscal Year 2018. The following table identifies Legal Fees as of March 1, 2018.

Legal Fees	
Original Appropriation	\$39,900.00
Year to Date Expended	\$31,982.00
Encumbered Funds/Requisition	\$7,194.92
Available Budget	\$722.66
Total Available	\$7,917.58
March 2018 Invoice	\$14,998.86
Estimated Cost Need for Remainder of FY2018	\$12,918.72
Funds Potentially Needed	\$20,000.00

Based on the above information, it is anticipated that an additional appropriation of \$20,000 will be required to meet estimated legal and associated expert consultant expenses through the end of June 2018. Any funds remaining at the end of the Fiscal Year will be returned to the Airport Enterprise

Reserve Fund. It is therefore requested that to meet this appropriation, \$20,000 be transferred from available funds within the Airport Enterprise Reserve Fund.

Consultant Fees for environmental analysis and reporting Background - The Massachusetts Department of Environmental Protection (DEP) sent the Barnstable Municipal Airport a Request for Information (RFI) dated October 27, 2017 to supplement the Airport's previous responses to DEP regarding the collection of soil samples to further understand the potential background concentrations of per- and poly-fluorinated alkyl substances (PFAS) outside of the Airport and across the Town of Barnstable. The data collected and the resulting preliminary analysis was used to evaluate whether or not the concentration of PFAS compounds in soil excavated as part of the recent runway 15/33 reconstruction project are consistent with background conditions.

The consultant fees include a Phase II Comprehensive Site Assessment, soil testing, ground water testing, laboratory fees, analysis, reporting documentation, multiple meetings with the airport and DEP, future removal of contaminated soil adjacent to the ARFF building and within the Deployment Area and continued evaluation of the presence of perfluoroalkyl substances (PFAS) in soil and groundwater on and off airport property in an attempt to determine what may be considered as "background" in the region.

Because the RFI was delivered in October 2017, the FY2018 budget projections did not include the additional environmental analysis and reporting required by DEP and have caused a shortfall in available funds to cover such fees for the remainder of the year. Therefore, our adjusted budget for FY2018 is inadequate to meet current demand and Barnstable Municipal Airport is requesting an additional \$147,600 to cover fees incurred for FY2018.

Legal Fees	
Original Appropriation	\$60,000
Year to Date Expended	\$60,000
Encumbered Funds/Requisition	\$60,000
Available Budget	\$0
Total	\$0
Estimated Cost Need for Remainder of FY2018	\$147,600
Funds Potentially Needed	\$147,600

FISCAL IMPACT: This appropriation will be provided for using the Airport Enterprise Fund reserve, which has a current balance of \$2,217,767.

STAFF ASSISTANCE: Katie R. Servis, Assistant Airport Manager; Mark A. Milne, Director of Finance

B. NEW BUSINESS (Majority vote) (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-106
INTRO: 04/05/2018**

**2018-106 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$110,000
FOR HANDICAP ACCESSIBILITY UPGRADES AT THE BARNSTABLE
COMMUNITY HORACE MANN CHARTER PUBLIC SCHOOL**

ORDERED: That the sum of \$110,000 be appropriated for the purpose of constructing handicap accessibility upgrades at the Barnstable Community Horace Mann Charter Public School (BCHMCPS), and to meet this appropriation, that \$110,000 be transferred from Town Council Order **2016-081**, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

SUMMARY

ITEM # 2018-106
INTRO: 04/05/2018

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Meg Mayo-Brown, Superintendent of Schools
DATE: April 5, 2018
SUBJECT: Appropriation & Transfer Order of \$110,000 for Handicap Accessibility Upgrades at the Barnstable Community Horace Mann Charter Public School (BCHMCPS)

RATIONALE: In the process of developing final specifications and budget numbers for the roof and exterior renovations at BCHMCPS, it was discovered that work estimates could exceed the 30% threshold for accessibility access which is mandated by the Massachusetts Architectural Access Board (MAAB), MAAB 521 CMR requires that the entire building comply with accessibility requirements; however, a time variance was granted to perform certain accessibility upgrades.

The upgrades include accessible fixtures, toilet stalls and accessories to the boys and girls first floor rest rooms. An accessible entry including new doors and gate, electrified hardware, paved walkway, and restriping of the parking area to conform to MAAB. Both the gate and entrance will provide video and audio for remote control of entrances.

