



# Town of Barnstable Town Council

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Councillors:

Frederick Chirigotis  
President

Janice L. Barton  
Vice President

Richard G. Barry  
Ann B. Canedy  
James H. Crocker  
Debra S. Dagwan  
Henry C. Farnham  
Janet S. Joakim  
J. Gregory Milne  
James F. Munafo, Jr.  
John T. Norman  
Tom Rugo  
James M. Tinsley

Acting Administrator:  
Barbara A. Ford

Administrative  
Assistant:

## **TOWN COUNCIL SPECIAL MEETING AGENDA May 26, 2011 7:00 PM**

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. ORDERS OF THE DAY – OLD BUSINESS**
- 5. ADJOURNMENT**

**NEXT REGULAR MEETING: June 2, 2011**

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**B. NEW BUSINESS**

None

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**Approve Minutes**

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**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.

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-105**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-105 APPROPRIATION ORDER - \$7,744,400 FY12 AIRPORT ENTERPRISE FUND**

**ORDERED:** That the sum of **\$7,744,400** be appropriated for the purpose of funding the Town's FY 2012 **Airport Enterprise Fund** budget, and to meet such appropriation that **\$7,744,400** be raised from current year revenues by the airport as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-107**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-107 APPROPRIATION ORDER - \$8,373,119 FY12 DEPT. OF PUBLIC WORKS  
GENERAL FUND BUDGET**

**ORDERED:** That the sum of **\$8,373,119** be appropriated for the purpose of funding the Town's FY 2012 **Department of Public Works General Fund** budget, and to meet such appropriation, that **\$8,317,112** be raised from current year revenue, **\$36,695** be transferred from the Embarkation Fee Special Revenue Fund and **\$19,312** be transferred from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-108**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-108 APPROPRIATION ORDER - \$2,615,406 FY12 DEPT. OF PUBLIC WORKS  
SOLID WASTE ENTERPRISE FUND BUDGET**

**ORDERED:** That the sum of **\$2,615,406** be appropriated for the purpose of funding the Town's FY 2012 **Department of Public Works Solid Waste Enterprise Fund** budget, and to meet such appropriation that **\$2,066,000** be raised from current year revenues by the solid waste facility, and that **\$549,406** be transferred from the solid waste enterprise fund surplus, as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-109**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-109 APPROPRIATION ORDER - \$5,072,446 FY12 DEPT. OF PUBLIC WORKS  
POLLUTION CONTROL ENTERPRISE FUND BUDGET**

**ORDERED:** That the sum of **\$5,072,446** be appropriated for the purpose of funding the Town's FY 2012 **Department of Public Works Water Pollution Control Enterprise Fund** budget, and to meet such appropriation that **\$4,215,000** be raised from current year revenues by the water pollution control facility, and that **\$857,446** be transferred from the water pollution control enterprise fund surplus, as presented to the Town Council by the Town Manager

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-110**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-110 APPROPRIATION ORDER - \$3,203,284 FY12 DEPT. OF PUBLIC WORKS  
WATER SUPPLY ENTERPRISE FUND BUDGET**

**ORDERED:** That the sum of **\$3,203,284** be appropriated for the purpose of funding the Town's FY 2012 **Department of Public Works Water Supply Enterprise Fund** budget, and to meet such appropriation that **\$3,203,284** be raised from current year revenues by the water supply operations, as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote



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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-111**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-111 APPROPRIATION ORDER - \$2,458,332 FY12 REGULATORY SERVICES  
DEPT. BUDGET**

**ORDERED:** That the sum of **\$2,458,332** be appropriated for the purpose of funding the Town's FY 2012 **Regulatory Services Department** budget, and to meet such appropriation, that **\$2,373,526** be raised from current year revenue, **\$41,000** be transferred from the Wetlands Protection Special Revenue Fund and **\$43,806** be transferred from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-112**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-112 APPROPRIATION ORDER - \$2,618,544 FY12 COMMUNITY SERVICES DEPT.  
GENERAL FUND BUDGET**