The estimated costs for these upgrades are \$110,000. The upgrades must be completed no later than September 30, 2018.

FISCAL IMPACT: Town Council appropriation order 2016-081 funded the BCHMCPS roof and façade improvements for \$4.286 million. After completion of the façade and roof improvements there is available funding remaining in the appropriation to cover the cost of these improvements.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of the transfer order.

STAFF ASSISTANCE: David Kanyock, School Facilities Director; Mark Milne, Finance Director

B. NEW BUSINESS (Refer to Public Hearing 04/26/18)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-107
INTRO: 04/05/2018**

**2018-107 APPROPRIATION AND TRANSFER ORDER OF \$60,000 FOR THE FISCAL
YEAR 2018 DEPARTMENT OF PUBLIC WORKS OPERATING CAPITAL
BUDGET (MAJORITY VOTE)**

ORDERED: That the sum of **\$60,000** be appropriated from the Town’s General Fund Reserves for the Fiscal Year 2018 Department of Public Works Operating Capital Budget.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2018-107
INTRO: 04/05/2018

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
DATE: April 5, 2018
SUBJECT: Appropriation Order for the Department of Public Works Fiscal Year 2018 Operating Capital Budget

SUMMARY: Recent storm events have eroded the dune in front of the lower parking lot at Sandy Neck beach. In order to protect this area from further erosion, additional sand will need to be placed in this area.

ANALYSIS: The Sandy Neck Enterprise Fund's Fiscal Year 2018 Operating Budget included \$55,000 for sand replenishment. Multiple storms have resulted in excessive erosion in this area. The enterprise fund has exhausted its Fiscal Year 2018 budget for sand replenishment and now requires an additional 3000 cubic yards of sand. The cost of the sand is \$20 per cubic yard. Existing permits required the sand to be in place by April 6th. The only available funding source that could be used for this sand was the Public Works operating capital budget.

FISCAL IMPACT: The Fiscal Year 2018 Department of Public Works operating capital budget was originally intended to be used for equipment replacement. Redirecting these funds to Sandy Neck will leave them with a shortfall in funding for Fiscal Year 2018. This appropriation request from the General Fund reserves will replenish the operating capital budget. Enterprise Fund reserves cannot be directly appropriated for General Fund expenses; therefore, the Fiscal Year 2019 operating budget for the Sandy Neck Enterprise Fund will include \$60,000 for a reimbursement to the General Fund. Reserves in an Enterprise Fund can be used to reimburse the General Fund for subsidized capital costs of the enterprise not already reimbursed for the two full immediate prior fiscal years.

STAFF ASSISTANCE: Mark Milne, Director of Finance

B. NEW BUSINESS (Refer to Public Hearing 05/03/18)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-108
INTRO: 04/05/18**

2018-108 AUTHORIZING THE TOWN MANAGER TO EXECUTE A REGULATORY AGREEMENT BETWEEN THE TOWN OF BARNSTABLE AND HOUSING ASSISTANCE CORPORATION

ORDERED: That the Town Manager is authorized pursuant to Section 168-5, General Ordinances of the Code of the Town of Barnstable (the “Code”), to enter into and execute a Regulatory Agreement between the Town of Barnstable and Housing Assistance Corporation, for the property 57 Ridgewood Avenue, Hyannis, 0.72± acres, shown on Town of Barnstable Assessor’s Map 328 as Parcel 091, and which is more particularly described in the deed recorded with the Barnstable County Registry of Deeds in Book 31049, Page 245(“the Property”); and permitting the redevelopment of the Property and granting the requested zoning relief and approval under Chapter 112, Article I of the Code pursuant to and as described in this Regulatory Agreement.

REGULATORY AGREEMENT

Housing Assistance Corporation
57 Ridgewood Avenue, Hyannis

This regulatory agreement (“Agreement”) is entered into by and between the developer, Housing Assistance Corp. (“Developer”) with a usual address of 460 West Main Street, Hyannis, MA 02601 and the Town of Barnstable (“Town”), a municipal corporation with a usual address of 367 Main Street, Hyannis, MA 02601, on this ___ day of _____, 2018 pursuant to Section 240-24.1 of the Barnstable Zoning Ordinance and Section 168 of the Barnstable Code.