**ORDERED:** That the sum of **\$2,618,544** be appropriated for the purpose of funding the Town's FY 2012 **Community Services Department** budget, and to meet such appropriation, that **\$2,415,406** be raised from current year revenue, and that **\$203,138** be transferred from the Mooring Fee Special Revenue Fund as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-113**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-113 APPROPRIATION ORDER - \$3,100,883 FY12 COMMUNITY SERVICES  
DEPT. GOLF COURSE ENTERPRISE FUND BUDGET**

**ORDERED:** That the sum of **\$3,100,883** be appropriated for the purpose of funding the Town's FY 2012 **Golf Course Enterprise Fund** budget; and to meet such appropriation that **\$3,100,883** be raised from current year revenues by the golf course facilities as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-114**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-114 APPROPRIATION ORDER - \$2,897,704 FY12 COMMUNITY SERVICES DEPT.  
HYANNIS YOUTH AND COMMUNITY CENTER ENTERPRISE FUND  
BUDGET**

**ORDERED:** That the sum of **\$2,897,704** be appropriated for the purpose of funding the Town's FY 2012 **Hyannis Youth and Community Center Enterprise Fund** budget; and to meet such appropriation that **\$1,659,175** be raised from current year revenues by the Hyannis Youth and Community Center operations, and that **\$30,000** be raised from the general fund, and that **\$1,208,529** be transferred from the Capital Trust Fund as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-115**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-115 APPROPRIATION ORDER -- \$652,512 FY12 COMMUNITY SERVICES DEPT.  
MARINA ENTERPRISE FUND BUDGET**

**ORDERED:** That the sum of **\$652,512** be appropriated for the purpose of funding the Town's FY 2012 **Marina Enterprise Fund** budget; and to meet such appropriation that **\$606,500** be raised from current year revenues by the marina facilities and that **\$24,000** be transferred from the Bismore Park Special Revenue Fund and that **\$22,012** be transferred from the marina enterprise fund surplus as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-116**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-116 APPROPRIATION ORDER -- \$658,692 FY12 COMMUNITY SERVICES DEPT., SANDY NECK PARK ENTERPRISE FUND BUDGET**

**ORDERED:** That the sum of **\$658,692** be appropriated for the purpose of funding the Town's FY 2012 **Sandy Neck Park Enterprise Fund** budget; and to meet such appropriation that **\$626,000** be raised from current year revenues by the Sandy Neck Park operations, and that **\$32,692** be transferred from the Sandy Neck enterprise fund surplus as presented to the Town Council by the Town Manager.

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-117**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-117 APPROPRIATION ORDER -- \$887,121 FY12 GROWTH MANAGEMENT DEPT.  
GENERAL FUND BUDGET**

**ORDERED:** That the sum of **\$887,121** be raised and appropriated for the purpose of funding the Town's FY 2012 **Growth Management Department** budget as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-118**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-118 APPROPRIATION ORDER - \$341,033 FY12 TOWN COUNCIL DEPT. BUDGET**

**ORDERED:** That the sum of **\$341,033** be raised and appropriated for the purpose of funding the Town's FY 2012 **Town Council** budget as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote



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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-119**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-119 APPROPRIATION ORDER - \$573,820 FY12 TOWN MANAGER DEPT.  
BUDGET**

**ORDERED:** That the sum of **\$573,820** be raised and appropriated for the purpose of funding the Town's FY 2012 **Town Manager** budget as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-120**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-120 APPROPRIATION ORDER – \$5,425,589 FY12 ADMINISTRATIVE SERVICES DEPT. BUDGET**

**ORDERED:** That the sum of **\$5,425,589** be raised and appropriated for the purpose of funding the Town's FY 2012 **Administrative Services Department** budget as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-121**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-121 APPROPRIATION ORDER - \$10,390,994 FY12 GENERAL FUND DEBT SERVICE BUDGET**

**ORDERED:** That the sum of **\$10,390,994** be appropriated for the purpose of funding the Town's FY 2012 **General Fund Debt Service** budget, and to meet such appropriation, that **\$5,395,366** be raised from current year revenue, **\$69,873** be transferred from the Embarkation Fee Special Revenue Fund, **\$60,373** be transferred from the Bismore Park Special Revenue Fund, and **\$4,865,382** be transferred from the Capital Trust Fund, as presented to the Town Council by the Town Manager.