WITNESS:

WHEREAS, this Agreement shall establish the permitted uses, densities, and parking within the Development (as hereinafter defined), the duration of the agreement, and any other terms or conditions mutually agreed upon between Developer and the Town;

WHEREAS, this Agreement shall vest land use development rights in the Property for the duration of the agreement, and such rights shall not be subject to subsequent changes in local development ordinances, with the exception of changes necessary to protect the public health, safety or welfare

WHEREAS, the Town is authorized to enter into this Agreement pursuant to Chapters 168 and 240 of the Barnstable Code;

WHEREAS, Developer is the owner of the property at 57 Ridgewood Ave., Hyannis, Massachusetts consisting of 31,363± square feet (0.72± acres), shown on Town of Barnstable Assessor’s Map 328 as Parcel 091, and which is more particularly described in the deed recorded with the Barnstable County Registry of Deeds in Book 31049, Page 245(“the Property”);

WHEREAS, Developer is willing to commit itself to the development of the project substantially in accordance with this Agreement and desires to have a reasonable amount of flexibility to carry out the Development and therefore considers this Agreement to be in its best interests;

WHEREAS, the Town and Developer desire to set forth in this Agreement their respective understandings and agreements with regard to development of the Property;

WHEREAS, the Development will not require regulatory review under the Massachusetts Environmental Policy Act (MEPA) or the Cape Cod Commission Act;

WHEREAS, Developer has made application to the Planning Board pursuant to Chapter 168 of the Barnstable Code;

WHEREAS, the Development is located in the Hyannis Growth Incentive Zone (GIZ) as approved by the Cape Cod Commission by decision dated April 6, 2006, as authorized by Barnstable County Ordinance 2005-13, as amended by Barnstable County Ordinance 10-19 and 14-05, Chapter G, Growth Incentive Zone Regulations of the Cape Cod Commission Regulations of General Application as extended by an Agreement to Extend Town of Barnstable Downtown Hyannis Growth Incentive Zone to October 6, 2017 between the Cape Cod Commission and the Town of Barnstable executed on December 14, 2015, and further extended by a second Agreement to Extend to April 4, 2018 between the Cape Cod Commission and the Town of Barnstable executed on October 6, 2017.;

WHEREAS, the Development is not subject to review by the Cape Cod Commission as a Development of Regional Impact due to its location in the GIZ and due to the adoption of Barnstable County Ordinance 2006-06 establishing a cumulative development threshold within the GIZ as extended by an Agreement to Extend Town of Barnstable Downtown Hyannis Growth Incentive Zone to October 6, 2017 between the Cape Cod Commission and the Town of Barnstable executed on December 14, 2015, and further extended by a second Agreement to Extend to April 4, 2018 between the Cape Cod Commission and the Town of Barnstable executed on October 6, 2017, under which this development may proceed and Developer has submitted a Jurisdictional Determination to the Town of Barnstable Building Department to confirm the same;

WHEREAS, prior to applying for approval of this Agreement, the Development was reviewed by the Town of Barnstable Site Plan Review Committee on December 21, 2017 (SPR 076-17) and the Site Plan Review Committee voted to find the development proposal approvable subject to the grant of a Regulatory Agreement and other conditions as stated in its letter dated December 27, 2017 (the "Site Plan Approval Letter");

WHEREAS, the Property currently contains an abandoned foundation but is otherwise a vacant lot;

WHEREAS, Developer proposes to redevelop the Property with three (3) new multi-family residential structures that will contain a total of eight (8) units with a combined total floor area of 6,564 square feet (plus basement area totaling 4,240 sq. ft. which will provide storage for all units); and the Developer proposes to construct one (1) two-family structure and two (2) three-unit townhouses; and there will be two (2) two-bedroom units and six (6) one-bedroom units; and two (2) of the one-bedroom units will be affordable units for households with income at or below 80% of AMI and the remaining six (6) units will be market rate units; and the existing dilapidated foundation will be demolished and paved parking areas with new stormwater management systems, lighting and landscaping will be installed;

WHEREAS, the project will provide thirteen (13) on-site surface parking spaces;

WHEREAS, after consultation by the Developer with the Department of Public Works and Hyannis Water Division, it has been determined that there is sufficient capacity for the project to be connected to and served by the municipal sewer system and the municipal water system and that doing so will be to the mutual benefit of the Developer and the Town;

WHEREAS, the Developer has voluntarily agreed that two (2) of the one-bedroom units will be affordable units for households with income at or below 80% of the Area Median Income for the Town of Barnstable, as determined annually by the United States Department of Housing and Urban Development;