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-122**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-122 APPROPRIATION ORDER - \$10,158,991 FY12 EMPLOYEE BENEFITS & INSURANCE BUDGET**

**ORDERED:** That the sum of **\$10,158,991** be appropriated for the purpose of funding the Town's FY 2012 **Employee Benefits & Insurance** budget, and to meet such appropriation, that **\$9,627,991** be raised from current year revenue, **\$331,000** be transferred from the Pension Reserve Trust Fund, and **\$200,000** be transferred from the general fund savings account, as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-124**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-124 APPROPRIATION ORDER - \$167,489 OTHER GRANTS BUDGET**

**ORDERED:** That the sums of **\$116,831 and \$50,658** be raised and appropriated for the purpose of funding the Town's FY 2012 **Tourism Grant and Lombard Land Lease** budgets; respectively, as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-125**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-125 APPROPRIATION ORDER - \$3,284,491 FY12 ASSESSMENTS BUDGET**

**ORDERED:** That the sum of **\$3,284,491** be raised and appropriated for the purpose of funding the Town's FY 2012 Assessments budget, as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Motion to Open Public Hearing
- \_\_\_ Rationale
- \_\_\_ Public Hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

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

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-126**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-126 APPROPRIATION ORDER - \$10,542,250 FY12 TRANSFERS BUDGET**

**ORDERED:** That the sum of **\$10,542,250** be raised and appropriated for the purpose of funding the Town's FY 2012 **Transfers** budget, as presented to the Town Council by the Town Manager.

1) And that the following sums be transferred from the Town's enterprise accounts for the purpose of reimbursing administrative, employee benefit and insurance costs budgeted within the General Fund:

**Water Pollution: - \$506,131**  
**Solid Waste:----- \$344,095**  
**Water:----- \$166,416**  
**Airport:----- \$505,529**  
**Golf Course: ----- \$300,000**  
**Marinas:----- \$54,702**  
**Sandy Neck:----- \$68,418**  
**HYCC:----- \$60,000**

2) And further, that the sum of **\$2,995,000** be transferred from the General Fund Savings Account all for the purpose of funding the Town's FY 2012 General Fund budget as presented to the Town Council by the Town Manager.

<b>DATE</b>	<b>ACTION TAKEN</b>
_____	_____
_____	_____

- \_\_\_\_\_ Read Item
- \_\_\_\_\_ Motion to Open Public Hearing
- \_\_\_\_\_ Rationale
- \_\_\_\_\_ Public Hearing
- \_\_\_\_\_ Close public hearing
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

**A. OLD BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-128**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-128 AUTHORIZING THE TOWN MANAGER TO ACCEPT A GIFT OF VACANT LAND**

**RESOVLED**, that the Town Manager is authorized to accept the deed or gift of the vacant parcel of land situated in the Town of Barnstable at 47 Stetson Lane, in the Village of Hyannis, Commonwealth of Massachusetts, consisting of approximately 2.44 acres more or less of a vacant parcel of land situated therein bounded and described in the Release Deed dated March 14<sup>th</sup>, 2011executed between the parties Philip F. Hudock and Rita L. Ailinger to the Town of Barnstable, approved as conservation land, and to prepare and record appropriate documentation at the Barnstable Registry of Deeds to reflect the same

**SPONSOR:** Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council discussion
- \_\_\_ Move / vote



## **BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-128**

**INTRO: 05/19/11, 05/19/11, 05/26/11**

### **SUMMARY**

**TO:** Town Council  
**FROM:** John C. Klimm, Town Manager  
**THROUGH:** Thomas F. Geiler, Director, Regulatory Services Department  
**DATE:** April 13, 2011  
**SUBJECT:** Acceptance of Gift Parcel of Land

**BACKGROUND:** Subject parcel is situated on Stewart's Creek, just upstream of the proposed restoration project locus. It abuts a private parcel, which the Town will be acquiring as part of the project.

**ANALYSIS:** Parcel consists of wetland shrub swamp, providing an important buffer to existing development on the east side of Stewart's Creek. It also lends to the greenway aesthetics of the Creek.

**FISCAL IMPACT:** Parcel is assessed for \$8,900. No back taxes owed.

**TOWN MANAGER RECOMMENDATION:** The Town Manager recommends favorable action.

**BOARD AND COMMISSION ACTION:** Conservation Commission supports.

**STAFF ASSISTANCE:** D. Houghton; R. Gatewood

**A. OLD BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-129**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-129 RESOLUTION IN SUPPORT OF HB890 & SB45 THAT UPDATES THE BOTTLE BILL SO AS TO INCLUDE WATER, JUICE & TEA BOTTLES**

**RESOLVED**, that the Town Council is in support of the proposed update to the Commonwealth's "Bottle Bill" filed in House Bill 890 and the Senate Bill 45, so that it will now include water, juice and tea containers subject to deposit collection.

**SPONSOR:** Councilor J. Gregory Milne

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council discussion
- Move / vote

## Resolution in Support of Updating the Massachusetts Bottle Bill

Whereas, the Massachusetts Bottle Bill, enacted in 1982 has allowed Barnstable residents to enjoy a cleaner environment by creating an incentive for users of certain beverage containers to recycle those used containers, and;

Whereas, states with deposit laws have higher residential recycling rates of beverage containers than those of non-deposit states, and;

Whereas, litter decrease in states with Bottle Bills averages 70-85%, and;

Whereas, through the Massachusetts Bottle Bill, we recycle nearly 80% of deposit containers, but only 20% on non-deposit containers, and ;

Whereas, the Governor of the Commonwealth, and members of the Massachusetts Senate and House of Representatives have recognized that the original bottle bill does not take into account those beverages such as bottled water, sports drinks, and teas, and;

Whereas, the addition of bottled water, sports drinks and teas to the Bottle Bill will decrease the total volume of municipal solid waste that is needed to be collected, thus saving disposal fees and landfill space.

### **Therefore Be It Resolved**

That we, the Barnstable Town Council, commemorate the 27th anniversary of the implementation of the Massachusetts Bottle Bill.

Furthermore, Be It Resolved that the Town of Barnstable be placed on record as being in support of the Massachusetts Beverage Container Deposit Law and encourages it's strengthening through expanding the list as recommended by the Governor in his proposed budget and currently being considered by the House and Senate Joint Committee on Telecommunications, Utilities and Energy.

Furthermore, Be It Resolved that the Town of Barnstable goes on record in supporting programs that encourage residents and visitors to return or recycle all beverage containers and other recyclable materials to fully utilize the currently available recycling programs.

Be it Further Resolved that the Town of Barnstable instructs its state representatives and state senators, and our governor to support and vote in favor of updating the Massachusetts Container Beverage Law.

I Frederick Chirigotis, President of the Barnstable Town Council have hereunto set my hand this 5<sup>th</sup> day of May 2011, signing this resolution on behalf of the Barnstable Town Council.

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Frederick Chirigotis, President  
BARNSTABLE TOWN COUNCIL

**A. OLD BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-130**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-130 ACCEPTANCE OF A \$1,500 MASS DEPT. OF ENVIRONMENTAL PROTECTION GRANT TO PURCHASE RECYCLING BINS**

**RESOLVED**, that the Town Council hereby accepts a grant award in the amount of \$1,500.00 from the Massachusetts Department of Environmental Protection for the purchase of recycling bins and that the Town Manager is authorized to expend the grant monies for the purpose specified therein.

**SPONSOR:** Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- \_\_\_ Read Item
- \_\_\_ Rationale
- \_\_\_ Council discussion
- \_\_\_ Move / vote

# **BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-130**  
**INTRO: 05/05/11, 05/19/11, 05/26/11**

## **SUMMARY**

**TO:** Town Council  
**VIA:** John C. Klimm, Town Manager  
**FROM:** Mark S. Ells, Director, Department of Public Works  
**DATE:** April 25, 2011

**BACKGROUND:** The Department of Public Works Solid Waste Division has been awarded a \$1,500 grant from the Massachusetts Department of Environmental Protection. These funds will be used to market and promote the Sustainable Materials Recovery Program (SMRP) through a municipal grant for recycling, composting, reuse, and source reduction activities.