WHEREAS, the project provides, without limitation, the following site design, traffic safety, and community benefits:

- a. Revitalization of long standing vacant property with a dilapidated foundation; revitalization is anticipated to eliminate or substantially reduce issues associated with blighted property including but not limited to an unkempt and unsightly appearance, eliminating a potential hazard and nuisance in the area;
- b. The new buildings will significantly improve aesthetics along Ridgewood Ave.;
- c. The project will provide market rate housing (the need for which was identified in the 2014 Housing Needs Assessment) in an area of Hyannis in need of redevelopment;
- d. Sufficient on-site parking for the residents and guests;
- e. Exterior site lighting improvements;
- f. Improved storm-water drainage management on-site;
- g. Addition of two affordable housing rental units; and
- h. Adhering to smart growth standards and goals by providing attractive new housing opportunities in an area with close accessibility to public transit facilities, shopping, and other amenities.

WHEREAS, the project is consistent with the Downtown Hyannis Design & Infrastructure Plan in that it contributes to the plan's goals of creating livable neighborhoods for year-round residents; creates housing opportunities for persons and households of all income levels; and creates consistency with the historic and maritime character of the area. The proposed building design relates to the surrounding neighborhood context in placement and scale, buildings on the local architectural context, and is oriented to the street; the façade materials are high-quality; and the site design features shared open space and parking located at the rear of the lot;

WHEREAS, Developer would require zoning relief to allow for multi-family residential development in the Single Family Residential District and certain other dimensional and parking-lot related relief, all as further defined in paragraph number 21 below;

WHEREAS, Developer has undergone a public hearing on the Regulatory Agreement application with the Planning Board and received a majority vote from the Planning Board approving the application on _____, 2018;

WHEREAS, Developer has undergone a public hearing on the Regulatory Agreement application before the Town Council and received a 2/3rds vote approving the application on _____, 2018;

NOW, THEREFORE, in consideration of the agreements and covenants hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which each of the parties hereto hereby

acknowledge to the other, Developer and the Town do enter into this Agreement, and hereby agree and covenant as follows:

1. The Developer shall redevelop the property as follows:
 - a. The Developer shall redevelop the Property with three (3) new multi-family residential structures that will contain a total of eight (8) units with a combined total floor area of 6,564 square feet (plus basement area totaling 4,240 sq. ft. which will provide storage for all units); and there will be one (1) two-family structure and two (2) three-unit townhouses; and there will be two (2) two-bedroom units and six (6) one-bedroom units; and two (2) of the one-bedroom units will be affordable units for households with income at or below 80% of AMI and the remaining six (6) units will be market rate units;
 - b. The existing dilapidated foundation will be demolished and removed;
 - c. Paved parking areas with new stormwater management systems, lighting and landscaping will be installed;
 - d. The Developer agrees to construct the project in accordance with the plans and specifications submitted to and approved by the Town (hereinafter Redevelopment Plans), listed as follows and made a part of this Regulatory Agreement by reference:
 1. Existing Conditions Plan dated 11-3-2017 prepared by Horsley Witten Group, Inc. (Sheet C-2);
 2. Civil Engineering plans (including landscaping) entitled “57 Ridgewood Avenue Housing Development Permitting Set Hyannis, Massachusetts” dated stamped by P.E. on 12/22/17 prepared by Horsley Witten Group, Inc. (Sheets C-1 through C-11 and LA-1 and LA-2; and
 3. Building floor plans and elevations prepared by Union Studio Architects dated January 2, 2018; and
 - e. The Developer agrees to comply with the conditions in the aforesaid Site Plan Approval Letter dated December 27, 2017 (SPR 076-17).
2. The development rights granted hereunder shall be exercised and development permits may be obtained hereunder for a period of 10 years from the effective date of the Agreement, provided, however, that prior to the expiration of said 10-year period Developer may request a twelve-month extension to obtain development permits. Upon receipt of necessary development permits, construction shall proceed continuously and expeditiously, but in no case shall construction exceed 2 years from receipt of necessary development permits. Other than a transfer to a single-purpose entity controlled by the Applicant and created specifically for development of the project, the development rights granted under this agreement shall not transfer to another owner without the prior written permission of the Town Manager under Section 168-5 of the Barnstable Town Code.
3. Two (2) of the one-bedroom housing units located in the proposed new development shall be dedicated as affordable housing units in perpetuity and shall be eligible for inclusion on the State’s Subsidized Housing Inventory 760 CMR 56, as follows:
 - a. The two units shall only be rented to qualified households with an income of not more than eighty (80%) percent of Area Median Income for the Town of Barnstable (as determined by