**ANALYSIS:** The acceptance of this grant will allow the Department of Public Works to continue to promote municipal recycling programs at the Town's Solid Waste Transfer Station.

**FISCAL IMPACT:** Matching funds are required for this award and are available in the operating budget of the Solid Waste Division.

### **TOWN MANAGER RECOMMENDATION**

Town Manager John C. Klimm recommends acceptance of this grant.

**A. OLD BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-131**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-131 ACCEPTANCE OF A \$7,500 MASS DEPT. OF ENVIRONMENTAL PROTECTION GRANT TO IMPLEMENT MASS DEP GOALS IN CIP**

**RESOLVED**, that the Town Council hereby accept a grant award in the amount of \$7,500.00 from the Massachusetts Department of Environmental Protection. The funds will be used to implement MassDEP goals for outlining needed capital improvements over a twenty year time horizon at the Water Supply Division, and that the Town Manager is authorized to expend the grant monies for the purpose specified therein.

**SPONSOR:** Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council discussion
- Move / vote

# **BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-131**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

## **SUMMARY**

**TO:** Town Council  
**VIA:** John C. Klimm, Town Manager  
**FROM:** Mark S. Ells, Director, Department of Public Works  
**DATE:** April 25, 2011

**BACKGROUND:** The Department of Public Works Water Supply Division has been awarded a \$7,500 grant from the Massachusetts Department of Environmental Protection, using funds made available from set aside monies from the Massachusetts Drinking Water State Revolving Fund program. These funds will be used to implement MassDEP goals for outlining needed capital improvements over a twenty year time horizon. Completion of this CIP document will allow the public water system to define short and long term needs to continue to meet public health standards and provide efficient water works system operations and delivery to customers.

**ANALYSIS:** The acceptance of this grant will allow the Hyannis Water Supply Division to continue to its on-going work developing a capital improvement project plan for the Hyannis Water System.

**FISCAL IMPACT:** The total project cost of \$10,000 is required for this award. The Town's Water Supply Division's match of \$2,500 will be with in-kind services in support of this effort.

### **TOWN MANAGER RECOMMENDATION**

Town Manager John C. Klimm recommends acceptance of this grant.

**A. OLD BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-132**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

**2011-132 ACCEPTANCE OF MGL C. 32B, §20 ESTABLISHING - OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUND**

**ORDERED:** That Section 20 of Chapter 32B of the general laws is hereby accepted establishing an Other Post Employment Benefits (OPEB) Liability Trust Fund and that the value from the Town's Insurance Reserve Trust Fund, which is approximately \$680,000, be transferred into the OPEB Liability Trust Fund.

**SPONSOR:** Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council discussion
- Move / vote



# **BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-132**

**INTRO: 05/05/11, 05/19/11, 05/26/11**

## **SUMMARY**

**TO:** Town Council  
**FROM:** John C. Klimm, Town Manager  
**DATE:** April 25, 2011  
**SUBJECT:** Adoption of Chapter 32B, Section 20, Other Post Employment Benefits Liability Trust Fund and the Transfer of Funds into the Trust

**RATIONALE:** Accounting rule changes initiated by the Governmental Accounting Standards Board (GASB) now require every state and local government to conduct an actuarial calculation of the liability associated with Other Post Employment Benefits (OPEB), and report this liability on their financial statements. This requirement is similar to the one for pensions created years ago. The major difference is that currently no law exists requiring state and local governments to begin accumulating assets to fund this liability; however, steps can be taken to reduce the liability along the way. One of those steps is to establish a trust fund. It should be noted that the only post employment benefits offered by the Town are health insurance and life insurance.

**FISCAL IMPACT:** The adoption of this new local option section, Section 20, to G.L. c. 32B, will allow the Town to create this Trust and accumulate assets to address our OPEB liability. The Town currently has an Insurance Reserve fund, which has not been accessed for several years in anticipation of using the funds for this purpose. Establishing the Trust also allows the Town to use a higher rate of return on its investment assumption in the actuarial calculation. This should reduce the unfunded liability by millions of dollars. Finally, adopting this measure will be viewed favorably by bond rating agencies and will be a factor in the Town maintaining its AAA bond rating.

**TOWN MANAGER RECOMMENDATION:** The Town Manager recommends adoption of this statute.

**STAFF ASSISTANCE:** Mark Milne, Director of Finance

**A. OLD BUSINESS (May be acted upon) (Roll-call)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2011-139**  
**INTRO: 05/19/11, 05/26/11**

**2011-139 TRANSFER \$250,000—DESIGN & CONSTRUCTION, AIRCRAFT PARKING RAMP**

**ORDERED:** That the sum of Two Hundred Fifty Thousand Dollars and no cents (\$250,000.00) be transferred for the purpose of increasing funding available for the design and construction of Phase I of the new permanent Main Terminal Aircraft Parking Ramp immediately in front of the new Terminal as required by the Federal Aviation Administration (FAA) aviation capital improvement program (ACIP) under Council Order 2011-054; and that to meet this transfer, that \$250,000 be transferred from Council Order 2011-074 for the purpose of funding repairs to the surfaces of two airport runways.

**SPONSOR:** Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council discussion
- Move / vote

## BARNSTABLE TOWN COUNCIL

**ITEM# 2011-139**  
**INTRO: 05/19/11, 05/26/11**

### SUMMARY

**TO:** Town Council  
**FROM:** John C. Klimm, Town Manager  
**THROUGH:** (1) R. W. Breault, Jr., Airport Manager  
(2) Barnstable Municipal Airport Commission  
**DATE:** May 13, 2011  
**SUBJECT:** Transfer of Capital Program Appropriation to Design and Construction of Phase I of the New Permanent Main Terminal Aircraft Parking Ramp

**BACKGROUND:** The Town Council approved A. O. 2011-054 for the construction of the new permanent Main Terminal Aircraft Parking Ramp area immediately in front of the new Terminal on March 3, 2011 in the amount of \$1,292,000. The Town Council A. O. 2011-095 for the construction of four water quality units being installed prior to the pond outfalls on the Airport is scheduled for a public hearing on May 5, 2011; and this additional project is being bid as an “add alternate” to the Aircraft Parking Ramp bid.

Appropriation Order 2011-074 for the purpose of funding repairs to the surfaces of two airport runways was approved by the Town Council on April 7, 2011 as part of the Airport Enterprise Fund FY2012 CIP program. All of the \$500,000 funding approved is now no longer needed in FY2012 as the MassDOT Aeronautics Division State-wide bid for their airport runway crack sealing and crack repair program was approved after submittal of the CIP; and the State-wide bid included substantial work at Barnstable Municipal Airport such that the appropriation could be substantially reduced.

**ANALYSIS:** The Airport went out to bid on April 13, 2011 and opened the bids on April 29, 2011 for the construction of the Aircraft Parking Ramp and Water Quality Units on a combined bid. The apparent low bidder was Lawrence Lynch Construction, Inc. with a combined construction bid of \$1,557,715. When combined with the design and other fixed overhead costs and estimated administrative costs of \$313,285 we are short \$191,000 in necessary funding. This transfer will provide the necessary funds to meet all estimated/bid costs and provide a small construction contingency of \$59,000.

The apparent reason for the increased costs include increased costs of fuel oil and asphalt; and the difference in the construction specifications used for roadway construction versus that required for use on aircraft parking ramps by the Federal Aviation Administration (FAA).

**FISCAL IMPACT:** This transfer of funds will be sufficient to complete the project and will be reimbursed by the FAA at 95% and MDOT at 2.5% of total eligible costs. This transfer will have no affect on the balance of funds in the airport enterprise fund. This transfer will not be added to the base operating budget of the airport going forward.

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