HUD) and priced so as to be affordable and not exceed a monthly housing cost of 30% such households' annual income, including rent and utilities;

- b. In order to protect the perpetuity of the affordable units, an Affordable Housing Restriction such as the one for the Commonwealth of Massachusetts Department of Housing and Community Development Local Initiative Program shall be prepared by the Applicant and reviewed and approved by the Town Attorney's office and recorded as the senior encumbrance at time of recording of this Agreement;
 - c. The owner shall enter into a Monitoring Services Agreement with an entity experienced in performing monitoring and enforcement services to ensure compliance with permit conditions regarding affordability (such as the Barnstable Housing Authority) to annually verify compliance with the affordability terms of this Agreement, as approved by the Town Attorney;
 - d. The owner shall prepare an Affirmative Fair Housing Marketing and Tenant Selection plan which shall be approved by the Dept. of Housing and Community Development and the Town Affordable Housing Coordinator.
4. Lighting for the Development shall be contained on-site, shall be down cast, shall not contribute to light pollution of the area, and shall be constructed consistent with the lighting plans identified in paragraph 1, above.
 5. The site shall be landscaped consistent with the landscaping plan identified in paragraph 1, above. All landscaping within the development shall be low-water use and shall minimize the use of fertilizers and pesticides.
 6. The developer shall provide bike racks and or bike storage on the Property.
 7. Rental restrictions: the units developed hereunder are intended for use and occupancy by individuals and/or families claiming legal residence in the Town of Barnstable (to the extent that the same is legally permissible under the fair housing and other laws and regulations of the Commonwealth of Massachusetts and the United States). Developer's minimum lease term of rental units shall be twelve (12) months. Sublease of rental units, if permitted by the Developer, shall be for a minimum term of ninety (90) days. The units developed hereunder shall be rental only, and any change shall be construed as a modification to this Agreement.
 8. All plumbing fixtures in the new units shall be low water use fixtures and other water conservation measures are encouraged in the design and development of the project.
 9. Developer shall provide calculations demonstrating adequate water flow for fire suppression prepared by a fire protection engineer as required by the Hyannis Fire Department.
 10. Developer is responsible for obtaining all applicable permits and licenses, including but not limited to the following: foundation permit, building permit, street excavation permit (necessary for work in all public spaces), sewer permits and water permits. Only Town of Barnstable approved contractors are allowed to work on Town owned property. Contractors are required to have the insurance stipulated in the Street Excavation Rules and Regulations (SERR) and all work on town property must comply with all provisions of SERR. All work within the public way and public utility services shall be to Town Standards. All plans shall be reviewed and approved by the Department of Public Works prior to initiating any work within the public way.

11. Developer will make best efforts to complete construction work in accordance with a construction schedule submitted and approved in writing by the Town of Barnstable Building Commissioner and Hyannis Fire Department prior to the issuance of any foundation or building permits. Developer shall have two (2) years from the date of commencement of work to complete construction. To the extent construction impacts public property or public rights of passage, changes in the schedule, if needed as work progresses, are subject to the written approval of the Barnstable Planning & Development Department. The construction schedule shall, to the maximum extent feasible, avoid interference with traffic on Ridgewood Ave. The developer shall notify in writing and receive the written approval from the Town of Barnstable Planning & Development Department and the Department of Public Works at least 48 hours in advance of working on Town property. The Developer will be responsible for all construction signage, directional signs, and police officers necessary for the performance of the work as determined by Town.
12. Exterior construction impacts shall be minimized, and construction shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays, and 8:30 a.m. to 2:00 p.m. Saturdays. No construction shall occur on Sundays. The Building Commissioner shall establish protocols to minimize the location of staging, noise, dust, and vibration. Failure to comply with these protocols following written notice from the Building Commissioner shall be grounds for the issuance of a stop work order until agreement as to compliance with the protocols is achieved.
13. During all stages in the demolition of the existing foundation and new construction, all vehicles, equipment and materials associated with the development shall be required to be located off the right of ways of Ridgewood Ave. except as may be required to install utilities, and work authorized by this Agreement and as approved by Public Works and then only on a temporary basis.
14. To the extent that the referenced plans do not depict all of the findings and conditions as set forth in this Agreement, revised plans and/or notations shall be provided. In addition to permits, plans and approvals listed above, any and all permits and licenses required shall be obtained.
15. The total number of parking spaces proposed for the Development is thirteen (13) on the Property.
16. Changes to the approved Plans referenced in Paragraph No. 1 shall require an amendment to this agreement under either §168-5 or §168-10 of the Barnstable Code, as determined by the Town.
17. Construction and demolition debris shall be removed from the Property and shall be reused or recycled to the maximum extent possible.
18. The construction of this project will result in the following benefits to the Town:
 - a. Revitalization of long standing vacant property with a dilapidated foundation; and revitalization is anticipated to eliminate or substantially reduce issues associated with blighted property including but not limited to an unkempt and unsightly appearance, eliminating a potential hazard and nuisance in the area;
 - b. The new buildings will significantly improve aesthetics along Ridgewood Ave.;
 - c. The project will provide market rate housing (the need for which was identified in the 2014 Housing Needs Assessment) in an area of Hyannis in need of redevelopment;
 - d. Sufficient on-site parking for the residents and guests;
 - e. Exterior site lighting improvements;

- f. Improved storm-water drainage management on-site;
- g. Addition of two affordable housing rental units; and
- h. Adhering to smart growth standards and goals by providing attractive new housing opportunities in an area with close accessibility to public transit facilities, shopping, and other amenities which will contribute to the revitalization of Hyannis.

19. Housing Assistance Corporation shall make an annual payment in lieu of taxes to the Town of Barnstable in the amount of \$1,600, a proportionate share of which shall be paid to the Hyannis Fire District. The amount and manner of payment shall be reviewed and approved by the Town Attorney.

20. The Town hereby grants waivers from the following Zoning Ordinance sections:

See Exhibit A attached hereto and incorporated herein by reference.

21. Upon completion of all work, Developer shall cause a registered engineer or land surveyor to submit as-built plans accompanied by a letter of certification, made upon knowledge and belief in accordance with professional standards that all work has been done in substantial compliance with the approved site plan. This document shall be submitted prior to the issuance of the final certificate of occupancy.

22. The development allowed in this permit shall be considered full build-out of the property. The structures authorized shall not be expanded nor other buildings and structures added without compliance with §168-10 of the Barnstable Code.

23. This Agreement shall be recorded with the Barnstable Registry of Deeds within sixty (60) days of its execution by the Town and a recorded copy shall be provided to the Barnstable Planning & Development Department, such recording to include the aforesaid Exhibit A hereto and the legal Property description as provided in Exhibit B attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed, on the day and year first above written.

Dated this _____ day of _____, 2018.

Town of Barnstable Housing Assistance Corp.

By: _____ By: _____
Mark S. Ells, Town Manager Alisa Galazzi, Executive Director
Hereunto duly authorized

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ___ day of _____, 2018, before me, the undersigned notary public, personally appeared Mark Ells, Town Manager of the Town of Barnstable, and proved to me through satisfactory evidence of identification, being (check whichever applies): Driver’s license or other state or federal governmental document bearing a photograph image; Oath or affirmation of a credible witness known to me who knows the above signatory, or My own personal knowledge of the identity of the signatory, to be the

person whose name is listed above, and acknowledged to me that he signed the foregoing instrument as his free act and deed as Town Manager of Barnstable and voluntarily for its stated purpose.

 Notary Public
 My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2018, before me, the undersigned notary public, personally appeared Alisa Galazzi, Executive Director of Housing Assistance Corp., and proved to me through satisfactory evidence of identification, being (check whichever applies): Driver’s license or other state or federal governmental document bearing a photograph image; Oath or affirmation of a credible witness known to me who knows the above signatory, or My own personal knowledge of the identity of the signatory, to be the person whose name is listed above, and acknowledged to me that she signed the foregoing instrument as her free act and deed as Executive Director of Housing Assistance Corp. and voluntarily for its stated purpose.

 Notary Public
 My Commission Expires

**EXHIBIT A
 ZONING WAIVERS**

REQUESTED ZONING WAIVERS			
Zoning Bylaw (date)	Required	Provided	Comments
CODE 240-53 A (2) Landscape requirements for parking lots (Setback/Buffer)	A landscaped setback shall be provided from the surfaced area of a parking lot and all entrance and exit drives to the road lot line, a distance equal to the required front yard building setback requirement, or a maximum of 50 feet, whichever is lesser.	Required 20' Provided 11.8'	Plan complies with §240-24.1.5.B(1), 10 ft landscape buffer in a Single Family Residential District
CODE 240-53 A (2) Landscape requirements for parking lots (Street Trees)	Existing trees and shrubs shall be retained within the road right-of-way and within the required front yard landscaped setback and supplemented with other landscape materials, in accordance with accepted landscape practices. Where natural vegetation cannot be retained, the required front yard landscaped setback shall be landscaped with a combination of grasses, trees and shrubs commonly found on Cape Cod. A minimum of one street tree with a minimum caliper of three inches shall be provided per 30 feet of road frontage distributed throughout the front yard setback area. No plantings shall obscure site at entrance and exit drives and road intersections. All landscaped areas shall be continuously maintained, substantially in accordance with any site plan approved pursuant to Article IX herein.	Required : 6 trees Provided: 4 Trees	18 Trees on site, but only 4 within front yard setback.
CODE 240-52 Design and screening standards	Each off-street parking space shall have minimum dimensions of nine feet by 20 feet excluding the driveway to such space.	9' x 18'	

CODE 240-24.1.5 SF Single Family Residential District	Permitted uses: a. Single family b. Bed and breakfast c. Artists lofts d. For those lots with frontage on South Street and/or High School Road professional offices Multifamily e. Renting rooms for not more than three members by the family residing in a single family dwelling	Multi-family	Applicant seeks to construct 8 multifamily residential units on 31,097 sf lot
240-35 G, (4) - WP Well Protection Overlay District - Site Clearing	Site clearing. A minimum of 30% of the total upland area of any lot shall be retained in its natural state. This shall not prevent the removal of dead, diseased or damaged trees.	2.50%	2.50% of lot to be retained in natural state on a previously disturbed site.

**EXHIBIT B
LEGAL DESCRIPTION**

SPONSOR: James M. Tinsley, Councilor Precinct 9

DATE	ACTION TAKEN

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

BARNSTABLE TOWN COUNCIL

SUMMARY

ITEM # 2018-108
INTRO: 04/05/18

TO: Town Council
FROM: Housing Assistance Corporation
THROUGH: Elizabeth Jenkins, Planning & Development Director
DATE: March 23, 2018
SUBJECT: Regulatory Agreement with Housing Assistance Corporation, 57 Ridgewood Avenue, Hyannis, MA

BACKGROUND: The proposed Regulatory Agreement with Housing Assistance Corporation would allow the redevelopment of a vacant, blighted property at 57 Ridgewood Avenue, Hyannis with a “pocket neighborhood” of 8 multi-family residential rental units. After a public hearing, the Planning Board voted to recommend adoption of the proposed Agreement on February 26, 2018.

RATIONALE: Approval of a Regulatory Agreement with Housing Assistance Corp. allowing the specified zoning relief, upon the terms and conditions as approved by the Planning Board, will facilitate redevelopment of the Property and yield the following benefits to the Town:

- a. Revitalization of long standing vacant property with a dilapidated unfinished foundation; revitalization will eliminate and reduce issues associated with this blighted property including, but not limited to, homeless occupation and illicit activity.
- b. Redevelopment will significantly improve aesthetics on an often-traveled road in the Hyannis Growth Incentive Zone.
- c. The project will provide market rate housing, the need for which was identified in the Town of Barnstable’s Housing Production Plan.
- d. The project will voluntarily provide two affordable housing units (available to residents who earn 80% or less of Area Median Income); the Town’s Housing Production Plan identifies a need for over 2,000 affordable rental units. The units developed in the project will be eligible for inclusion on the Town’s Subsidized Housing Inventory (SHI).
- e. The project will provide significant investment in the East End of Hyannis, a neighborhood that is the focus of planning efforts for which the Town is currently seeking technical assistance and resources from MassDevelopment.
- f. Adhering to smart growth standards and goals by providing attractive new housing opportunities in an area with close accessibility to public transit facilities, shopping, and other amenities.
- g. Improved storm-water drainage management on-site with underground infiltration chambers for treatment of all roof and driveway runoff will improve the Property.
- h. Sufficient on-site parking for the residents and guests;
- i. Exterior site lighting improvements

STAFF ASSISTANCE: Elizabeth Jenkins, Planning & Development Director